



MEDIUM-SIZED PROJECT PROPOSAL REQUEST FOR GEF FUNDING

AGENCY'S PROJECT ID:
GEF SEC PROJECT ID: 2819
COUNTRY: Cambodia
PROJECT TITLE: Implementation of the National Biosafety Framework of Cambodia
GEF AGENCY: UNEP
OTHER EXECUTING AGENCY(IES):
DURATION: 48 months (January 1, 2006 – December 31, 2009)
GEF FOCAL AREA: BD
GEF OPERATIONAL PROGRAM: OP1-4, OP13
GEF STRATEGIC PRIORITY: BD3
ESTIMATED STARTING DATE: 01 January, 2006
IMPLEMENTING AGENCY FEE:

FINANCING PLAN (US\$)	
GEF PROJECT/COMPONENT	
Project	641,280
PDF A*	
Sub-Total GEF	641,280
CO-FINANCING**	
GEF Agency	
Government (in-kind)	299,025
Bilateral	52,100
World Bank	108,000
Others	
Sub-Total Co-financing:	459,125
Total Project Financing:	1,100,405
FINANCING FOR ASSOCIATED ACTIVITY IF ANY:	

* Indicate approval date of PDF A

** Details provided in the Financing Section

CONTRIBUTION TO KEY INDICATORS OF THE BUSINESS PLAN: The project belongs to the Biodiversity Focal Area and within the four strategic priorities of this focal area it is relevant to:

(3) Capacity Building for the Implementation of the Cartagena Protocol on Biosafety

RECORD OF ENDORSEMENT ON BEHALF OF THE GOVERNMENT:

HE. Mr. Lhong Heal,
 Director General and
 GEF Focal Point,
 Ministry of Environment
 Cambodia

Letter of endorsement enclosed, dated
 6th May, 2005

This proposal has been prepared in accordance with GEF policies and procedures and meets the standards of the GEF Project Review Criteria for a Medium-sized Project.

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LIST OF ACRONYMS

AFTA	ASEAN Free Trade Agreement
AIA	Advance Informed Agreement
CARDI	Cambodian Agricultural Research and Development Institute
CBD	Convention on Biological Diversity
CCC	Cooperation Committee for Cambodia
CDC	Council for the Development of Cambodia
CED	Community Economic Development
CP	Cartagena Protocol on Biosafety
CITES	Convention on Int'l Trade in Endangered Species of Wild Fauna and Flora
CNDD	National Commission for Sustainable Development
DAHP	Department of Animal Health and Production
DAI	Department of Agro-Industry.
DAALI	Department of Agronomy and Agricultural Land Improvement.
DOE	Department of Environmental Education.
Camcontrol	Cambodia Import-Export Inspection and Frail Repression
EIA	Environmental Impact Assessment
FAO	United Nations Food & Agriculture Organization
IPM	Integrated Pest Management
IRRI	International Rice Research Institute
Lab	Laboratory
LMO	Living Modified Organism
GMO	Genetic Modified Organism
NCC	National Coordinating Committee
MAFF	Ministry of Agriculture Forestry and Fisheries
MOEF	Ministry of Economy and Finance
MIME	Ministry of Industry Mine and Energy
MOC	Ministry of Commerce
MOE	Ministry of Environment
MOH	Ministry of Health
MOP	Ministry of Planning
MOWRAM	Ministry of Water Resources and Meteorology
MRD	Ministry of Rural Development
NBSAP	National Biodiversity Strategy and Action Plan
NBSC	National Biodiversity Steering Committee
NCSA	National Capacity Self-Assessment
NEA	National Executing Agency
NEAP	National Environmental Action Plan
NIDQC	National Institute for Drug Quality Control
NPC	National Project Coordinator
RGC	Royal Government of Cambodia
RUA	Royal University of Agriculture
SEDP	Socio-Economic Development Plan
SARS	Serious Acute Respiratory Symptoms
SAT	Scientific Advisory Team

A. PROJECT SUMMARY

The Royal Government of Cambodia (RGC) recognizes a clear need for ensuring the sustainable use of biological resources and for environmental sustainability. Initiatives in support of these priorities have contributed to the sustainable development of the country. As a Party to the Convention on Biodiversity since 09 February 1995, Cambodia completed its NBSAP in early 2002, and the government promulgated it on 27 July 2002.

The NBSAP provides a framework for action at all levels that will enhance Cambodia's ability to ensure the productivity, diversity and integrity of natural systems and, as a result, our ability as a nation to reduce poverty and improve the quality of life of all Cambodians. It promotes the conservation of biodiversity and the sustainable use of our biological resources, and describes how we will contribute to international efforts to implement the Convention. The NBSAP outlined 17 themes and 98 priority actions, which were adopted by the government and can be grouped in three broad categories: actions promoting awareness and capacity building of government staff and local communities for biodiversity conservation and sustainable use of biological resources; actions promoting the implementation of community-based natural resource management; and actions aimed at clarifying ministerial jurisdictions, reducing responsibility overlap and promoting inter-ministerial coordination and collaboration. One of the 17 themes of the NBSAP addressed the government policy toward biosafety and biotechnology development.

The National Biosafety Framework, finalized on 30 June, 2004 with financial assistance from UNEP/GEF, is a positive step towards fulfilment of these national initiatives and the country's international obligation under the Cartagena Protocol, which Cambodia ratified on 17 September, 2003. The NBF development came through the MOE, which is a National Focal Point for the CP. MOE coordinated with line ministries, NGOs, academic institutions and private sector to develop its the NBF.

Cambodia is now seeking assistance from GEF for an MSP to implement its NBF. This project would help RGC to strengthen the existing institutional and technical structures and infrastructures needed to meet the obligations of the Protocol, and have an operational National Biosafety Framework. This project will contribute to:

- The building of capacity for implementation of the Cambodia's National Law on Biosafety and Sub-Decree on Management and Control of LMOs and relevant guidelines to ensure the safe use of modern biotechnology;
- Putting in place specific technical guidelines for facilitating transport, handling and use of LMOs.;
- The strengthening of appropriate institutional structures for risk assessment and decision making;
- The development and implementation of policies for biotechnology and biosafety;
- The training of decision makers, scientists, and administrative and technical staff on legal and technical matters;
- The reinforcement of the existing infrastructures (laboratories) to strengthen monitoring and identification of LMOs;
- Setting up and making operational a mechanism for monitoring and enforcement
- The strengthening of communication and information exchange relating to biosafety

- both at the national level as well as through the BCH
- Systems for strengthening public awareness, education and participation in decision making on GMOs.

Goal:

To assist the Royal Government of Cambodia to put in place a workable and transparent national biosafety framework, in line with national development priorities, Agenda 21, and the CBD.

Objective:

To assist RGC to fully implement its draft NBF so as to comply with the CP through Capacity Building.

Specific Objectives:

- A. To assist RGC to establish and consolidate a fully functional and responsive regulatory regime in line with Cartagena Protocol and national needs and priorities.
- B. To assist RGC to establish and consolidate a functional national system for handling requests, carry out risk assessment decision-making and administrative tasks.
- C. To assist RGC to establish and consolidate a functional national system for “follow-up” activities such as monitoring of risk exposure and environmental effects, and strengthening of enforcement mechanisms, institutions and procedures.
- D. To assist RGC to establish and consolidate a functional national biosafety system for public awareness, education, participation, and access to information.

Project Outcomes

The expected outcomes from the project are:

- 1- An operational, workable, transparent and effective regulatory regime on biosafety**
- 2- Procedures for handling applications established and updated in accordance with the Cartagena Protocol**
- 3- Establishment of mechanism and procedures for monitoring of environmental effects, and enforcement**
- 4- Increased public awareness of biosafety and involvement in decision-making on biosafety.**

Estimated budget (in US\$:	
GEF: Project Cost:	\$641,280
Co-financing:	
Total government contribution (in-kind)	\$299,025
Contribution from bilateral and multilateral donors	\$160,100
Total: budget in US \$	1,100,405
Information on Project proposer	
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B - COUNTRY OWNERSHIP	
B1. Country eligibility	
Cambodia ratified the Convention on Biological Diversity on 09 February, 1995 and the Cartagena Protocol on 17 September, 2003.	
B2. Country Driven-ness	
Project linkage to national priorities, action plans and programmes: The National Development Objectives outlined in the RGC Second Five-Year Socioeconomic Development Plan (SEDP II 2001-2005) focus on: <ul style="list-style-type: none"> • Economic growth that is broad enough to include sectors where the poor derive a livelihood • Social and cultural development • Sustainable use of natural resources and sound environmental management. The RGC recognizes a clear need for ensuring the sustainable use of biological resources and for environmental sustainability. Initiatives and progress have been made in this regard to contribute to the sustainable development of the country. Therefore, the long-term vision of biodiversity conservation as described in the National Biodiversity Strategy and Action Plan 2002 is for equitable economic prosperity and improved quality of life through sustainable use, protection and management of biological resources. The mission of the Royal Government of Cambodia is to use, protect and manage biodiversity for sustainable development in the country. <p>As a Party to the Convention on Biodiversity, the RGC has demonstrated its strong commitment to the implementation of the CBD as by the completion of its NBSAP in early 2002, and its promulgation by the government on 27 July 2002. The NBSAP provides a framework for action to promote the conservation of biodiversity and the sustainable use of biological resources, based on 17 themes and 98 priority actions. Government policy on biosafety and biotechnology development, based on capacity</p>	

building, is one of the 17 themes of the NBSAP. This has been further elaborated through the development of the national biosafety framework (NBF).

The NBF comprises the Royal Government of Cambodia's policy on biosafety, the establishment of a regulatory regime for biosafety, a system to handle requests for authorizations, a system for the enforcement and monitoring for environmental effects, and mechanisms for public awareness, education and participation. The NBF provides a guide for preventing and minimizing risks associated with LMOs that might have adverse impacts on biodiversity and human health. Implementing this NBF would strengthen capacity at the national level to cope with risks, promote awareness among farmers and communities on biosafety, and contribute to poverty alleviation as stated in the NBSAP, NEAP and SEDP II.

The draft law on biosafety was approved by the Council of Ministers on 9th September 2005 with minor changes of wording and has been submitted to Parliament for their consideration.

C – PROGRAM AND POLICY CONFORMITY

C1. PROGRAMME DESIGNATION AND CONFORMITY

The project belongs to the Biodiversity Focal Area and within the four strategic priorities of this focal area it is relevant to:

(3) Capacity Building for the Implementation of the Cartagena Protocol on Biosafety

The project will assist Cambodia, as a Party to the Protocol, to meet its obligations by building or strengthening the capacity needed to have a workable NBF.

It is therefore most relevant to the implementation of GEF Operational Programs 1-4 and 13

C2. PROJECT DESIGN

PROJECT RATIONALE

Background and context

Since its establishment after the Paris Peace Accords of October 1991 and the elections in 1993, the Royal Government of Cambodia (RGC) has made significant progress in re-establishing political and economic stability. The successful conduct of a second round of national elections in July 1998 led to the installation of a coalition government and further integration of the disparate political forces in the country. The country regained its seat and representation at the United Nations General Assembly and in 1999 became a full member of the Association of South East Asian Nations (ASEAN).

Through the efforts of key Governmental institutions such as the Ministry of Environment (MOE) and the Ministry of Agriculture, Forestry and Fisheries the RGC has joined most major environmental management conventions and protocols, including:

- The United Nations Convention on Biological Diversity (February 9, 1995)
- Cartagena Protocol on Biosafety (September 17, 2003)
- The United Nations Framework Convention on Climate Change (March 17, 1996)
- The United Nations Convention to Combat Desertification (August 18, 1997)
- The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (October 27, 1997)
- The Convention on Wetlands of International Importance, especially as waterfowl Habitat (RAMSAR) (October 1999)

In September 2000, 147 heads of state and Government and 191 nations in total adopted the Millennium Declaration. The Declaration outlines peace, security and development concerns including the areas of environment, human rights, and governance. The declaration mainstreams a set of inter-connected and mutually reinforcing development goals into national agenda, which represent agenda for halving extreme poverty by the year 2015. To achieve these goals, it requires the Government and development partners to emphasize the cross-sectoral nature of sustainable development, and in so doing, to concentrate on three thematic areas including sustainable natural resource management with environment sustainability, poverty alleviation and good governance.

The Royal Government of Cambodia considers good governance as the backbone of the national strategy to alleviate poverty. In support of this, UNDP considers sustainable management and rational use of the natural resources of Cambodia a necessary supplementary prerequisite to the national strategy to alleviate poverty. Accordingly, and in line with the government's national priorities, support to good governance in the fields of environmental and natural resource management is also a priority area for both the UN system and the RGC, which set in the triangle strategy: environmental sustainability, economic development and social equity. This is elaborated in the first United National Development Assistance Framework (UNDAF 2001 – 2005) and the second UNDP Country Co-operation Framework (CCF 2001 - 2005).

Current situation (in the country with respect to the NBF)

The National Biosafety Framework is a fulfilment of the international obligation under the Cartagena Protocol, ratified by the RGC on 17 September, 2003. The NBF finalized on 30 June, 2004 with financial assistance from UNEP/GEF, provides Cambodia with the impetus to develop environmental policies that are consistent with global and regional trends.

The MOE led the process of developing the NBF as the National Focal Point for the CP. The MOE worked with line ministries, NGOs, academic institutions and the private sector through consultations, meetings and workshops to determine gaps, needs and options for the formulation of the NBF to ensure it was accepted by all stakeholders and the results were workable. The NBF contains details of the draft law on biosafety and draft sub-decrees on LMO management; these will need to be promulgated during implementation. The aims of the NBF are to legally protect the public from possible adverse risks caused by LMOs released into the environment. The NBF also provides clear procedures for submission of applications for importation and release of LMOs to assist those wishing to import LMOs into the country. The NBF also refers to other domestic laws that are relevant to biosafety, but differ in some aspects. These include their scope, implementation and their responsible ministries and departments. More importantly, the NBF identifies the areas it regulates and those it does not, so the public is clear about the roles and responsibilities of the NBF.

Cambodia's NBF reflects five components including Biosafety Policy, Regulatory Regime, a System for handling the requests, Monitoring and Enforcement Mechanisms and Public Awareness, Education and Participation.

Biosafety policy

The goal for Cambodia toward biosafety and biotechnology development is:

- *Develop biotechnology education while preventing or minimizing environmental and health hazards associated with the use and release of living modified organisms.*
- *Protect indigenous biodiversity from adverse impact resulting from the introduction and use of living modified organisms.*

Cambodia has developed its NBF towards achievement of this goal. However, Cambodia still faces challenges in agricultural biotechnology, as well as addressing gaps in technical, infrastructure, and institutional capacities to implement its NBF.

Priorities for biosafety policy in Cambodia include:

- Research in microbial biodiversity.
- Use of biotechnology to reduce the use of chemicals.

- Use of biotechnology to control pollution and to improve environmental health and other aspects of environment.
- Provide capacity for monitoring and enforcement to concerned ministries, NGOs and universities.
- Build capacity in appropriate labs in Cambodia to be able to identify LMOs.
- Utilize biotechnology to produce protein rich products that could be used as animal feed, organic fertilizers, soil conditioners and soil stabilizers.
- Promote sound genetic manipulation to increase fish and crop production.
- Promote the production of biogas, bio-fertilizers, and energy as a by-product of fermentation processes.
- Establish a national directory of human resources working on subjects concerned with biotechnology and biosafety.
- Develop a biotechnology training program including risk assessment and risk management of LMOs.
- Increase university resources in biotechnology research and development.
- Include in the educational curricula the concept of genetic diversity, its importance and application in genetic engineering and technology.
- Develop a National Code of Ethics and Guidelines for the use of biotechnologies, LMOs and GMOs.
- Develop a biotechnology research centre for long-term resource development

Regulatory regime for biosafety

Under the GEF-funded project, Cambodia produced a draft national law on biosafety and is drafting a Sub-decree on biosafety. The draft law consists of 46 articles dealing with the trans-boundary movement of LMOs and risk assessment and management mechanism for the release of LMOs into the environment. The Sub-decree will be a complement to the draft law to ensure the completeness as outlined in the protocol. The Sub-decree bears title on “Management and Control of Living Modified Organisms”, which consists of 47 articles. The draft law is now reaching its final draft through the consultative meetings of the biosafety task force, stakeholder workshops and NBSC meetings. The draft law on biosafety was approved by the Council of Ministers on 9th September 2005 with minor changes of wording and has been submitted to Parliament for their consideration.

According to the draft National Law on Biosafety, Articles 11 to 13, stipulate that LMOs that are required to be regulated when imported into Cambodia, are:

- LMOs imported for contained use.
- LMOs imported for intentional introduction into the environment.
- LMOs imported for direct use as food or feed or for processing.

Details of the draft Law are given in the NBF in Annex 8.

System for handling applications for permits

The system to handle application or request is specified in articles 11-18 of the draft law. These articles cover LMOs destined for intentional introduction into the environment and contained use activities. The structure as outlined in Annex 8 is the proposed decision-making system for release of LMOs, in which relevant agencies will take part in the process, according to the nature of LMOs. It will not only require risk assessment from appropriate agencies, i.e. competent national authority, but also have relevant stakeholders including NGOs and consumer associations participate in the process of risk assessment. This addresses the release of LMOs into the environment, where the National Biodiversity Steering Committee is the highest body able to make a decision to allow LMOs to enter Cambodia.

The requirement of information related to the release of LMOs whether for intentional use, direct uses as food, feed or processing will be posted in the national BCH (www.cambodiabiosafety.org).

Based on the draft flow-chart for the release of LMOs into the environment (that will be included in the Sub-Decree on Biosafety for further discussion), the system of handling requests for authorizations in Cambodia is clearly outlined. These include the procedure for granting permit and risk assessment for importing LMOs.

Systems for monitoring of environmental effects and enforcement

To effectively monitor and enforce the law, a system for monitoring and enforcement under the Cambodian NBF suggested as follows.

Monitoring will be conducted at priority areas to ensure risks can be contained as soon as an unintended release occurs. The principle agency for monitoring is MOE. Other agencies also play an important role in monitoring because of the location and facilities within such agencies like MAFF, MOH, MOC, and relevant NGOs. These relevant ministries and groups should immediately report to competent national authority/MOE for joint urgent action such as risk management and operation of an emergency response plan. Media often provides a fast track for information to the public. In this respect, their role in monitoring any outbreak of risks from LMOs is considerable.

Enforcement varies on the nature and intended use of the LMO and is therefore subject to different laws such as the Law on the Management of Quality and Safety of Products and Services, Law on Marks, Trade Names and Acts of Unfair Competitions, biosafety law and sub-decree. However, for the biosafety law, different agencies (such as Custom and Excise General Department, MOE, Ministry of Commerce and other concerned ministries) will share responsibilities for effective enforcement in areas such as checking of labelling, permits, letters of approval, imposition of fines and penalties, and AIA, .

Public Information and participation

Public awareness, education and participation have also been addressed in the National Law on Biosafety. As stated in article 34, “The Ministry of Environment and other concerned competent ministries shall promote awareness and education of the general public and particularly those conducting activities and operations concerning biosafety matters which are subject to this law through, among other things, the publication of this law and Sub-decrees implementing it. The procedures for public participation and access to information on LMO-related issues shall be stipulated by Sub-decree implementing this law following proposal of the Ministry of Environment.” Article 35 further said that “Information related to LMOs shall be mutually disseminated among the Ministry of Environment and other concerned competent authorities.” This is essential to allow public to be aware of risk from LMOs and participate in risk assessment since they are users. This would also be transparent and able to implement easily. However, the draft law would need to further specify the role of public participation in risk assessment and management of LMOs.

RATIONALE

GEF funding would enable Cambodia to integrate its components of the draft NBF into the national system so as to meet its obligations under the Cartagena Protocol on Biosafety as a Party.

This project would help RGC to strengthen the existing institutional and technical structures and infrastructures needed to meet the obligations of the Protocol and have a National Biosafety Framework fully operational. This project will contribute to:

- The building the capacity for implementation of the Cambodia's National Law on Biosafety and Sub-Decree on Management and Control of LMOs and relevant guidelines to ensure the safe use of modern biotechnology;
- The preparation of specific technical guidelines i.e. application form for LMOs import and export, labelling model and etc.;
- The strengthening of appropriate institutional structures for risk assessment and decision making;
- The development and implementation of policies for biotechnology and biosafety;
- The training of decision makers, scientists, and administrative and technical staff on legal and technical matters;
- The reinforcement of the existing infrastructures (laboratories) to strengthen monitoring
- The setting up of a mechanism for monitoring and enforcement
- The strengthening of communication and information exchange relating to biosafety both at the national level as well as through the BCH
- Systems for strengthening public awareness, education and participation in decision making on GMOs.

Biosafety is a crosscutting issue; and cannot be dealt with by a single ministry and requires cooperation and coordination amongst a range of government departments with potentially overlapping mandates and responsibilities. However, in terms of information flow and effective decision-making, there must be a leading institution in this field to bring other institutions to work together.

In practice, MOE, as the leading institution with a mandate to protect the environment and natural resources would take a lead role in biosafety. The National Biodiversity Steering Committee (NBSC) established to oversee biodiversity has recently amended its mandates to cover the biosafety. The NBSC chaired by Minister for Environment and Vice-Chaired by Secretary of State for Agriculture, its members are under secretaries of state from Ministries of. Rural Development, Transport and Public Works, Tourism, Planning, Industry, Mine and Energy, Water Resources and Meteorology, Education, Youth and Sport, Council for the Development of Cambodia and four governors from Stung Treng, Ratanakiri, Siem Reap and Koh Kong Provinces.

OBJECTIVES

Overall objective:

To assist Cambodia to fully implement its draft NBF so as to comply with the CP through Capacity Building. (See Annex 8 the text of the draft NBF).

Specific Objectives and outcomes:

Component A	To assist RGC to establish and consolidate a fully functional and responsive regulatory regime in line with Cartagena Protocol and national needs and priorities.
Outcomes	<i>RGC has a fully functional and responsive regulatory regime in line with CP and national needs; Regulatory regime published and made accessible to all stakeholders; Application and enforcement of the regulatory regime.</i>
Component B	To assist RGC to establish and consolidate a functional national system for handling request, carry out risk assessment, decision-making, and administrative tasks.
Outcomes	<i>RGC has a functional national system for handling request and decision-making as well as performing risk assessment and management associated to LMOs; A fully functional decision-making system; A fully functional administrative system; A fully functional system for handling, storing and exchanging information including the effective use of the BCH, to complement the BCH project</i>
Component C	To assist RGC to establish and consolidate a functional national system for “follow-up”, namely monitoring of risk exposure and environmental effects and enforcement.
Outcomes	<i>Establishment of roles and responsibilities for monitoring and enforcement; Strengthen systems for enforcement; Emergency response procedures established and operational.</i>
Component D	To assist RGC to establish and consolidate a functional national system for public awareness, education, participation, access to information.
Outcomes	<i>RGC has a functional national system for public awareness, education, participation, access to information: National system established for access and sharing of information; Strengthen system for public awareness and education; Strengthened political and public support for biosafety; Strengthen system for public participation in decision-making.</i>

SPECIFIC PROJECT OUTPUTS*

**Note: See Annex 3, which gives a detailed breakdown of the activities for each output, including the estimated costs, as well as the logframe in Annex 1.*

1- An operational, workable, transparent and effective regulatory regime on biosafety

- Biosafety law enacted
- Training workshops on biosafety issues and the requirements of the Cartagena Protocol for legal experts, NBSC member, policy makers and parliamentarians;
- Consultation workshops with key stakeholders to identify biosafety issues;

- Biosafety task force set up within government;
- Training manuals prepared for lawyers and relevant personnel in government;
- Training workshops and materials for staff implementing biosafety law and regulations.
- Mechanism set up for internal information sharing on biosafety;
- Cessation or revocation Prakas established for non-compliance
- Procedures established for systematic review and update of biosafety regulations.

2- Procedures for handling applications established and updated in accordance with the Cartagena Protocol

- Institutional roles and responsibilities for handling applications, risk assessment and risk management, emergency response, dealing with accidental release, monitoring and enforcement identified and codified within the regulatory regime;
- Identification NCA(s) and relevant biosafety focal points;
- System for handling applications in place, including relevant manuals, procedures and guidelines;
- Procedures and guidelines for risk assessment and management established;
- Check-list prepared for risk assessment;
- Procedures and guidelines for emergency responses established;
- Procedures and guidelines monitoring and enforcement established
- Experts responsible for risk assessment identified within the country;
- Laboratory facilities established for RA;
- Relevant scientists and technical experts trained in RA procedures, including LMO detection;
- Training workshops for relevant personnel in emergency responses, monitoring and enforcement;
- Roles and responsibilities of decision making body established and codified;
- Mechanism and procedures for decision making established;
- Training workshops for members of decision making body;
- Guidelines developed for decision making on LMOs;
- Mechanisms for public participation in decision making established;
- Socio-economic priorities defined for Cambodia for decision making on LMOs;
- National biosafety databank set up;
- Website on biosafety developed and set up;
- Mechanisms established for external data input by stakeholders.

3- Establishment of mechanism and procedures for monitoring of environmental effects, and enforcement

- Roles and responsibilities of various agencies in monitoring and enforcement defined and codified;
- Infrastructure for monitoring and enforcement established
- Guidelines, manuals and procedures prepared and published for monitoring and enforcement;
- Training workshops for technical, border control and field personnel in monitoring and enforcement;
- Legal training workshops for key personnel involved in monitoring and enforcement;
- Strengthened capacity for monitoring and enforcement in relevant agencies, including border control;
- Criteria for monitoring established;
- Guidelines, manuals and procedures prepared and published for emergency responses, including remediation;

- Training workshops for relevant personnel in emergency response procedures;
- Audit procedures established for monitoring and enforcement.

4- Increased public awareness of biosafety and involvement in decision-making on biosafety.

- Surveys on public perception on LMOs carried out;
- Training workshops for all stakeholders on access to biosafety information;
- Training materials on biosafety information prepared and published;
- Outreach materials on accessing biosafety prepared and published;
- Library and database on biosafety established;
- Biosafety awareness and education materials prepared and published;
- Training workshops for all stakeholders on biosafety and biotechnology;
- Awareness and education activities carried out, including workshops, focus group meetings, TV shows, newspaper articles, public debates, radio talks, etc;
- Curricula developed for biosafety for use in schools;
- Training workshops for educators in biosafety;
- Entry points for public participation in decision making on LMOs identified and institutionalised.

Indicators for Outputs: (Also see Logframe in Annex 1)

- An approved regulatory regime reflecting policies and defining all other NBF components in compliance with CP and other international obligations.
- Regulatory regime passed by the appropriate bodies.
- Competent National Authority (-ies) additionally nominated and in place with clearly defined roles and responsibilities.
- Decision-makers, administrative, scientific and technical staff trained on regulatory issues
- Available set of procedures for handling requests including permit and application form design development.
- Clear definition of institutional roles and responsibilities
- Number of decisions made as a result of requests.
- Biosafety Committee members as well as personnel of the biosafety office trained in handling requests for the releases of LMOs into the environment, and risk assessment and management.
- Methodologies for monitoring the risks associated with LMOs handling, transport, use, transfer and release developed.
- Laboratory facilities utilised for LMOs detection for Competent National Authorities and universities.
- Technicians from concerned ministries universities, NGOs and national labs trained and enabled to carry out laboratory inspection activities.
- Public Awareness plan executed.
- Public debate and discussion in media.
- Main stakeholders, including media and the public, trained on public information and participation related issues.
- Clearly defined entry points for public participation in decision making process for LMOs and GMOs.
- National Biosafety Clearing House (BCH) updated on a regular basis.
- Lessons learnt and best practices identified and disseminated.

ACTIVITIES AND FINANCIAL INPUTS NEEDED TO ENABLE CHANGES

Planned activities, (financial inputs are outlined in Annexes 3 and 4).

Component A Regulatory regime

- ? Review first draft of the sub-decree on LMOs management and control (or regulation) by an international group of experts, national consultants, etc.
- ? Define terminology
- ? Training workshops/seminars on CP and how to meet minimum requirements, international obligations of the country, regulatory instruments related to biosafety in the country
- ? Training on Biosafety for decision-makers, NBSC members, parliamentarians, other key stakeholders.
- ? Set up a biosafety task force composed of representatives of different government departments on regulatory issues.
- ? Establish a mechanism for internal information exchange (internal newsletter, intranet, reports, designation of a focal point, etc.)
- ? Review/finalisation of implementing law and sub-decree (by an international group of experts, national consultants)
- ? Finalize draft sub-decree on LMOs Management and Control
- ? Set up a procedure for enforcement
- ? Set up a procedure for flexible revision of the regulatory regime
- ? Training on possible options and implications of implementing a regulatory regime, options and implications of amending the existing regulatory regime, enforcement measures
- ? Identification of public concern about regulatory matters.
- ? Preparation of technical, training manuals for lawyers/trainers on biosafety regulatory regime.
- ? Periodic and systematic updates of biosafety regulatory information by a designated government officer.
- ? Liaise regularly with the National BCH Focal Point
- ? Establishment of cessation or revocation Prakas for non-compliance.

TOTAL: \$135,100 GEF \$63,000 Government \$72,100

Component B System for handling applications

- ? Definition of criteria for identification, appointment and revision of RA experts and entity
- ? Identification, appointment and revision of RA experts and entity
- ? Definition of national RA guidelines and procedure.
- ? Development of a “check list” for RA practitioners.
- ? -RA and RM Training
- ? Setting up necessary facilities for LMOs detection
- ? Assess necessary facilities for LMOs identification
- ? Define decision making body and set the rules and procedures.
- ? Training of decision-makers especially on international obligations.
- ? Development of national guidelines on decision making
- ? Definition of mechanism for public involvement and development of educational materials
- ? Definition of socio-economical priorities to be taken into consideration for decision making
- ? Identification of CAs responsible for emergency response, accidental release, illegal movement, transit, contained use, AIA and FFP, handling transport, packaging and identification of LMOs, and focal points.
- ? Development of guidelines for emergency response, accidental release, illegal movement, transit, contained use, AIA and FFP, handling transport, packaging and identification of LMOs and handling confidential information
- ? Training on guideline for emergency response

- ? Development of a network and procedures for cooperation and information exchange among Competent authorities
- ? The following activities will complement those under the BCH training project (see note below on relationship of the NBF implementation project and the BXH training project):
 - o Creation of national Biosafety databank/s
 - o Identification, collection, input and update of data
 - o Making information available to relevant groups through creation of websites, etc.)
 - o Setting up rule and mechanisms for external data input (e.g. NGOs, Chamber of Commerce, universities etc.)

TOTAL: \$429,800 GEF \$206,280 Government/co-financing \$223,520

Component C Systems for follow up – Monitoring, inspections and enforcement

- ? Based on Survey of roles and responsibilities (done during development phase), to clarify roles and responsibilities for different agencies in monitoring in Cambodia.
- ? Training for personnel from different agencies to enable them to carry out their responsibilities for monitoring
- ? Provide on the job training for officials from different authorities with real case studies to make sure that the system is functioning
- ? Develop appropriate guidelines, manual and rules for enforcement
- ? Provide legal training for key personnel in responsible agencies
- ? Develop guidelines and rules for monitoring (in cooperation with other countries for harmonization).
- ? Develop guidelines and rules for emergency cases (incl remediation), develop TORs for responsible agencies/persons
- ? Identify responsible authorities and focal points and establish contracts, binding them
- ? Provide training for emergency operations for all principal actors (incl high ranking officials – see risk management)
- ? Maintain an updated inventory of emergency equipment and ensure replacement/procurement of any additional requirements
- ? Define emergency response procedures, (hotline etc., contact details, incl. international ones)
- ? Training of FP within country
- ? Development of training material
- ? Development and dissemination of outreach material (e.g. Newsletters, Biosafety website)
- ? Create Library and databases to ensure accessibility to public
- ? Identify and create national contact list
- ? Training workshops for the BCH
- ? Use existing tools for networking and knowledge management
- ? Identify responsible institutions for managing public awareness and education campaigns relating to Biosafety (TV show, brochures, and posters)
- ? Surveys for public opinion
- ? Organise public debates for awareness
- ? Develop curricula for Biosafety in relation to the conservation and sustainable use of biodiversity, taking also into account risks to human health
- ? Train educators
- ? Invite experts of international fame to teach courses in educational institutions and give public talks

TOTAL: \$158,000 GEF \$87,000 Government \$71,000

Component D Systems of public awareness, education and public participation

- ? Trainings and Workshops to promote awareness and understanding on biosafety and biotechnology
- ? Preparation of outreach materials on biosafety for different audiences and communities
- ? Stakeholder consultation for biosafety priority needs.
- ? Training of stakeholders on access to biosafety information;
- ? Development of training material, including translation;
- ? Development and dissemination of outreach material on accessing biosafety information (e.g. Newsletters, posters, brochures, etc)
- ? Create Library and databases to ensure accessibility to public
- ? Identify and create national contact list
- ? Use existing tools for networking and knowledge management
- ? Identify responsible institutions for managing public awareness and education campaigns relating to Biosafety (TV show, brochures, and posters)
- ? Surveys for public opinion
- ? Organise public debates for awareness
- ? Develop curricula for Biosafety in relation to the conservation and sustainable use of biodiversity, taking also into account risks to human health
- ? Train educators
- ? Invite experts of international fame to teach courses in educational institutions and give public talks
- ? Workshops for stakeholders including media
- ? Organize educational fairs and events.
- ? Organize public debates and meetings
- ? Identify and institutionalize entry points for public participation in decision-making on LMOs
- ? Identify institutions specializing in developing and delivering public service campaign

TOTAL: \$297,505 GEF \$205,000 Government \$92,505

Note on the relationship between the NBF Implementation project and the BCH project:

Cambodia considers that the establishment and operation of the national Biosafety Clearing House (BCH) constitutes one of the main components of its NBF. Therefore, Cambodia has finalised an MOU with the UNEP-GEF supported Project for “Effective Participation in the BCH”, and expects to begin the BCH project activities in early 2006. Cambodia intends to ensure that there is close coordination between the two projects, and that project activities complement each other and are synchronised in order to ensure the most effective and efficient use of resources. .

The BCH project will focus on the following capacity building activities in order to ensure that Cambodia is able to fulfil the requirements of the Cartagena Protocol with respect to the BCH:

- o Installation of the server required for nBCH;
- o Identification of roles and responsibilities for handling, storing and exchanging information including the use of the BCH;
- o Development of guidelines for the management of the information and compliance with BCH obligations;
- o Training for government agencies on the use of the BCH, including inputting data and accessing information;
- o Development of the nBCH, to enable biosafety management bodies and related institutions to access the nBCH for information exchange;
- o Connection to the global BCH for exchange of information on biosafety at global level.

The BCH project activities will be carried out **concurrently with the NBF implementation project and will complement** the following activities under Outputs B4 and D1 of this project:

- Creation of national Biosafety databank/s;
- Identification, collection, input and update of data;
- Making information available to relevant groups through the creation of a national biosafety website;
- Setting up rule and mechanisms for external data input (e.g. NGOs, Chamber of Commerce, universities etc.);
- Training of all stakeholders on access to biosafety information;
- Development of appropriate training and outreach materials on accessing biosafety information.

C.3 Sustainability

This project is designed to strengthen capacity for implementation of the National Biosafety Framework. All of the proposed activities address gaps in capacity or barriers that have been identified during development of the NBF, and the preparation of this project proposal. Overcoming these gaps and barriers will help to ensure sustainability of the NBF in Cambodia. The project when implemented would ensure that Cambodia manages biosafety and biotechnology in a sustainable manner through strengthening the institutional, human resource and financial capacity to manage biotechnology.

Institutional and operational sustainability: the Institutional arrangements for safe management of LMOs were agreed as part of the NBF development. As biosafety is a cross-cutting issue, cooperation between different sectoral agencies and Ministries is essential for putting in place an effective and sustainable system for the management of LMOs. The Ministry for Environment will be the leading institution in biosafety; its role will be to work with other sectoral ministries to develop biosafety policy, as well as guidelines under the new biosafety law to coordinate and manage LMOs.

The National Biodiversity Steering Committee (NBSC), which oversees biodiversity, will also take over responsibility for decision making for biosafety. The NBSC has a broad membership and is chaired by the Minister for Environment and Vice-Chaired by the Secretary of State for Agriculture. Its members include under-secretaries of state from the Ministry of Rural Development, Min. Transport and Public Works, Min. Tourism, Min. Planning, Min. Industry, Mine and Energy, Ministry of Water Resources and Meteorology, Ministry of Education, Youth and Sport, Council for the Development of Cambodia, and four governors from Stung Treng, Ratanakiri, Siem Reap and Koh Kong Provinces. The NBSC will be advised by a Scientific Advisory Team that will be established with responsibility for risk assessment and management of LMOs. This body would work professionally and independently, and will consist of scientific representative from relevant line agencies and universities.

The project will strengthen, through its capacity building activities, the institutions responsible for biosafety, helping to set in place workable systems for handling requests, risk assessment and follow-up. The project will also aim to strengthen cooperation and coordination between different government agencies by clarifying and defining their functions and responsibilities in decision-making on LMOs. This will help to promote cooperation between different ministries and levels of government, and hence sustainability of the NBF systems.

The sharing of responsibilities will foster this cooperation. For example, MAFF will be involved in dealing with forestry, fisheries, husbandry, agro-industry, and research that is likely to involve LMOs. MAFF will be involved as a partner in the project with MOE and its participation in the NBSC will make

a valuable contribution to the smooth and effective running of the Cambodian biosafety regime for LMOs, as well as its sustainability.

Financial and political sustainability: the most significant activity that the project will carry out will be to make Government recognize the importance of biosafety as a sustainable development issue through the integration of biosafety and biotechnology into the NBSAP and NEAP, and by developing and approving the Biotechnology and Biosafety Strategy and Action Plan.

The increased interest and recognition of the importance of biosafety and the safe use of biotechnology by government will stimulate further investment from government in biosafety, as well as from different donors. The project activities will also promote the financial sustainability of the systems for handling LMO applications by exploring and putting in place “fees-based” or “user-pays” financial mechanisms to complement investment by government and budgetary allocations for recurrent costs of implementing the NBF.

Cambodia has already shown its political commitment through the completion of its NBF and approval by the Council of Ministers of the National Law on Biosafety, and the Sub-Decree on Management and Control of LMOs. Political commitment is also reflected in the setting up of the NBSC, which includes representatives of the key Ministries.

This political commitment is expected not only to strengthen the national implementation of Cambodia’s NBF, but is also expected to pave the way for regional cooperation on biosafety through the sharing of human and technical resources, as well as information sharing on LMOs.

Environmental sustainability: One of the focuses of Cambodia’s National Development Objective in its Second Five-Year Socioeconomic Development Plan is the sustainable use of natural resources and sound environmental management. Successful implementation of the NBF will promote the sustainable management of Cambodia’s biodiversity and the environment in general.

C. 4 Replicability

This project is a “national executed” project that promotes the role of the recipient country in developing and implementing project activities. Experiences gained from the project implementation, particularly in terms of project management, coordination of activities of different agencies, promoting public participation in developing policies and in decision making, and ensuring that scientific development goes hand-in-hand with efforts in raising public awareness and education, will benefit and inform the development of public policies and processes in other areas of government endeavours, including science and technology R&D.

The lessons and best practices gathered from project implementation will be shared with other countries through regional meetings, exchanges of personnel and networking between those involved in biotechnology and biosafety.

The experiences of the project will be disseminated by posting regular reports on the progress of the project on a project website, and by ensuring that results of risk assessment decisions are also posted on the BCH. In addition, project staff will participate actively in regular meetings of personnel from NBF projects from Asia as well as from other regions.

The detailed Monitoring and Evaluation plan to be developed at the inception of the project will include indicators to measure potential of replication.

C. 5 Stakeholder involvement

Stakeholder participation is already a positive indication for this project to build national ownership and self-reliance. Participation from most relevant stakeholders to the implementation of this project would help contribute to the success and greater accountable to the process of capacity building for NBF implementation. As per government policy in the third term of the legislature, taking care of biodiversity and biosafety on the national agenda and the government development policy i.e. the “Rectangular Strategy” specifically addressing the issues of environmental protection and local community empowerment in the process of planning and decision making is encouraged. In this project, a mechanism of coordination among line ministries will be established to ensure greater participation of governmental agencies, private sector, academic institutions, NGOs and civil groups. Table 1 indicates major stakeholders that will directly involve in the implementation of the project.

Table 1: Major Stakeholders and their Participation

STAKEHOLDERS	Type of involvement
<p>Parliamentarians and decision-makers</p> <p><i>Ministries (MOE, MAFF, MOC, MOH, MRD, Custom General Department, MOP, MIME, National Assembly, Council for the Development of Cambodia, MOWRAM), other local authorities</i></p>	<p>Support the approval of the biosafety regulatory regime</p> <p>MOE has key departments in handling the biodiversity and biosafety issues. Those are Department of Nature Conservation and Protection, Department of Environmental Education and Awareness, Department of EIA, and Department of Environmental Pollution. MOE has established the National Biodiversity Steering Committee (NBSC) to oversee biodiversity and biosafety issues. The NBSC is chaired by Minister for Environment and vice-chaired by Secretary of State from MAFF. MOE is the focal point for the Cartagena Protocol on Biosafety and the competent national authority.</p> <p>MAFF has key departments in handling the biodiversity and biosafety issues. Those are Department of Forestry and Wildlife, Department of Fisheries, Department of Animal Health and Production, Department of Agro-Industry, Cambodian Research Development Institute, Rubber Research Institute. MAFF is responsible for CITES Scientific Authority in Cambodia. The CITES Authority is placed under the DOF. It is also the focal point for Convention of Combat Desertification. Lately, MAFF has been appointed as one of the competent national authority for the Cartagena Protocol on Biosafety. CARDI, a research institution under MAFF also has a vital role in risk assessment of LMOs as their work and research have been in agriculture, training and technology transfer. They can also involve in development of data collection and training materials.</p> <p>MOC has the Department of Camcontrol to deal with food safety. MOC has issued a Prakas on establishment of the National CODEX Committee (NCC), which chaired by Minister of Commerce, to oversee the food safety standard and certification. NCC has 4 different working groups (TWG). The first TWG is responsible for food import and export inspection and certification, food labelling, methods of analysis and sampling, food regulations, food hygiene and general principles. The second TWG deals with pesticide</p>

	<p>residues, residues of veterinary drugs, fresh vegetables, cereal pulses and legumes, fish and fish products, raw meats and poultries, raw milk, frozen foods, eggs and egg products. The third TWG is responsible for checking mineral water, edible ice, sugar, vinegar, fat and oil, processed milk products, processed fruits and vegetables. The fourth TWG is responsible for inspecting food additives and contaminants, standards for hygiene of food plant and nutrition and food for special dietary uses.</p> <p>MOH has three research institutions and universities in dealing with human health and food and drug quality control (see Scientific community). MOH deals with testing food, medicines and drugs before issuing a certificate of quality check or license for commercial purposes.</p> <p>All of the above mentioned ministries take part in the decision-making process through the Commission for Biosafety Committee. They, especially the National Assembly, are also involved in the preparation/presentation of implementing decrees and orders, involvement participation in training activities to the key decision makers.</p>
<p>Scientific community (including universities, academic and research institutions) such as:</p> <p><i>Royal University of Agriculture, Pasteur Institute of Cambodia, National Lab for Medicine Quality Control and National Lab of Public Health, the University of Medicine, Dentistry and Pharmacology, Royal University of Phnom Penh, Faculty of Science of MAFF,</i></p>	<p>Royal University of Phnom Penh has a role in conducting research on biology, taxonomy, basic plant breeding and so forth for students.</p> <p>Universities may be able to provide technical and scientific assistance through the result of their study and research. Their student body is a huge resource (1)-for participation in and preparation of the public education materials and (2)-as their solid ability to distribute and disseminate those knowledge and educational materials to the public.</p>
Consumers groups	<p>Normally, consumers in Cambodia have not formed into an association yet to fight for their right in terms of safety use of food and their health. However, this kind of groups will be established soon based on the country development.</p>

<p>NGOs</p> <p><i>RAC, CED, NGO Forum on Cambodia, CCC, etc.</i></p>	<p>NGOs are among other important groups that have great ability in the involvement in training activities, development and dissemination of training materials and other relevant resources for the public. Their ability to take part in raising public awareness and education is also vital throughout the project.</p>
<p>Private sector</p> <p><u><i>Chamber of Commerce, Other Civil Groups.</i></u></p>	<p>Under the auspices of the Ministry of Commerce, the Chamber of Commerce carries out activities to serve the interests of commerce, industry, agriculture, crafts, and services within their constituency. There shall be one Chamber of Commerce per province.</p> <p>The Chamber of Commerce of Cambodia plays a good coordinating role as their duties include improving enterprise efficiency for the interests of the commercial, industrial, agricultural, crafts, and service sectors and the economy in general; i.e., prepare and disseminate commercial and economic statistics, conduct research on economic and commercial issues, and promote tourism.</p> <p>The Chamber of Commerce, which represents 23 provincial chambers of commerce, will be encouraged to participate in the deliberations of the NBSC, and to make submissions on decision making on LMOs, depending on the relevance of the LMO to their interest.</p> <p>A representative of the different inter-professional groups may be called or invited on a need basis (depending on the relevance of the LMO to their interest) to take part in activities relevant to their main duties and key expertise.</p>

C. 6 Monitoring and Evaluation Plan

The regulatory regime will include the monitoring and evaluation (M&E) plan, collecting and reporting data on performance indicators identified for the project; the schedule of planned mid-term reviews, self-evaluations, and end-of-project evaluations. See Annex 5 (Tentative and Indicative Work Plan and Timeline).

The monitoring of the progress of project activities will be undertaken in accordance with UNEP's internal guidelines for project monitoring and evaluation. In this respect, self-evaluation will be ongoing throughout the project and GEF-UNEP's requirements of quarterly and half-yearly reports on substantive and financial matters will be provided. This process will include a mid-term assessment (desk review) and end-of-project assessment undertaken by an external review team arranged by UNEP. Deliverables will be identified on a timetable agreed between UNEP and Cambodia, and country-specific final reports will be prepared once all project activities have been completed.

Monitoring of performance and deliverable outputs

Monitoring of the project's execution for checking efficiencies to review and improve effectiveness of the project's implementation will be carried out on a regular basis to track the indicators as follows in Table 2 below.

Table 2: Indicators and means of their verification

Indicator	Verification
Quality half-yearly reports on progress and financial implications are prepared in time	Report received and verified by UNEP-GEF
Yearly project implementation review reports are prepared on time and of acceptable quality	Report prepared and submitted to UNEP-GEF
Performance targets are achieved in accordance with the project plan	Half-yearly reports submitted to UNEP-GEF
Any deviations from the work plans are explained and adjustments made to work plan	Deviation implications are reported in half-yearly or yearly reports as appropriate
Audit reports and reviews include indications of sound financial management	Audit statements are included in appropriate reports
Steering committee tracks project progress and provides guidance	Minutes of steering committee deliberations included in appropriate reports
Steering committee provides guidance on project's progress and impact	Minutes of steering committee deliberations included in appropriate reports

It is expected that monitoring and evaluation of the project's progress will continue throughout the life of the project and NBSC will be providing oversight including feedbacks and lessons learnt from other jurisdictions including the BCH. In addition, special attention will be given to the risks associated with the project management and focus on the following components (Table 3).

Table 3: Project management components

Component	Activity
Management structure	Monitor that responsibilities are clearly understood
Work flow	Verify that the project is maintaining its proposed work plan as assessed by the reporting framework
Co-financing Implementation	Ensure that disbursements happen on time and without complications Verify that work on project implementation is progressing as planned
Budget and financial management	Verify that work is progressing according to budget plans and that expenditures are in accordance with the project plan expectations
Reporting	Ensure that work progress is reported comprehensively and on time with critical analysis included
Stakeholder involvement	Ensure that all stakeholders are involved throughout the project
Communication	Ensure that communication within and between those involved in the project is open and frequent
Leadership	To ensure that project meets its needs (both short and long term) without compromising quality
Political influence	Ensure that the project continues to meet political expectations

Project implications

In accordance with the logframe, project's progress in achieving its outcomes will be continuously monitored and progress included in regular reports. The full operationalization of the NBF (legal system, administrative system, system for monitoring of environmental effects, etc.) will represent the most important tangible output of the project and will be the main target for assessing project's success. In respect of monitoring and reporting, the following responsibilities are identified for the national executing agency and the coordinating committee.

The national executing agency is to:

- Prepare half-yearly and annual progress and financial reports (progress and financial) for UNEP, with supporting documentation as appropriate.
- Carry out a programme of regular visits and checks of activities in progress and pay special attention to those activities requiring special attention.

The national coordinating committee is to:

- Meet at least half-yearly and receive progress and financial reports, annual summary progress reports and all substantive reports and outputs and use them to review the progress of work in the project as a whole.
- Advise on implementation problems that emerge, and on desirable modifications to the work-plan.
- Monitor progress of the project, and advise on steps to improve it.

It is proposed that the reports shall have the following components included.

- Reports will use standard UNEP progress report format.
- A consolidated summary of the half-yearly reports will be included.
- The project logframe will be attached to each report and progress reported against outcome and output indicators.
- Review of delays and problems, and of action proposed to deal with these.
- Audit of accounts for project management and expenditures.

D – FINANCING

D1 INCREMENTAL COST ASSESSMENT

It is expected that by putting in place a workable and cost effective system for the management of biotechnology and its products in Cambodia, protection of national biodiversity, the wider environment and people's health will be enhanced. It is expected that the management of potential adverse effects resulting from the use of biotechnology and its products will increase public confidence and acceptance in order to share its advantages.

In view of Cambodia's commitment for safe management of biotechnology, GEF additional contribution is crucial in Cambodia reaching its objectives of safe management of LMOs. The additional funding will strengthen Cambodia's capabilities to protect its biodiversity, environment, agriculture, and people's health for them to enjoy a better way of life.

The regulatory framework is progressing towards finalization in the immediate future to allow for setting in place procedures to handle LMO applications. Linkages are to be explored for cooperation and input from existing agencies for monitoring and enforcement to add to Cambodia's contribution (baseline) for safe management of LMOs.

Cambodia's anticipated contribution (baseline and proposed contribution for the implementation project), alternative, incremental costs, and proposed requested GEF contributions are outlined in the table below. These costs are expected contributions of other involved agencies (e.g. Agriculture, Customs, Health and so forth) that will be involved in various capacities for the safe handling and management of biotechnology and its future development in Cambodia.

The following table (Table 4) provides a summary of baseline and incremental costs by output/component as well as information on GEF financing and national Co-funding. In overall, the total baseline expenditure amounts to **US\$ 784,100**. The alternative has been estimated at **US\$ 1,884,500**, and the incremental costs as **US\$1,100,405**. The country will cover around the **41.72%** of the cost of the increment, as in-kind contribution, mainly to cover costs related to lab facilities, space for meetings and administrative support for training activities and public awareness and education. The remaining total incremental cost of **US\$ 641,280** requested from the GEF, accounts for **58.28%**.

Table 4: Incremental cost (US\$)

<u>Project component</u>	<u>Baseline</u>	<u>Alternative</u>	<u>Increment</u>	<u>GEF</u>	<u>Total Co-funding ((national + other donors)</u>
Regulatory regime	9,000	144,100	135,100	63,000	72,100
Handling of applications	601,100	1,030,900	429,800	206,280	223,520
Monitoring & enforcement	9,000	167,000	158,000	87,000	71,000
Public awareness & participation	165,000	462,500	297,505	205,000	92,505
Technical support		70,000	70,000	70,000	
Audit		10,000	10,000	10,000	
<u>Total</u>	784,100	1,884,500	1,100,405	641,280	459,125

CO-FINANCING

Table5: Co-financing (US\$)

Co-FINANCING SOURCES				
Name of Co-financier (source)	Classification	Type	Amount (US\$)	Status*
Bilateral Donors	Government of South Korea	Grants	52,100	Confirmed
World Bank	Multi-lateral organisation	Loans	108,000	Confirmed
Government	Government	contribution in kind	299,025	Confirmed
Sub-Total Co-financing			459,125	

Note: As attached in **Annex 7**, the Department of Agro-Industries (DAI) of the MAFF agrees to offer space for the detection of LMOs inside their newly built laboratory, which is called **the Cambodia Agricultural Research and Training Center**. According to the DAI, this lab facilities cost the RGC about **US\$ 50,000** to build, which was added to the total in-kind contribution of the Cambodian Government.

In the Department of Agronomy and Land Improvement of the MAFF, another complex lab will be ready to use by November 2005. With financing from the World Bank, this lab with only basic facilities (no equipment) cost a total of **US\$ 540,000** to build. The Government of Cambodia has calculated that approximately 20% of the laboratory facilities will be used for biosafety, mainly for LMO detection. Thus the co-financing contribution from this WB loan has been calculated at **\$108,000** (20% of the total cost).

The lab does not have LMO detection equipment, and the equipment for LMO detection purchased under this project will be used to partially equip this laboratory. This will be made possible by donation of instruments and equipment, with a total cost of US\$ 400,000, from the Government of South Korea. Among those instruments and equipments, instrument item number 4 (Spectrophotometer) and equipment items number 2, 8, 9, 20, 26, 32 will be used by the LMOs Detection Lab. These items amount to around US\$ 52,100. Thus, the cost of the equipments of about **US\$ 52,100** will be regarded as co-financing from the government of South Korea (Bilateral).

REPORTING REQUIREMENTS

The national agency (Project Coordinator) will prepare six-monthly reports on the progress of the implementation and financial management of the project and forward the reports to the UNEP/GEF project manager.

D2 BUDGET

For project budget and costing of activities in accordance with the logframe, see Annexes 3 and 4.

Table 6: Project Budget by Components.

	Component	GEF (US \$)	Government Contribution in-kind (US \$)	Co-financing (other donors (US\$))	Total (US \$)
1	Regulatory regime	63,000	72,100		135,100
2	Handling applications	206,280	63,420	160,100	429,800
3	Monitoring and Inspection	87,000	71,000		158,000
4	Public participation and information	205,000	92,505		297,505
5	Technical support	\$70,000	0		\$70,000
6	Auditing	\$10,000			\$10,000
	TOTAL	641,280	299,025	160,100	\$1,100,425

Table 7: Project management and coordination costs

Personnel	GEF	National Co-financing	TOTAL
National coordinator of the project	72,000	0	72,000
One project assistant (full time)	24,000	0	24,000
Training Coordinator	3,000	0	3,000
Biosafety Policy Expert	18,000	0	18,000
International Legal Expert	21,000	0	21,000
Local Legal Consultant	6,000	6,000	12,000
An Expert to produce manual for lawyers	4,500	0	4,500
RA& RM International Expert	14,000	0	14,000
RA&RM Local Expert	6,000	0	6,000
Consultant for RA Guideline Development	4,000	0	4,000
Distinguished speakers	11,000	4,000	15,000
International experts (guest)	11,000	4,000	15,000
Financial Officer	4,400	10,000	14,400
National Coordination Committee Meetings	10,000	11,000	21,000
Travel for NPC, Staff and NCC members	25,000	25,000	50,000
TOTAL	233,900	60,000	293,900

D3 Project implementation plan

For project implementation plan, see Annex 5.

E - INSTITUTIONAL COORDINATION AND SUPPORT

E1 Core Commitments and Linkages

This project builds on UNEP's portfolio of biosafety enabling activities in over 130 countries, which focus on capacity building for the implementation of the CP-carried out through the development and implementation of National Biosafety Frameworks projects. This reflects UNEP's considerable experience and expertise in this area and therefore its comparative advantage in the field.

This portfolio has already produced relevant results, generated lessons and best practices, which can be used in other countries of the world. The Cambodia NBF implementation project will benefit from UNEP's experience and expertise, which will help them to develop a fully operational NBF, taking into account best practices and lessons learned from other countries, especially those from the eight demonstration projects currently running under UNEP.

E2. Consultation, Coordination and Collaboration between Implementing Agencies, Executing Agencies, and the GEF Secretariat

National Co-ordinating Committee

The National Co-ordinating Committee (NCC) will be established by the Ministry of Environment as the National Executing Agency (NEA), to advise and guide the implementation of the National Biosafety Framework. This committee will include representations of all government agencies with mandates relevant to the Cartagena Protocol on Biosafety and will include representations from the private and public sectors, as well as provincial government representatives. This Committee will be multi-disciplinary and multi-sectoral in fields relevant to the Cartagena Protocol on Biosafety. The NEA may also establish sub-working groups as necessary with clear Terms of Reference as appropriate. The Terms of Reference (TOR) for the NCC are in Annex 6.

National Project Co-ordinator

The National Project Coordinator will be appointed by the Ministry of Environment as the National Executing Agency, after consultation with UNEP, for the duration of the National Project. The National Project Coordinator shall be responsible for the overall co-ordination, management and supervision of all aspects of the National Project. He/she will report to the National Co-ordinating Committee and UNEP, and liaise closely with the chair and members of the National Coordinating Committee and National Executing Agency in order to coordinate the work plan for the National Project. He/she shall be responsible for all substantive, managerial and financial reports from the National Project. He/she will provide overall supervision for any staff in the NBF Team as well as guiding and supervising all other staff appointed for the execution of the various National Project components. The Terms of Reference (TOR) for the NPC are in Annex 6.

UNEP Steering Coordination Committee

The Steering Committee provides guidance and direction to the implementation of the project. It is chaired by UNEP, and comprises representatives of the Ministry of Environment as the National Executing Agency, two other implementing agencies, the GEF Secretariat as well as FAO and UNIDO. However, whenever technical and scientific issues related to the implementation of the MSP are to be addressed, the representative of STAP as well as experts selected in their personal capacity will be invited to participate. The Steering Committee will meet once a year and communicate mainly by e-mail and phone.

ANNEXES

ANNEX 1	Logframe for the NBF Implementation Project
ANNEX 2	Matrix showing the relationship between the Cartagena protocol, the project activities, the national biosafety framework and related institutions
ANNEX 3	Tentative Detailed Cost of NBF Implementation Project
ANNEX 4	Tentative Summary of Cost of NBF Implementation Project
ANNEX 5	Tentative and Indicative Work Plan and Time Table
ANNEX 6	Terms of References
ANNEX 7	Letters of Commitment from Co-Financiers
ANNEX 8	National Law on Biosafety The Final Draft of NBF is available on line at: http://www.unep.ch/biosafety/development/countryreports/KHNBFrep.pdf

ANNEX 1
Logframe for the NBF implementation project

Components	Indicators	Means of Verification	Risks and constraints	Risk Management
COMPONENT: A. REGULATORY REGIME				
OBJECTIVE To establish a fully functional and responsive regulatory regime in line with CP and national needs on biosafety	<ul style="list-style-type: none"> - An approved regulatory regime reflecting policies and defining all other NBF components in compliance with CP and other international obligations - Biosafety law passed by the parliament. 	<ul style="list-style-type: none"> - Biosafety legislation approved; - Biosafety legislation published in the national official gazette - Implementing regulations approved (and published?) - Guidelines available - Internal manuals available 	<ul style="list-style-type: none"> - Terminology used in the legislation is not clear, not officially agreed and/or explained - Regulatory regime is not clear especially in scope and objective - Regulatory regime not consistent with CP and country needs, including public participation - Regulatory regime is not responsive to country's changes (technological, social, political, economic etc) - Unworkable regulatory regime as a result of copying other regulatory systems / models. - Regulatory regime not consistent with national biosafety policy. - RR not consistent with countries existing regulatory and administrative structures. - Regulatory regime cannot be easily finalized/implemented because of lack of government support as result of lack of recognition of Biosafety as an important issue - Regulatory regime cannot be finalized/implemented because of lack of public and institutional support - Regulatory regime cannot be enforced because of lack of implementing regulations, guidelines and manuals - Regulatory regime cannot be enforced because of unclear roles and responsibilities. 	<ul style="list-style-type: none"> - Thorough analysis of country situation at legislative level - Promote cooperation and exchange of information throughout government structure - Develop tools and training for translation of legislation into practice - Promote broader public awareness and support for Biosafety and the need for regulatory regime - Promote national consensus on Biosafety - Promote awareness on relevant international obligations - Establish realistic timeframe for Project relevant to country needs - Planned periodic reassessment of timeframe - Develop regulatory regime in accordance with the biosafety policy. - Promote mechanisms for review and adjustment of legislation - Promote consultation with all stakeholders during the initial stages of implementation of the regulatory regime. - Promote collection of information on experiences in other countries - Develop appropriate manuals and guidelines; - Clarify roles and responsibilities of agencies.
OUTCOMES				
A1 Regulatory regime in place that is consistent with CP and other domestic and international obligations	<ul style="list-style-type: none"> - Biosafety law drafted - Compliance with ICCP checklist - Compliance with other related international obligations with the CP. 	<ul style="list-style-type: none"> - Biosafety law approved by year? - Appropriate procedural manuals available - ICCP list filled in and available 	<ul style="list-style-type: none"> - Regulatory regime does not comply with CP - Regulatory regime is developed in isolation - Biosafety legislation not harmonized with other existing 	<ul style="list-style-type: none"> - Promote training on CP and how to meet minimum requirements, international obligations of the country, regulatory instruments related to biosafety in the country

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			<ul style="list-style-type: none"> (sectoral) legislations - Regulatory regime not translated into practice - Regulatory regime does not reflect public concerns - Institutional arrangements not appropriate 	<ul style="list-style-type: none"> - Promote cooperation and exchange of information throughout government structure
A2 Regulatory regime published and made accessible to all stakeholders	<ul style="list-style-type: none"> - Posting of the summary in a UN language on the BCH and posting of all regulations - Made accessible to public in accordance with local conditions - Production and dissemination of outreach materials in local languages - Translation into official languages 	<ul style="list-style-type: none"> - Approved Law published on national official gazette, - Guidelines available - Internal manuals available - Summary available on the BCH - Printed Publications, Manuals available - Media coverage of biosafety legislation - Information documents available in local languages 	<ul style="list-style-type: none"> - Lack of public access to information on the regulatory regime - Inappropriate methods used for raising awareness and disseminating information. - Lack of updated information. 	<ul style="list-style-type: none"> - Promote a mechanism for public access to biosafety related information within the country - Proper profiling of the publics so as to lead to using appropriate information and dissemination methods for different stakeholders - Promote a mechanism for regular updating of biosafety information (to be provided to BCH, to media etc.)
A3 Application and enforcement of the regulatory regime	<ul style="list-style-type: none"> - Manuals/guidelines produced to operationalise regulatory regime - Mechanism for enforcement of regulatory regime - Cases of non-compliance - Inspections carried out according to agreed procedures 	<ul style="list-style-type: none"> - Manuals and guidelines available 	<ul style="list-style-type: none"> - Lack of trained officials with expertise to enforce and apply the regulatory regime - Difficulty in setting up institutional arrangements and mechanisms to apply and enforce the regulatory regime - Absence of clear guidelines and manuals. - Lack of clarity in regulation system - Overlapping responsibilities among enforcement agencies. - Lack of cooperation between enforcement agencies 	<ul style="list-style-type: none"> - Promote training on possible options and implications of implementing a regulatory regime, options and implications of amending the existing regulatory regime, enforcement measures. - Write and provide clear manuals and guidelines on the regulatory system
Specific Outputs				
<ul style="list-style-type: none"> o Biosafety law enacted o Training workshops on biosafety issues and the requirements of the Cartagena Protocol for legal experts, NBSC member, policy makers and parliamentarians; o Consultation workshops with key stakeholders to identify biosafety issues; o Biosafety task force set up within government; o Training manuals prepared for lawyers and relevant personnel in government; o Training workshops and materials for staff implementing 	<ul style="list-style-type: none"> ▪ An approved regulatory regime reflecting policies and defining all other NBF components in compliance with CP and other international obligations. ▪ Regulatory regime passed by the appropriate bodies. ▪ Competent National Authority (-ies) additionally nominated and in place with clearly defined roles and responsibilities. ▪ Decision-makers, administrative, scientific and technical staff trained on regulatory issues 	<ul style="list-style-type: none"> - Approved Law published on national official gazette, - Guidelines available - Internal manuals available - Summary available on the BCH - Printed Publications, Manuals available - Media coverage of biosafety legislation - Information documents available in local languages 		

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biosafety law and regulations. o Mechanism set up for internal information sharing on biosafety; o Cessation or revocation Prakas established for non-compliance o Procedures established for systematic review and update of biosafety regulations.	▪			
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COMPONENT: B. HANDLING REQUESTS AND APPLICATIONS

OBJECTIVE B. To assist RGC to have fully functional national system for handling requests and applications.	<ul style="list-style-type: none"> - System for handling applications in place - Advanced use of BCH - Number of decisions made as a result of requests - Additionally CNA(s) nominated and in place with clear distinction of responsibilities - Procedures in place for handling requests within time frames. 	<ul style="list-style-type: none"> - Letter of CNAs nomination sent to the CBD Executive Secretary - Existing mandates of nominated CNAs - Approved procedures in the law for handling requests or applications made readily available. 	Lack of procedures and institutional infrastructure not in place <ul style="list-style-type: none"> - Lack of finance - Lack of experience and expertise to handle applications 	<ul style="list-style-type: none"> - Establish workable measures to handle requests - Conduct training for admin. And institutional support personnel - Work within time frames
OUTCOMES				
B1. Establishment of a fully functional and workable system for handling applications, their consideration and decision making	<ul style="list-style-type: none"> - Components of the system for handling applications identified - A fully operationally effective system for handling applications - National roster of risk assessment experts - Appointed entity, i.e. scientific advisory team for risk assessment - Rules for appointments of experts and TORs - Agreed procedures for carrying out risk assessment - Trained personnel - %of assessments completed 	<ul style="list-style-type: none"> - Appointed experts for RA/RM - Meetings held at least twice in a year?? - Procedure stipulated in the law. - Method of risk assessment, standard etc. 	<ul style="list-style-type: none"> - Lack of RA experts - Lack of consensus in RA decision - Insufficient scientific data/info provided - Credibility of data provided for RA - Bureaucratic red tape that hinders decision-making - Opposition groups block the decision. - Lack of proper forms, guidelines or manuals for making an application 	<ul style="list-style-type: none"> - Establishment of administrative measures in accordance with the NBF - Capacity building in RA among public - Disseminate RA procedure for broader implementation. - Encourage regional cooperation in RA - Encourage dialogue between applicants and regulators to RA applications and procedures.
B2. A fully functional decision-making system	<ul style="list-style-type: none"> - Review of decisions on risk assessment - Clearly defined entity for decision making with clearly defined roles and responsibilities - % of decisions made - Public consultation in decision making based on Art.23.2 of the CP 	<ul style="list-style-type: none"> - RA rules and systems in place - Decision making system established with identified criteria and rules - Legislation for review and appeal of decision 	<ul style="list-style-type: none"> - Trade, politics and other considerations over-ride decision-making - Negative public opinion on biosafety - Lack of legislative basis for review and appeal of decision 	<ul style="list-style-type: none"> - Institute a strong decision-making body which enjoys public confidence and credibility - Involve public and other stakeholders in decision-making - Establish a Review mechanism for decision-making (Cambodian law does

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	<ul style="list-style-type: none"> - Mechanisms to include, where applicable, other issues such as socio-economic considerations in decision making - Review of decisions (i.e. for appeal against decision) 			<p>not allow to have an appeal). Article 28-30 of biosafety law.</p> <ul style="list-style-type: none"> - Provide necessary legislative support
B3. A fully functional administrative system	<ul style="list-style-type: none"> - Responsibilities assigned for emergency response, accidental release, illegal movement - Transit, contained use certificates - Compliance with BCH obligations - Clear definition of procedures for handling of AIA notification - % of requests handled - Procedures for handling transport, packaging and identification of LMOs - Procedures for handling of confidential information established 	<ul style="list-style-type: none"> - Emergency response measures established and personnel assigned. - Agreed procedures for handling applications and/or requests. 	<ul style="list-style-type: none"> - Administrative system lack the force of law because NBF yet to be passed as law - Lack of staff to carry out administrative tasks - Delay in administration due to bureaucracy 	<ul style="list-style-type: none"> - Promote on-line application to reduce admin. - Establish interim admin. measures until NBF is passed as national Law
B4. A fully functional system for handling, storing and exchanging information including the use of the BCH.	<ul style="list-style-type: none"> - A robust BCH containing all relevant information - Information accessible to broad public - Fully functioning BCH FP - Clear definition of procedures for submission of information on BCH - Responsibilities assigned for monitoring of the BCH (FFP etc). - Compliance with BCH obligations. 	<ul style="list-style-type: none"> - National BCH establishment - Procedure of nBCH updating and information storing. - National BCH Focal Point designation. - A workable nBCH. 	<ul style="list-style-type: none"> - Lack of personnel with the right combination of skills - Lack of facilities - Lack of regular updating of national BCH. 	<ul style="list-style-type: none"> - Train personnel, who are data entry persons, from line ministries on website development and BCH. - Provide computers and network. - Designate persons to regular update information on the nBCH.
Specific Outputs				
<ul style="list-style-type: none"> o Institutional roles and responsibilities for handling applications, risk assessment and risk management, emergency response, dealing with accidental release, monitoring and enforcement identified and codified within the regulatory regime; o Identification NCA(s) and relevant biosafety focal points; o System for handling applications in place, including relevant manuals, procedures and guidelines; 	<ul style="list-style-type: none"> ▪ Available set of procedures for handling requests including permit and application form design development. ▪ Clear definition of institutional roles and responsibilities ▪ Number of decisions made as a result of requests. ▪ Biosafety Committee members as well as personnel of the biosafety office trained in handling requests for the releases of LMOs into the environment, and risk 	<ul style="list-style-type: none"> - Letter of CNAs nomination sent to the CBD Executive Secretary - Mandates of nominated CNAs approved by government - Approved procedures in the law for handling requests or applications published; - Procedure for RA stipulated in biosafety law and regulations - Agreed criteria for RA and RISK ASSESSMENT AND MANAGEMENT published. - Biosafety Advisory Team established. 		-

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<ul style="list-style-type: none"> o Procedures and guidelines for risk assessment and management established; o Check-list prepared for risk assessment; o Procedures and guidelines for emergency responses established; o Procedures and guidelines monitoring and enforcement established o Experts responsible for risk assessment identified within the country; o Laboratory facilities established for RA; o Relevant scientists and technical experts trained in RA procedures, including LMO detection; o Training workshops for relevant personnel in emergency responses, monitoring and enforcement; o Roles and responsibilities of decision making body established and codified; o Mechanism and procedures for decision making established; o Training workshops for members of decision making body; o Guidelines developed for decision making on LMOs; o Mechanisms for public participation in decision making established; o Socio-economic priorities defined for Cambodia for decision making on LMOs; o National biosafety databank set up; o Website on biosafety developed and set up; o Mechanisms established for external data input by stakeholders. o 	<p>assessment and management.</p> <ul style="list-style-type: none"> ▪ Methodologies for monitoring the risks associated with LMOs handling, transport, use, transfer and release developed. ▪ Laboratory facilities utilised for LMOs detection for Competent National Authorities and universities. ▪ Technicians from concerned ministries universities, NGOs and national labs trained and enabled to carry out laboratory inspection activities. ▪ 	<ul style="list-style-type: none"> - Decision making system established with clearly defined criteria and rules - Agreed guideline for emergency response - Agreed mechanisms for procedure on cooperation and information exchanges - Approved guideline for management of information and compliance with BCH obligations. 		
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COMPONENT: C. ENFORCEMENT AND MONITORING FOR ENVIRONMENTAL EFFECTS

OBJECTIVE To set up a workable and fully functional system for monitoring and enforcement	<ul style="list-style-type: none"> - Enforcement procedure - Functioning costume, CAMCONTROL, agricultural and environmental officers. - Functioning agencies i.e., MOE and MAFF for Monitoring. - Functioning body on biosafety. 	<ul style="list-style-type: none"> - Approved procedure for enforcement. - Designated agencies for main ports of entry to enforce biosafety law and related laws. - Designated agencies for monitoring licensed biotech activities. 	<ul style="list-style-type: none"> - Procedure for enforcement can be confusing - Duties and responsibilities are not clearly assigned/appointed to staff - Procedure and other important information cannot reach to the local and regional authorities 	<ul style="list-style-type: none"> - Ensure clarity and transparency - Promote cooperation and exchange of information - Establish system or standard of motivation for monitoring and enforcement of the regulatory regime
OUTCOMES				
C1. Establishment of roles and responsibilities for monitoring and enforcement	<ul style="list-style-type: none"> - Roles and responsibilities for monitoring and enforcement in place 	<ul style="list-style-type: none"> - Written and approved division of roles and responsibilities available 	<ul style="list-style-type: none"> - the division of roles and responsibilities either unclear, overlapping or leaving gaps 	<ul style="list-style-type: none"> - Awareness raising – how to divide tasks, responsibilities, how to solve this question in a systematic way so that there are neither overlaps nor gaps.
C2 Strengthen systems for enforcement	<ul style="list-style-type: none"> - Enforcement system in place 	<ul style="list-style-type: none"> - Written and approved rules for enforcement - Trained people including local lawyers in place who know how to interpret CP and what are the compliance rules and practical applicability - No problems vs number of problems. 	<ul style="list-style-type: none"> - rules in place, approved, but are not followed either due to political ignorance, low awareness or low capacity - Rules can be misapplied 	<ul style="list-style-type: none"> - train people, especially lawyers (governmental officers in CAs), to correctly interpret CP and how to comply with CP - ensure the regular reporting to the CBD Secretariat about the implementation of CP, make these reports available to other interested parties - Ensure access to international experts (compliance committee?)
C3. Emergency response procedures established and operational	<ul style="list-style-type: none"> - Rules for emergency procedures in place - Authorities, contact persons nominated and made known to public - Trained staff able to deal with emergency issues - Number of trained staff to deal with emergencies - Budget for Emergency Response to mitigate accidental release available - Connection to the other countries via BCH 	<ul style="list-style-type: none"> - Written and approved rules available, (also for remediation) - Authorities nominated and approved (by government?) - Staff in these authorities trained and nominated, tasks described in their job description - Functional access to BCH and other means of connection - number of emergency cases solved 	<ul style="list-style-type: none"> - System exists only on paper, is non-functional or with low capacity; - Not enough finances - Poor communication facilities; - responsible staff does not know what to do in emergencies or accidents - emergency cases hidden by government or by companies, blocking info - government not willing to admit that their country is not able to deal with the issue themselves and not asking help from other countries / international organizations 	<ul style="list-style-type: none"> - Ensure that people responsible for emergency cases are aware of their tasks, Training for responsible persons, duplication of persons so that there is no one single person responsible for everything - Ensure that means for emergency responses are available - Develop tools (guidelines) for different emergency cases, possibility to ask for help from other countries/ authorities/ international organizations - Ensure that access to emergency lines is free and operational - Raise awareness so that governments/ companies

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				understand risks of accidental release of GMOs.
SPECIFIC OUTPUTS				
<ul style="list-style-type: none"> o Roles and responsibilities of various agencies in monitoring and enforcement defined and codified; o Infrastructure for monitoring and enforcement established o Guidelines, manuals and procedures prepared and published for monitoring and enforcement; o Training workshops for technical, border control and field personnel in monitoring and enforcement; o Legal training workshops for key personnel involved in monitoring and enforcement; o Strengthened capacity for monitoring and enforcement in relevant agencies, including border control; o Criteria for monitoring established; o Guidelines, manuals and procedures prepared and published for emergency responses, including remediation; o Training workshops for relevant personnel in emergency response procedures; o Audit procedures established for monitoring and enforcement. o 	<ul style="list-style-type: none"> - rules for emergency procedures in place - authorities, contact persons nominated and made known to public - trained staff able to deal with emergency issues - Number of trained staff to deal with emergencies - Budget for Emergency Response to mitigate accidental release available - connection to the other countries via BCH - (remediation system in place? i.e. follow -up action AFTER the emergency case is solved) - roles and responsibilities for monitoring and enforcement in place - enforcement system in place - rules for emergency procedures in place - authorities, contact persons nominated and made known to public - Number of trained staff available to deal with emergencies - Budget for Emergency Response to mitigate accidental release available - connection to the other countries via BCH 	<ul style="list-style-type: none"> - written and approved rules available for emergencies and remediation - Authorities nominated and approved - staff in these authorities trained and nominated, tasks described in their job description - functional access to BCH and other means of connection - number of emergency cases solved - Access records of the national BCH 		-
COMPONENT: D. PUBLIC AWARENESS, EDUCATION AND PARTICIPATION				
OBJECTIVE To establish a fully functional systems for: Public awareness Education Participation Access to information	<ul style="list-style-type: none"> - Public participation for Biosafety -related issues part of the sustainable development plan. - Topics addressing biosafety included in higher secondary and college curricula. - Public debate and discussion in media. - National BCH operational and continuously updated. 	<ul style="list-style-type: none"> - Development Plans - Various strategies - 	<ul style="list-style-type: none"> - Lack of political support - Biosafety is not a sustainable development issue - Lack of capacity to address public participation and awareness issues - Control of media. - Media not willing to promote debate on biosafety. 	<ul style="list-style-type: none"> - Advocate politicians for supports especially ombudsman and NBSC members - Check NBSAP and NEAP to ensure biosafety is addressed in them or put in their next review. - Cooperate with UNEP and regional network to build capacity in public awareness,

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	<ul style="list-style-type: none"> - Public Awareness strategy developed and executed. - Biosafety mainstreamed into training courses of agricultural, health, customs and other enforcement officers. 			<ul style="list-style-type: none"> - education and participation. - Use every means of media to ensure information related to risk reach the public. - Encourage NGOs and other local institutions to handle public awareness as they have done before.
OUTCOMES				
D1. National system for access and sharing of information	<ul style="list-style-type: none"> - No. of nationals accessing the national BCH. - No. of records on the national BCH. - Regularity of updates to the national BCH. - No. of people trained to continue tasks 	<ul style="list-style-type: none"> - Access records of the national BCH. - Instructional and user manuals - Country information available on the BCH central portal 	<ul style="list-style-type: none"> - National BCH not updated. - Public not aware of the existence of the national BCH. - NBCH not updated on a regular basis - No sustainability policy for turnover of staff 	<ul style="list-style-type: none"> - Capacity building within government sectors on the need to share information. - Raising awareness - Sustained capacity for maintaining and updating the national BCH - Adequate knowledge management tools in place
D2. Strengthen system for public awareness and education	<ul style="list-style-type: none"> - % of students receiving education on biosafety - Strategies to target public 	<ul style="list-style-type: none"> - Curricula - Documents 	<ul style="list-style-type: none"> - Lack of capacity to inform people and create messages that target lay people - Lack of capacity of instructors and curricula developers 	<ul style="list-style-type: none"> - Raising awareness of educators on the need to include biosafety as part of the biotechnology curriculum - Capacity building for government sectors involved with creating public awareness messages.
D3. Strengthen system for public participation in decision-making	<ul style="list-style-type: none"> - Strategies developed and discussed in country through media and other means. - Public service campaign strategy - Public service advertising targeting key audiences 	<ul style="list-style-type: none"> - Documents - Advertising - Strategies - Monitoring media 	<ul style="list-style-type: none"> - Public service campaigns do not correctly promote message on biosafety - Lack of will on the part of public to participate due to lack of information on the issues and their importance - Strategies don't target main Bias in favour of one or other interested group. 	<ul style="list-style-type: none"> - Raising awareness of the need to promote messages that target the appropriate audience and are directly related to biosafety.
SPECIFIC OUTPUTS				
<ul style="list-style-type: none"> o Surveys on public perception on LMOs carried out; o Training workshops for all stakeholders on access to biosafety information; o Training materials on biosafety information prepared and published; o Outreach materials on accessing biosafety prepared and published; o Library and database on biosafety established; o Biosafety awareness and education materials prepared 	<ul style="list-style-type: none"> ▪ Public Awareness plan executed. ▪ Public debate and discussion in media. ▪ Main stakeholders, including media and the public, trained on public information and participation related issues. ▪ Clearly defined entry points for public participation in decision making process for LMOs and GMOs. ▪ National Biosafety Clearing House (BCH) updated on a regular basis. 	<ul style="list-style-type: none"> - Survey results published and disseminated; - all stakeholders able to access nBCH; - Instructional and user manuals - Country information available on the BCH central portal - Lessons learned published and made available to stakeholders 		<ul style="list-style-type: none"> -

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<ul style="list-style-type: none"> and published; o Training workshops for all stakeholders on biosafety and biotechnology; o Awareness and education activities carried out, including workshops, focus group meetings, TV shows, newspaper articles, public debates, radio talks, etc; o Curricula developed for biosafety for use in schools; o Training workshops for educators in biosafety; o Entry points for public participation in decision making on LMOs identified and institutionalised. o 	<ul style="list-style-type: none"> ▪ Lessons learnt and best practices identified and disseminated. ▪ 			
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ANNEX 2

Matrix showing the relationship between the NBF and the Cartagena Protocol (CP)

Project activity	Protocol (CPB)	NBF-Law and Sub-decree
<p>Putting in place a regulatory regime for managing applications on LMOs</p> <p>Development and enactment of the legislation</p> <p>Proposal for the legislation, workshops, policy development, drafting of the legislation, holding workshops, consultation, finalizing the legislation.</p> <p>Training legal experts and key staff for the implementation of the legislation</p>	<p>Articles 1 – Objective, 2(1) – General provisions, 3 – Use of terms, 4 – Scope, 5 – Pharmaceuticals, and 6 – Transit and contained use,</p>	<p>Articles 1, 2, 3, 4, 34 and 35 of Draft Sub Decree (DSD).</p>
<p>Setting up procedures for efficient handling of applications including consideration, decision making, and review of decision</p>	<p>Article 2(4) – General provisions, Annex I and II</p>	<p>Articles 4, 34 and 35 of DSD.</p>
<p>Setting up a workable, cost effective, and transparent system for risk assessment</p>	<p>Articles 7 – AIA procedures, 8 – Notification, 10 – Decision making, and 12 – Review of decisions</p>	<p>Articles 5, 6, 7, and 23 – 27 of DSD.</p>
<p>Setting up a workable, cost effective, and transparent system for risk assessment, evaluation, and management by persons with appropriate knowledge and experience</p>	<p>Article 15 – Risk assessment and Annex III</p>	<p>Articles 5, 6, 7, and 23 – 27 of DSD.</p>
<p>Putting in place terms of reference for competent decision makers with knowledge and experience in biosafety issues and making the information available to potential users of the system.</p>	<p>Articles 16 – Risk management and 20 – Information sharing and the</p>	<p>Article 6 of DSD.</p>

Setting up a workable, cost effective, and transparent system for monitoring and enforcement	BCH Articles 17 – Unintentional transboundary movement, 18 – handling, transport, packaging and identification, and 25 – Illegal transboundary movement	Article 38 of DSD.
Putting in place workable, cost effective, and transparent system for public involvement in the decision making process on LMOs	Article 23 – Public awareness and participation	Articles 36 and 37 of DSD.

Annex 3

Tentative Detailed Cost of the NBF Implementation Project

Project Duration: 48 months (January 1, 2006 - December 31, 2009)

Activities to achieve each Output	Multiple	Unit Cost	Total
Objective A: To establish a fully functional and responsible regulatory regime in line with CP and national needs on biosafety.			
A1. Regulatory regime in place consistent with CP and other obligations			57,500
A1.1. Review first draft of the sub-decree on LMOs management and control by an international group of experts, national consultants, etc. - An international expert (number of months) - A national consultant (number of months) - Consultation meetings - NBSC meetings	1 3 1 1	7,000 1,500 5,000 5,000	7,000 4,500 5,000 5,000
A1.2. Define terminology (Glossary Development)	1	0	0
A1.3. Training workshops/seminars on CP and how to meet minimum requirements, international obligations of the country, regulatory instruments related to biosafety in the country - Number of training workshops/seminars	2	6,000	12,000
A1.4. Set up a biosafety task force composed of representatives from different government departments on regulatory issues			0
A1.5. Establish mechanism for internal information exchange (internal newsletter, intranet, reports, designation of a focal point, etc.) - Field and/or study visits for exchanges - idea, info., updates, etc.			24,000
A2. Regulatory regime published and made accessible to all stakeholders			58,500
A2.1. Review/finalisation of implementing law and sub-decree (by an international group of experts, national consultants) - An international expert (number of months) - A national consultant (number of months) - Meetings	2 5 2	8,000 1,500 2,000	16,000 7,500 4,000
A2.2. Finalize draft sub-decree on LMOs Management and Control - Meetings	2	2,000	4,000
A2.3. Set up a procedure for enforcement			2,000
A2.4. Set up a procedure for flexible revision of the regulatory regime			0
A2.5. Training on Biosafety for decision-makers, NBSC members, parliamentarians, other key stakeholders - Training workshops, (number of workshops)	1	5,000	5,000
A2.6. Training on possible options and implications of implementing a regulatory regime, options and implications of amending the existing regulatory regime, enforcement measures - Training workshops - Publication, documentations	2 1	5,000 10,000	10,000 10,000
A3. Application and enforcement of the regulatory regime			19,100
A3.1. Identify public concerns of regulatory matters - Consultation workshop or conference - Conduct survey	1	5,000	5,000
A3.2. Preparation of technical, training manuals for lawyers/trainers on biosafety regulatory regime - Resource person, (number of months) - Translation, publication, printing and dissemination	3 1	1,500 3,000	4,500 3,000
A3.3. Periodic and systematic updates of biosafety regulatory information by a designated government officer - A designated government officer	12	550	6,600

A3.4. Liaise regularly with the National BCH Focal Point			0
A3.5. Establish cessation or revocation Prakas for non-compliance			0
Objective B: To assist RGC to have fully functional national system for handling requests and applications.			
B1. Establishment of a fully functional and workable system for handling applications, their consideration and decision making			344,800
B1.1. Definition of criterial for identification, appointment and revision of RA experts and entity			20,000
- RA & RM international expert (in months)	2	7,000	14,000
- RA & RM local expert (in months)	4	1,500	6,000
- Setting criteria for RA & RM experts			
B1.2. Identification, appointment & revision of RA experts & entity			0
- Development of TORs for experts/advisors			
B1.3. Definition of national RA guidelines and procedure			4,000
- Workshops for consultants	2	2,000	4,000
B1.4. Development of a "Check list" for RA practitioners			5,000
B1.5. RA and RM Training			50,000
- Send staff for training: in-country or even oversea, etc.	1	50,000	50,000
- Trainers / Resource persons			
B1.6. Set up and assess necessary facilities for LMOs detection and identification			265,800
Laboratory Establishment			108,000
Equipments for LMO Detection			157,800
- Top loading balance		500	
- Microwave oven (basic)		300	
- Set of variable volume dispensing micropipettes (1-1000ul)		1,000	
- -20 degrees C freezer for storage of enzymes, nucleotides		1,500	
and consumables			
- Spectrophotometer		17,500	
- Primer and Marker		15,000	
- Chemicals and Reagents		40,000	
- Gel casting equipment (to make agarose gel)		18,000	
- Electrophoresis apparatus (to separate DNA)			
- Power pack for AC power supply (to run electrophoresis apparatus)		500	
- Ultraviolet transilluminator (for detection of DNA in gel)		1,000	
- Photographic apparatus to record DNA separation (this can vary from a simple camera to expensive digital camera systems)		2,000	
- Polymerase chain reaction (PCR) machine		50,000	
- Hybridisation ovens (2 units)		500	
- -80 degrees C deep freezer (for X-ray autoradiography)		10,000	
Other laboratory facilities available in hospitals, R&D Institutes or universities			
- Radioactive laboratory for radioactive labelling of DNA probe (If radioactive technique is used)			
- Dark room facilities for processing X-ray films			
B2. A fully functional decision-making system			43,000
B2.1. Define decision making body and set the rules and procedures			4,000
- The number of meetings	2	2,000	4,000
B2.2. Training of decision makers especially on international obligations			15,000
- Training seminars/workshops	3	5,000	15,000
- Send staff for training classes (e.g.: can be abroad, etc.)			
B2.3. Development of national guidelines on decision making			5,000

- A number of Seminars needed	1	5,000	5,000
B2.4. Development of mechanism for public involvement & educational materials			15,000
- A number of meetings/events	1	5,000	5,000
- Publication of manuals and other educational materials	1	10,000	10,000
B2.5. Definition of socio-economical priorities to be taken into consideration			4,000
- Glossary development and consultation	2	2,000	4,000
B3. A fully functional administrative system			26,000
B3.1. Identification of CAs responsible for emergency response, accidental release, illegal movement, transit, contained use, AIA and FFP, handling transport, packaging and identification of LMOs, BCH FP			4,000
- Meetings	2	2,000	4,000
B3.2. Development of guidelines for emergency response, accidental release illegal movement, transit, contained use, AIA and FFP, handling transport, packaging and identification of LMOs and handling confidential information			4,000
- An expert to set guidelines, organize meetings	2	2,000	4,000
B3.3. Training on guideline for emergency response	2	5,000	10,000
B3.4. Development of a network and procedures for cooperation and information exchange among CAs.			8,000
- Mechanism for networking	1	2,000	2,000
- Regular meetings	6	1,000	6,000
B4. A fully functional system for handling, storing and exchanging information to complement BCH project activities			16,000
B4.1. Creation of national Biosafety databank/s (including identification, collection, input and update of data			
- Database engineer	1	5,000	5,000
B4.2. Making information available to relevant groups through websites, etc.			7,000
- Website development and maintenance by a Designer	1	7,000	7,000
B4.3. Setting up rule and mechanisms for external data input (e.g., NGOs, Chamber of Commerce, universities, etc.)			4,000
- Related workshops/seminars	2	2,000	4,000
Objective C: To set up a workable and fully functional system for monitoring and enforcement.			
C1. Establish roles and responsibilities of monitoring and enforcement			80,000
C1.1. Based on Survey of roles and responsibilities (done during development phase), to clarify roles and responsibilities for different agencies in monitoring in Cambodia			15,000
- A national expert to prepare technical monitoring systems	5	2,000	10,000
- Establishment of methodologies for monitoring	1	5,000	5,000
C1.2. Training for personnel from different agencies to enable them to carry out their responsibilities for monitoring			60,000
- Training workshops or	4	5,000	20,000
- Send staff for training classes	1	40,000	40,000
C1.3. Provide on the job training for officials from different authorities with real case studies to make sure that the system is functioning			5,000
- Case study supervisors	1	5,000	5,000
C2. Strengthen systems for enforcement			18,000
C2.1. Develop appropriate guidelines, manual and rules for enforcement			8,000
- Seminars	2	4,000	8,000
C2.2. Provide legal training for key personnel in responsible agencies	1	5,000	5,000

C2.3. Develop guidelines/rules for monitoring (in cooperation with other countries for harmonization)	1	5,000	5,000
C3. Emergency response procedures established and operational			60,000
C3.1. Develop guidelines and rules for emergency cases (including remediation), develop TORs for responsible agencies/persons - Seminars/workshops	1	5,000	5,000
C3.2. Identify responsible authorities/focal points & establish contracts, bind them - Seminars/workshops	1	5,000	5,000
C3.3. Provide training for emergency operations All principal actors (high ranking officials – see risk management)	1	40,000	40,000
C3.4. Maintain an updated inventory of emergency equipment and ensure replacement/procurement of any additional requirements - Inventory control unit	1	5,000	5,000
C3.5. Define emergency response procedures - Meeting	1	5,000	5,000
Objective D: To assist the RGC to have fully functional systems for: Public awareness, Education, Participation, Access to information.			
D1. National system for access and sharing of information			71,500
D1.1. Training for stakeholders on access to biosafety information - Training Coordinator (number of months) - A trainer / Resource Person (number of months) - Five training workshops (number of workshops)	3 9 5	1,500 1,500 4,500	2,250 6,750 22,500
D1.2. Development and publication of Training materials (including translation and interpretation at workshops)	1	10,000	10,000
D1.3. Development and dissemination of outreach materials on accessing biosafety information (e.g. Newsletters, posters, brochures etc.)	1	10,000	10,000
D1.4. Create library and databases to ensure accessibility to public - A library in the MOE	1	20,000	20,000
D2. Strengthen system for public awareness and education			117,000
D2.1. Preparation of biosafety awareness and education materials for different audiences and communities - Publication of booklets, brochures, posters - Translation, English - Khmer - Quiz show on National TVK	1 1 1	3,000 500 3,500	3,000 500 3,500
D2.2. Identify responsible institutions for managing public awareness and education campaigns relating to Biosafety (TV show, brochures, and posters) - Department of Environmental Education of the MOE			0
D2.3. Conduct surveys for public opinion - Research survey - Consultation workshops	2 4	2,500 5,000	5,000 20,000
D2.4. Organize public debates (live radio talk, live TV shows/talk, etc.) - Live Radio Talk - Live TV Talk	4 4	1,500 3,500	6,000 14,000
D2.5. Provide briefings to media on process of biosafety developments - On National TVK, 30 minutes/month for one year - On newspaper (Rasmei Kampuchea, other papers)	12 12	550 200	6,600 2,400
D2.6. Involve stakeholders in consultations over Biosafety Action Plan - Seminars/workshops	1	5,000	5,000

D2.7. Develop curricula for biosafety in relation to the conservation and sustainable use of biodiversity, taking also into account risks to human health - This is the training coordinator's job	-	-	1,000
D2.8. Train educators (Training workshops)	4	5,000	20,000
D2.9. Invite experts of international fame to teach courses in educational institutions and give public talks - US\$250/day for distinguished speakers - US\$500/day for international experts	60 30	250 500	15,000 15,000
D3. Strengthen system for public participation in decision-making			109,005
D3.1. Trainings and Workshops to promote awareness and understanding on biosafety and biotechnology - Coordinator, (number of months) - Three-month training workshops, (number of workshops)	2 2	1,500 5,000	3,000 10,000
D3.2 Stakeholder consultation for biosafety priority needs - An expert to assist identify needs - Transportations - Workshops with involved stakeholders	12 1 2	1,500 4,000 2,000	18,000 4,000 4,000
D3.3. Workshops for stakeholders including media	5	5,000	25,000
D3.4. Organize educational fairs, events	3	10,000	30,000
D3.5. Organize public debates, meetings/conferences - Live Radio Talk - Live TV Talk - Short TV Spots (About US\$2,500/spot)	4 5 4	545 565 2,500	2,180 2,825 10,000
D3.6. Identify/institutionalize entry points for public participation in decision-making on LMOs			0
D3.7. Identify institutions specializing in developing and delivering public service campaign			0
Technical Support Costs			70,000
SUB TOTAL			1,090,405
ON-GOING AUDIT			10,000
GRAND TOTAL			<u>1,100,405</u>

ANNEX 4

Tentative Summary: Cost of the NBF Implementation Project Project Duration: 48 months (January 1, 2006 - December 31, 2009)

(In US Dollars)		Type of Benefit
Objective A: To establish a fully functional and responsible regulatory regime in line with CP and national needs on biosafety.	135,100	
A1. Regulatory regime in place consistent with CP and other obligations	57,500	
A1.1. Review first draft of the sub-decree on LMOs management and control by an international group of experts, national consultants, etc.	21,500	joint
A1.2. Define terminology (Glossary Development)	0	local
A1.3. Training workshops/seminars on CP and how to meet minimum requirements, international obligations of the country, regulatory instruments related to biosafety in the country	12,000	joint
A1.4. Set up a biosafety task force composed of representatives from different government departments on regulatory issues	0	local
A1.5. Establish mechanism for internal information exchange (internal newsletter, intranet, reports, designation of a focal point, etc.)	24,000	joint
A2. Regulatory regime published and made accessible to all stakeholders	58,500	
A2.1. Review/finalisation of implementing law and sub-decree (by an international group of experts, national consultants)	27,500	joint
A2.2. Finalize draft sub-decree on LMOs Management and Control	4,000	local
A2.3. Set up a procedure for enforcement	2,000	local
A2.4. Set up a procedure for flexible revision of the regulatory regime	0	local
A2.5. Training on Biosafety for decision-makers, NBSC members,	5,000	joint
A2.6. Training on possible options and implications of implementing a regulatory regime, options and implications of amending the existing regulatory regime, enforcement measures	20,000	global
A3. Application and enforcement of the regulatory regime	19,100	
A3.1. Identify public concerns of regulatory matters	5,000	local
A3.2. Preparation of technical, training manuals for lawyers/trainers on biosafety regulatory regime	7,500	joint
A3.3. Periodic and systematic updates of biosafety regulatory information by a designated government officer	6,600	joint
A3.4. Liaise regularly with the National BCH Focal Point	0	local
A3.5. Establish cessation or revocation Prakas for non-compliance	0	local
Objective B: To assist RGC to have fully functional national system for handling requests and applications.	429,800	
B1. Establishment of a fully functional and workable system for handling applications, their consideration and decision making	344,800	
B1.1. Definition of criteria for identification, appointment and revision of	20,000	joint
B1.2. Identification, appointment & revision of RA experts & entity	0	joint
B1.3. Definition of national RA guidelines and procedure	4,000	joint
B1.4. Development of a "Check list" for RA practitioners	5,000	joint
B1.5. RA and RM Training	50,000	joint
B1.6. Set up and assess necessary facilities for LMOs detection and identification	265,800	joint
B2. A fully functional decision-making system	43,000	
B2.1. Define decision making body and set the rules and procedures	4,000	joint
B2.2. Training of decision makers especially on international obligations	15,000	joint
B2.3. Development of national guidelines on decision making	5,000	joint
B2.4. Development of mechanism for public involvement & educational materials	15,000	joint
B2.5. Definition of socio-economical priorities to be taken into consideration	4,000	joint
B3. A fully functional administrative system	26,000	
B3.1. Identification of CAs responsible for emergency response, accidental release, illegal movement, transit, contained use, AIA and FFP, handling transport, packaging and identification of LMOs, BCH FP	2,000	joint
B3.2. Development of guidelines for emergency response, accidental release illegal movement, transit, contained use, AIA and FFP, handling transport packaging and identification of LMOs and handling confidential information	4,000	local
B3.3. Training on guideline for emergency response	10,000	global
B3.4. Development of a network and procedures for cooperation and information exchange among CAs.	10,000	global
B4. A fully functional system for handling, storing and exchanging information including the use of the BCH (complement BCH project activities)	16,000	
B4.1. Creation of national Biosafety databank/s	5,000	joint
B4.2. Making information available to relevant groups (through websites, etc.)	7,000	joint
B4.3. Setting up rule and mechanisms for external data input (e.g., NGOs,	4,000	joint

Objective C: To set up a workable and fully functional system for monitoring and enforcement.		158,000	
C1. Establish roles and responsibilities of monitoring and enforcement		80,000	124,000
C1.1. Based on Survey of roles and responsibilities (done during development and responsibilities for different agencies in monitoring in Cambodia.		15,000	joint
C1.2. Training for personnel from different agencies to enable them to carry for monitoring		60,000	joint
C1.3. Provide on the job training for officials from different authorities with real case studies to make sure that the system is functioning		5,000	local
C2. Strengthen systems for enforcement		18,000	
C2.1. Develop appropriate guidelines, manual and rules for enforcement		8,000	global
C2.2. Provide legal training for key personnel in responsible agencies		5,000	joint
C2.3. Develop guidelines/rules for monitoring (in cooperation with other		5,000	global
C3. Emergency response procedures established and operational		60,000	
C3.1. Develop guidelines and rules for emergency cases responsible agencies/persons		5,000	global
C3.2. Identify responsible authorities/focal points & establish contracts, bind them		5,000	local
C3.3. Provide training for emergency operations		40,000	joint
C3.4. Maintain an updated inventory of emergency equipment and ensure replacement/procurement of any additional requirements		5,000	joint
C3.5. Define emergency response procedures		5,000	joint
Objective D: To assist the RGC to have fully functional systems for: Public awareness, Education, Participation, Access to information.		297,505	
D1. National system for access and sharing of information		71,500	
D1.1. Training on access to information		31,500	joint
D1.2. Development and publication of Training materials		10,000	global
D1.3. Development and dissemination of outreach materials		10,000	global
D1.4. Create library and databases to ensure accessibility to public		20,000	joint
D2. Strengthen system for public awareness and education		117,000	
D2.1. Preparation of outreach materials for different audiences and communities		7,000	joint
D2.2. Identify responsible institutions for managing public awareness and education campaigns relating to Biosafety (TV show, brochures, and posters)		0	local
D2.3. Conduct surveys for public opinion		25,000	local
D2.4. Organize public debates (live radio talk, live TV shows/talk, etc.)		20,000	local
D2.5. Provide briefings to media on process of biosafety developments		9,000	local
D2.6. Involve stakeholders in consultations over Biosafety Action Plan		5,000	local
D2.7. Develop curricula for biosafety in relation to the conservation and sustainable use of biodiversity, taking also into account risks to human health		1,000	local
D2.8. Train educators (Training workshops)		20,000	local
D2.9. Invite expertsof international fame to teach courses in educational institutions and give public talks		30,000	local
D3. Strengthen system for public participation in decision-making		109,005	
D3.1. Trainings and Workshops to promote awareness and understanding on biosafety and biotechnology		13,000	joint
D3.2 Stakeholder consultation for biosafety priority needs		26,000	joint
D3.3. Workshops for stakeholders including media		25,000	local
D3.4. Organize educational fairs, events		30,000	local
D3.5. Organize public debates, meetings/conferences		15,005	local
D3.6. Identify/institutionalize entry points for public participation in		0	local
D3.7. Identify institutions specializing in developing and delivering public		0	local
Technical Support Costs		70,000	
On-Going Audit Allowance		10,000	global
TOTAL		1,100,405	
FINANCING			
GEF =	58.28%	641,280	
Government =	27.17%	299,025	
Bilateral =	4.73%	52,100	
World Bank =	9.81%	108,000	

ANNEX 5

Tentative and Indicative Work Plan and Timeline

Note : Timeline for activities are tentative and indicative at this stage and are likely to change in respect to each other depending upon progress of individual components within them.

[illegible]

[illegible]

[illegible]

[illegible]

ANNEX 6

Draft Terms of Reference for:

- **National Executing Agency (NEA)**
- **National Project Coordinator (NPC)**
- **National Coordinating Committee (NCC)**

a) The **National Executing Agency (NEA)**, in addition to other duties given to it by the National Government, will:

- Establish the National Co-ordinating Committee (NCC);
- Appoint a full time National Project Co-ordinator (NPC), taking into account the sustainability of national biosafety activities on completion of the National Project;
- Provide the necessary scientific, technical, financial and administrative support to the work of the NCC, working in close co-operation with relevant government agencies, the scientific community and the public and private sectors;
- Ensure that regular reports, financial accounts, and requests are submitted to UNEP as set out in section 6;
- Review all documentation deriving from the National Project and any other relevant documentation to ensure that these are consonant with National Government;
- Submit the final version of the National Biosafety Framework no later than eighteen months from signature of this Memorandum of Understanding.

b) The **National Coordinating Committee (NCC)** will work together as a team on management of the National Project and meet at least on a quarterly basis with the following duties:

- Develop a common understanding of what is needed to expedite the preparation of a National Biosafety Framework;
- Oversee the preparation of the National Biosafety Framework
- Approve the detailed workplan and budget produced by the NPC;
- Mobilise necessary expertise, as needed for the proper execution of the National Project outputs;
- Provide overall policy advice on the implementation of the National Project;
- Review and advise on the main outputs of the National Project;
- Ensure that information on the implementation of the National Project as well as the National Project outputs is brought to the attention of local and national authorities for follow up;
- Assist in mobilising available data and ensure a constant information flow between all concerned parties;
- Allow for effective communication and decision-making between the National Project Coordinator and other actors;
- Ensure that the environmental policy of the Government is fully reflected in the National Project documentation;

c) The **National Project Coordinator (NPC)** will carry out the following tasks

- The National Project Coordinator (NPC) will act as the secretary of the NCC
- Coordinate, manage and monitor the implementation of the National Biosafety Project conducted by the local and international experts, consultants, sub-contractors and co-operating partners;

- Organize National Coordinating Committee meetings;
- Prepare detailed workplan and budget under the guidance of the NCC;
- Ensure effective communication with the relevant authorities, institutions and government departments in close collaboration with the National Coordinating Committee;
- Foster, establish and maintain links with other related national and international programmes and National Projects;
- Prepare and oversee the development of Terms of Reference for National Project components, consultants and experts;
- Organize, contract and manage the consultants and experts, and supervise their performance;
- Coordinate and oversee the preparation of the outputs of the NBF;
- Manage the National Project finance, oversee overall resource allocation and where relevant submit proposals for budget revisions to the NCC and UNEP;
- Manage the overall National Project ensuring that all the activities are carried out on time and within budget to achieve the stated outputs;
- Coordinate the work of all stakeholders under the guidance of the NEA and the NCC and in consultation with the UNEP Global National Project Team;
- Ensure that information is available to the NCC about all Government, private and public sector activities, which impact on any use of modern biotechnology;
- Prepare and submit to UNEP and the NCC, regular progress and financial reports

c) The **Project Assistants (PA)** will carry out the following tasks

- Assist the NPC in the implementation of the National Biosafety Project conducted by the local and international experts, consultants, sub-contractors and co-operating partners;
- Assist with the organisation of National Coordinating Committee meetings;
- Assist with preparation detailed work plan and budget under the guidance of the NCC;
- Support the NPC in maintaining effective communication with the relevant authorities, institutions and government departments;
- Inform the NPC of other related national and international programmes and National Projects;
- Assist in drafting Terms of Reference for National Project components, consultants and experts;
- Assist with the identification of the consultants and experts, and supervise their performance;
- Assist in overseeing the preparation of the outputs of the NBF;
- Assist the National Project Finance Officer providing information as needed;
- Assist the NPC ensuring that all the activities are carried out on time and within budget to achieve the stated outputs;
- Assist in providing information to the NCC about all Government, private and public sector activities, which impact on any use of modern biotechnology;
- Assist the NPC in the preparation and submission to UNEP and the NCC, of regular progress and financial reports
- Assist with the preparation of a project monitoring and evaluation plan
- Assist with identification of appropriate project indicators able to reflect progress of activities as well as impact
- Assist with capturing and incorporating recommendations from NCC meetings into project execution and monitoring and evaluation plan

- Assisting with providing information as needed to carry out any monitoring and evaluation activity as part of the UNEP's internal guidelines

Annex 7

Letter of commitment from MAFF with regard to Republic of Korea
Contribution to NBF implementation project

(signed original + translation)



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

ក្រសួងកសិកម្ម រុក្ខាប្រមាញ់ និង នេសាទ

នាយកដ្ឋាន កសិ-ឧស្សាហកម្ម

លេខ ២៥៦២ អកខ

រាជធានីភ្នំពេញ, ថ្ងៃទី ២២ ខែ កុម្ភៈ ឆ្នាំ ២០០៩

ប្រធាននាយកដ្ឋានកសិ-ឧស្សាហកម្ម

សូមជំរាបជូន

លោកនាយកសំរាប់សំរួលគំរោងក្របខ័ណ្ឌ ជីវសុវត្ថិភាពជាតិ

កម្មវត្ថុ : ថវិកាបដិភាគពីសាធារណៈរដ្ឋកូរ៉េ (ROK) ក្នុងផលិតកម្មកសិកម្ម

យោង : សិក្ខាសាលាថ្នាក់ជាតិស្តីអំពី ការពិគ្រោះយោបល់នៃការរៀបចំគំរោងសំណើសំរាប់ការនុវត្តន៍ ក្របខ័ណ្ឌជីវសុវត្ថិភាពជាតិ ។

សេចក្តីដូចបានជំរាបជូនក្នុងកម្មវត្ថុ និងយោងខាងលើ ខ្ញុំ សូមជំរាបជូនលោកនាយកជ្រាបថា ថ្មីៗនេះ សាធារណរដ្ឋកូរ៉េ (ROK) បានជួយដល់ក្រសួងកសិកម្ម រុក្ខាប្រមាញ់ និងនេសាទ ទៅនាយកដ្ឋាន កសិឧស្សាហកម្ម ក្នុងការពង្រឹងមន្ទីរពិសោធន៍ដើម្បីត្រួតពិនិត្យគុណភាពម្ហូបអាហារ ។ សាធារណៈកូរ៉េបាននូវសំភារៈជាច្រើន ហើយក្នុងនេះមានទឹកប្រាក់ចំនួន \$52,100 ទាក់ទងនឹងផ្នែកជីវសុវត្ថិភាព ។

អាស្រ័យហេតុនេះ សូមលោកនាយកមេត្តាជ្រាបជាព័ត៌មានកម្មវត្ថុ ។

ខ្ញុំសង្ឃឹមថា នឹងចូលរួមសហការក្នុងការអនុវត្តគំរោងកសាងសមត្ថភាពជាតិនៃក្របខ័ណ្ឌជីវសុវត្ថិភាព ។

សូមលោកនាយកទទួលនូវការគោរពរាប់អានអំពីរូបខ្ញុំ ។



ជាតិ សាសនា ព្រះមហាក្សត្រ

Kingdom of Cambodia
Nation Religion King

**Ministry of Agriculture, Forestry and Fisheries
Agro-Industry Department**

No. 262 nkd

Phnom Penh, December 22, 2005

**From : Director, Agro-Industry Department
To : The National Project Coordinator of the NBF Implementation project
Subject : Co-financing letter from Republic of Korea in Agro-productivity**

Reference : - National Conference on proposal for the implementation of the NBF project

Based on the above-mentioned subject and reference, I would like to inform you that recently Republic of Korea (ROK) has assisted MAFF and Department of Agro-Industry in lab development to control the food quality. Among the assistance, there are many other items that ROK has pledged such as training, lab facilities and premises and only a small portion of lab facilities can be counted as related to biosafety activities, amounting to US\$52,100.

I hope this information is helpful to you when developing a proposal for national biosafety framework implementation.

I look forward to participating in the implementing the project in the near future.

Yours sincerely,

Signed and seal

Phat Leng

Annex 8

Final Draft Law on Biosafety

CHAPTER I General Provisions

Article 1.-

The objectives of this law are to:

- Prevent adverse impact on the conservation of biodiversity and natural resources in the Kingdom of Cambodia caused by the transboundary movement, development, handling, transfer, use, storage, and release of living modified organisms resulting from modern biotechnology;
- Ensure effective conservation of biodiversity and sustainable use of biological resources, taking also into account risks to human health;
- Provide a transparent process for making and reviewing decisions on living modified organisms and related activities and operations;
- Develop biotechnology education while preventing environmental and health hazards associated with the use and release of living modified organisms;
- Implement the Cartagena Protocol on Biosafety to the Convention on Biological Diversity to which the Kingdom of Cambodia is a Party.

Article 2.-

Technical terms used in this law shall have the following meaning:

-“**Applicant**” means a legal or natural person that notifies its intent to use living modified organisms and/or applies for prior approval to import into or export from the Kingdom of Cambodia any living modified organism for any purpose;

-“**Biosafety**” is a word to describe efforts to reduce and eliminate the potential risks resulting from biotechnology and its products.

-“**Contained use**” means any operation, undertaken within a facility, installation or other physical structure, which involves living modified organisms that are controlled by specific measures that effectively limit their contact with, and their impact on, the external environment;

-“**Intentional introduction of LMOs into the environment**” means the deliberate use of LMOs subject to this act that is not contained use, including field release and planting, release into water and/or air, placing on the market for sale, free gifts/samples and donations but not including LMOs imported for direct use as food or feed, or for processing;

-“**Living modified organism (LMO)**” means any living organism that possesses a novel combination of genetic material obtained through the use of modern biotechnology;

-“**Living organism**” means any biological entity capable of transferring or replicating genetic material, including sterile organisms, viruses and viroids;

-“**Modern biotechnology**” means the application of:

- a. *In vitro* nucleic acid techniques, including recombinant deoxyribonucleic acid (DNA) and direct injection of nucleic acid into cells or organelles, or
- b. Fusion of cells beyond the taxonomic family, that overcome natural physiological reproductive or recombination barriers and that are not techniques used in traditional breeding and selection.

Article 3.-

This law shall apply to the import and export, contained use, intentional introduction into the environment, and direct use as food or feed or for processing of living modified organisms that may have an adverse effect on the conservation and sustainable use of biological diversity, taking also into account risks to human health.

This law shall not apply to:

- Living modified organisms that are pharmaceuticals for human use that are addressed by relevant international agreements and/or organizations;
- Living modified organisms in transit through but not destined for use in the Kingdom of Cambodia;
- Any other categories of living modified organisms that may be exempted by the National Competent Authority; and
- Any processed products containing dead modified organisms or non-living components of genetically modified organisms.

Article 4.-

Any legal or natural person who wants to conduct any activity or operation involving contained use, intentional introduction into the environment, and/or direct use as food or feed or for processing of LMOs in the Kingdom of Cambodia shall be subject to approval by the Ministry of Environment prior to authorization by the concerned competent authority.

Any activity or operation involving LMOs covered by this law shall comply with the standards and measures for managing and controlling the risks identified in the risk assessment process established under Chapter IV, that are stipulated by the Prakas issued by the Ministry of Environment after consultation with the concerned competent authority.

Article 5.-

Any legal or natural person responsible for any activity or operation involving LMOs covered by this law shall ensure that contained use, intentional introduction into the environment, direct use as food, feed or for processing, import, and export of LMOs is carried out in conformity with this law and all Sub-decrees implementing this law by, among other things:

- Developing a risk management strategy
- Providing an emergency response plan for accidental release
- Establishing mechanisms for internal monitoring of safety;
- Reporting immediately to the Ministry of Environment when the operator becomes aware of new scientific information indicating that these activities or operations and/or the LMOs involved may adversely affect the conservation and sustainable use of biodiversity, taking into account risks to human health;
- Taking measures to prevent an unintentional introduction of LMOs into the environment and to respond to and mitigate any harm to biodiversity and human health when unintentional introduction into the environment occurs.

CHAPTER II

Institutional Arrangements

Article 6.-

In collaboration with other concerned ministries, the Ministry of Environment shall manage and control all activities and operations involving LMOs covered by this law.

The Ministry of Environment shall be the National Focal Point and National Competent Authority for implementing the provisions of this law and those of the Cartagena Protocol.

Article 7.-

The Ministry of Environment, as the National Focal Point stated in Article 6 above, shall be the primary contact between the Royal Government of Cambodia and the Secretariat of the Cartagena Protocol.

As the National Competent Authority, the Ministry of Environment shall be responsible for the administrative functions required to implement this law. These functions shall include timely notification to other States, the Biosafety Clearing-House, and relevant international organizations of any event in the Kingdom of Cambodia that may result in the unintentional trans-boundary movement of a LMO.

An authorized official of the Ministry of Environment may enter and inspect the premises where any activities or operations involving LMOs covered by this law are being, or have been, carried out, take samples and/or confiscate LMOs to facilitate further investigation.

Article 8.-

The Royal Government shall establish, following proposal of the Ministry of Environment, a Scientific Advisory Team (SAT) to provide scientific and other technical advice to the Ministry of Environment in reviewing the applications, applications, risk assessments and approvals, and in setting standards for facilities, operations and activities involving LMOs subject to this law.

Article 9.-

The Royal Government shall establish a National Steering Committee for Biosafety chaired by the Minister of Environment to serve as the leading body [among other things] in the development of a biosafety policy and strategic planning.

CHAPTER III

Import of LMOs

Article 10.-

The first import of a LMO into the Kingdom of Cambodia for contained use shall be subject to risk assessment and approval by the Ministry of Environment prior to application to the concerned competent authority for the import permit.

Article 11.-

All imports of LMOs into the Kingdom of Cambodia for intentional introduction into the environment shall be subject to risk assessment and approval by the Ministry of Environment prior to application to the concerned competent authority for the import permit.

The applicant shall notify the Ministry of Environment of the intent to import.

Article 12.-

Within ninety (90) days, the Ministry of Environment shall acknowledge the receipt of the application and advise the applicant whether it may proceed to the prior approval process.

Article 13.-

Within two hundred and seventy days (270 days) after receiving the application as stipulated in articles 11 and 12, the Ministry of Environment shall notify the applicant in writing and the national Biosafety Clearing-House on its decision.

Article 14.-

The first import into the Kingdom of Cambodia of a LMO for direct use as food or feed or for processing shall be subject to risk assessment and prior approval by the Ministry of

Environment, in consultation with the concerned competent authority, prior to application for the import permit.

Any legal or natural person who wants to import a LMO for direct use as food or feed or for processing shall submit to the Ministry of Environment written certification issued by the Competent National Authority of the State of export that attests to the accuracy of the information provided concerning the LMO to be imported.

Article 15.-

When the Ministry of Environment approves any LMO for direct use as food or feed or for processing, it shall inform other Parties to the Cartagena Protocol through the Biosafety Clearing-House within fifteen (15) days.

Article 16.-

The letter of approval of the Ministry of Environment must be attached to the import permit for any LMO.

CHAPTER IV Export of LMOs

Article 17.-

Any legal or natural person who intends to export LMOs covered by this law from the Kingdom of Cambodia shall notify the national competent authority of the proposed importing State in writing prior to applying to the concerned competent authority of the Kingdom of Cambodia for an export permit.

Article 18.-

The concerned competent authority of the Kingdom of Cambodia may issue a permit to export LMOs only after receipt of authorization in writing from the national competent authority of the proposed importing State. The authorization from the proposed importing party must be attached to the export permit and/or other documentation accompanying the consignment.

Article 19.-

The exporter shall get from the Ministry of Environment written certification of the accuracy of all information provided about the LMO to be exported. Such certification shall be attached to the export permit and/or other documentation accompanying the consignment.

CHAPTER V

Risk Assessment

Article 20.-

The Ministry of Environment shall ensure that appropriate risk assessments are carried out for all actions related to LMOs that require prior approval under this law.

Article 21.-

The exporter/applicant shall carry out the risk assessment and shall bear all related costs. Upon receipt of the results of the risk assessment and other documentation required under this law, the Ministry of Environment may grant approval with or without conditions, request additional information, or deny approval.

CHAPTER VI Documentation for LMOs

Article 22.-

Any legal or natural person who imports LMOs into or exports LMOs from the Kingdom of Cambodia for any purpose shall provide accompanying documentation that clearly identifies them as LMOs and specifies any requirements for their safe handling, transport, use, and storage.

Article 23.-

Except any law or regulations otherwise specify, LMOs that are imported into or exported from the Kingdom of Cambodia shall be accompanied during transboundary movement and upon delivery to the port of entry by documentations that cover:

- 1- LMOs for direct use as food or feed or for processing, clearly identify that the goods may contain LMOs and are not intended for intentional introduction into the environment;
- 2- LMOs for intentional introduction into the environment, specify their identity and relevant characteristics and any requirements for their safe handling, transport, use, and storage, specifies the contact point for further information, and also states that the transboundary movement is in conformity with the requirements of Cartagena Protocol applicable to the exporter;
- 3- LMOs for contained use, clearly identify them as LMOs, specify any requirements for their safe handling, transport, use and storage, and specify the contact point for further information including the name and address of the individual and the institution to which the LMOs are consigned.

Article 24:-

Living modified organisms and items containing living modified organisms shall be clearly labeled.

CHAPTER VII

Confidential Information

Article 25.-

The Ministry of Environment shall permit an applicant to identify information provided in accordance with the requirements of this law and any Sub-decree issued pursuant to it, that is to be treated as confidential, to ensure the confidentiality.

In the above mentioned case, the Ministry of Environment may decide whether it accepts as confidential the information designated by the applicant.

Article 26.-

The Ministry of Environment shall decide whether it accepts or rejects the claims of confidentiality of information. In the case of rejecting the claims of confidentiality, the Ministry of Environment shall inform the applicant of its rejection, providing appropriate justification for its decision, prior to any disclosure of such information.

Article 27.-

The Ministry of Environment and other concerned ministries shall protect confidential information under Article 25. The use or permit the use of such confidential information shall have the written consent of the applicant.

CHAPTER VIII

Review of Decisions

Article 28.-

The Ministry of Environment and concerned ministries may review any decision on activities, operations, import or export at any time on obtaining significant new information indicating that the LMOs or the activities, operations, import or export involved may adversely affect the conservation and sustainable use of biodiversity, taking also into account risks to human health.

When the Ministry of Environment revises any decision on a LMO covered by this law it shall inform the Biosafety Clearing-House.

Article 29.-

If the Ministry of Environment changes a decision approving import of any LMO for any purpose, the Ministry of Environment shall, within thirty (30) days, inform the applicant that has previously applied for and/or received approval to import the LMO of the reasons for its revised decision.

Article 30.-

Any applicant whose request for approval of import of LMO has been denied may request the Ministry of Environment to review its decision when there is additional technical and scientific information available and/or when the applicant considers there has been a change of circumstances that may influence the outcome of the risk assessment.

After considering the new information and/or changed circumstances, the Ministry of Environment may revise or maintain its original decision and shall respond in writing within ninety (90) days, giving the reason for its decision.

CHAPTER IX

Public Information, Awareness-raising and Public Participation

Article 31.-

The Ministry of Environment and other concerned competent ministries shall promote awareness and education for the general public.

Article 32.-

Information related to LMOs shall be mutually disseminated among the Ministry of Environment and other concerned competent authorities.

Article 33-

The Ministry of Environment and other concerned competent ministries shall encourage public to participate and provide feedback in planning and decision making process relevant to biosafety issues.

CHAPTER X

Penalties

Article 34.-

Legal or natural person, who is permitted to operate or conduct LMOs related activities, become aware of any significant new scientific information finding out risks from his or her activities

may adversely affect the conservation and sustainable use of biodiversity and/or human health but fails to report to Ministry of Environment, shall be subject to a written censure.

Ministry of Environment shall review its decision and/or cancel the permit.

Article 35-

In the case of having a clear evidence that legal or natural person as stipulated article 34 intentionally conceals information on risks caused by living modified organisms related activities on biodiversity and/or human health, shall be fined from ten million (10,000,000) riel to fifty million (50,000,000) riel or to imprisonment from one year to five years or both.

Article 36-

Any violator of the provisions of Articles 10, 11, or 14 of this law shall be fined by the Ministry of Environment an amount between one million (1,000,000) Riel to five million (5,000,000) Riel.

In the event of repeated offenses, the fine shall be doubled without prejudice to other crimes resulting in adverse effects on the conservation and sustainable use of biodiversity and/or human health.

Article 37.-

Anyone who has given, by any mean, intentionally false, misleading or confusing information required by the provisions of Article 22 of this law shall be subject to imprisonment for one (1) year to five (5) years and/or a fine of four million (4,000,000) Riel to twenty million (20,000,000) Riel.

In the event of repeated offenses, the fine and criminal sanction shall be doubled without prejudice to other serious crimes resulting in adverse effects on the conservation and sustainable use of biodiversity and/ or human health.

Article 38.-

All evidences concerning LMO-related activities and equipment which is the subject of offenses committed as stipulated in article 33 and 34 shall be confiscated. The act of confiscation shall be within the jurisdiction of the court.

Article 39.-

Any operator who obstructs or causes the obstruction of an authorized official of the Ministry of Environment in the process of fulfilling his/her duties under paragraph 3 of article 7 of this law shall be fined by the Ministry of Environment an amount between five hundred thousand (500,000) Riel to one million (1,000,000) Riel.

In the event of repeated offenses, shall be fined from one million (1,000,000) Riel to five million (5,000,000) Riel or imprisoned from one (1) month to three months or both.

Article 40.-

Any environmental inspection official or agent who is negligent, fails to pay attention to, or fails to comply with rules and regulation of the Ministry of Environment or conspires with a violator or facilitates the commission of violation, shall be subject to administrative sanctions or faces prosecution before the court.

CHAPTER XI

Transitional Provision

Article 41.-

This law shall also apply to LMOs related activities or operations covered by this law, which have been undertaken prior to the date on which this act shall come into effect.

CHAPTER XII

Final Provisions

Article 42.-

The Ministry of Environment shall notify the Biosafety Clearing-House that this law shall apply with respect to any import of LMOs into the Kingdom of Cambodia.

Article 43-

Implementation procedures for the establishment and the process of the Scientific Advisory Team and National Biosafety Steering Committee as stipulated in article 8 and 9 and implementation procedures for import export of living modified organisms, risk assessment, required documentations of import-export, measures for confidential information and procedures for public participation as stipulated in article 15, 20, 17, 25 and 31 shall be further specified in a sub-decree upon a request from the Ministry of Environment.

Article 44.-

This law and Sub-decrees implementing it shall, every three (3) years, be reviewed in light of technical and scientific advances and for the purpose of improving the effectiveness of their implementation.

Article 45.-

Any provisions that are contrary to this law shall be considered as null.

Article 46.-

This law shall be promulgated immediately.