

Building Biosafety Capacity in Developing Countries: Experiences of the UNEP-GEF Project on Development of National Biosafety Frameworks

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Abbreviations & Acronyms

CARDI	Caribbean Agricultural Research and Development Institute
CPB	Cartagena Protocol on Biosafety
DfID	Department for International Development (UK)
FAO	Food and Agricultural Organisation
EA	Enabling Activity
EU	European Union
GEF	Global Environment Facility
GMO	Genetically Modified Organism
LMO	Living Modified Organism
MEA	Multilateral Environment Agreement
NBF	National Biosafety Framework
NBSAP	National Biodiversity Strategy and Action Plan
NCC	National Coordinating Committee
NGO	Non Governmental Organisation
NPC	National Project Coordinator
SIDS	Small Island Developing States
UNEP	United Nations Environment Programme

EXECUTIVE SUMMARY

The objective of this study is to reflect on the experiences of the UNEP-GEF Project on Development of National Biosafety Frameworks (NBFs) in biosafety capacity building. The lessons learned from these experiences could help those countries currently drafting their NBF and in the design of future capacity building initiatives in biosafety, as well as those in support of other multi-lateral environmental agreements (MEA).

The Global Project on the Development of National Biosafety Frameworks began in June 2001 and is implemented by UNEP. This three and a half year project was designed to assist countries to develop their National Biosafety Frameworks so that they can comply with the Cartagena Protocol on Biosafety. To date, 126 countries have decided to strengthen their capacity in biosafety under this global project. As of 12th May 2005, 40 countries have completed a draft NBF, the main output of each national sub-project.

Countries began their national projects from varying initial circumstances, and at different times, and accordingly faced a diverse range of challenges in carrying out their projects. The global Project team helped countries meet these issues by finding their own ways of dealing with the challenges, and making use of opportunities.

The study looks at the experiences of this Project as a capacity building initiative using five different, but interlinked questions, to draw lessons from the Project's efforts to support the sustainable development agenda in participating countries:

- ✓ OWNERSHIP: Who drives and owns the capacity building process at the country-level?
- ✓ DEVELOPMENT CONTEXT: What is the development context in which the capacity building project has to operate?
- ✓ TIMING: What are the considerations in terms of timing and the time horizon of building capacity?
- ✓ STAKEHOLDERS: Who is involved in the capacity building project and in what ways?
- ✓ TOOLS: How to build capacity using global, regional and national-level tools?

The lessons learnt from the UNEP-GEF NBF Development Project, as a capacity building initiative within a development context, are based on the actual experiences of participating countries. Moreover, the issue of sustainability cuts across all five key questions, and includes both the sustainability of capacity built through project activities, and the technical and financial sustainability of the NBF as an end product of the project. Some of the key lessons include:

- ✓ *The process of building capacity is in itself a dynamic one, and an integral part of a capacity building project is the flexibility to ensure that the project remains responsive to the countries' changing needs as they evolve, and/or become more focused and better articulated over the life of the project. This iterative learning process, both on the part of the Project management as well as the Project beneficiaries needs to be recognized as an important part of capacity building.*
- ✓ *There is a need for a balance between setting a project timeframe that is realistic and achievable by the country, while creating enough momentum to keep the focus and drive on the NBF process. Having a more realistic timeframe would allow for better pacing throughout the process as well as better management of stakeholders' expectations.*
- ✓ *It is important to strike a balance between centralizing project management structure and maintaining a presence, which is closer to the countries.*

- ✓ *For sustainability, internal knowledge sharing and management systems need to be established within each country during a project's lifetime. Moreover, it is important for a capacity building project to take into consideration how best to sustain capacity that has been built..*
- ✓ *An important message is that information dissemination and sharing is a crucial ingredient of public participation. This has been all the more evident in the case of biosafety, where most stakeholders at the country level had little exposure to biosafety issues prior to the Project. Information dissemination and awareness raising is not merely a "first step" in the process of participation, but needs to be encouraged throughout the entire NBF development and implementation process.*
- ✓ *Regional cooperation cannot be imposed by an external entity. Countries will move from isolation to collaboration at their own pace, and out of their own needs and understanding of the possible benefits of sharing with trusted partners.*

This Project and its approaches as a development initiative need to be seen in the wider context of sustainable development. This development initiative echoes some of the challenges and opportunities of building and managing capacity, especially at a global level, using a globally centralized management system. Therefore, the experiences of this Project enrich the existing knowledge on building capacity, in particular given the specific challenges faced in building capacity in a new field, which is both technically challenging, and controversial. The study also highlights that sustainability is a crucial element of a capacity building strategy. Building capacity is a process as well as a product, and it is very much influenced by the development context in which it takes place. The lessons learnt from this Project can be helpful in future initiatives, and also provide an understanding of the development context in which the current Project is being implemented.

PART ONE: SETTING THE SCENE

About this study

What is this study aiming to do?

1. The objective of this study is to reflect on the experiences of the UNEP-GEF Project on Development of National Biosafety Frameworks (NBFs) in biosafety capacity building. The lessons learned from these experiences could help those countries currently drafting their NBF and in the design of future capacity building initiatives in biosafety, as well as those in support of other multi-lateral environmental agreements (MEA).

2. This study is not intended as a review or evaluation of either the global project or any of the individual country projects; the GEF M&E Unit is currently carrying out a formal evaluation of the project¹.

How was this study carried out?

3. The study is undertaken in a spirit of learning from both the global and country-level experiences of the project, based on the perspectives of various stakeholders. It is carried out at a point in time where the Project² has made significant progress since its June 2001 starting date. 35 countries have now completed their draft NBF (as of 21 April 2005), and country and global project management teams have the opportunity of looking back and learning from their early experiences. As different countries entered the Project at different times, many countries are still developing their NBF and the study also attempts to draw out lessons from their diverse experiences.

4. The study is based on the experiences of the end-users or beneficiaries of the Project, the participating countries, using feedback from project staff in some of these countries. A more detailed analysis of five of the 35 countries that have completed a draft NBF by 21 April 2005 is presented in Annex II. Complementing the inputs from the country level are desk reviews of documentation from within and outside the Project as well as email and telephone communication with other major stakeholders.

What is the Project about?

5. The Project derives from the Global Environment Facility (GEF) "Initial Strategy for Assisting Countries to Prepare for the Entry into Force of the Cartagena Protocol on Biosafety (CPB)" The main objectives of the Strategy are to assist countries in the establishment of NBFs and to promote information sharing and collaboration, especially at the regional and sub regional levels. The Project's overall objective is to prepare countries for the entry into force of the CPB³.

6. The mandate and scope for the Project are therefore firmly grounded in a multilateral environment agreement (MEA), and it complies with the requirements of the GEF financing mechanism, with funds channelled through a GEF implementing agency. As with many other GEF funded projects, emphasis is put on requirements such as country ownership, inclusive participation by stakeholders and considerations of sustainability and impact of the project funded activities. Thus the UNEP-GEF NBF Development project faces challenges and opportunities shared by similar externally funded development initiatives.

¹ The evaluation team is expected to report its findings and conclusions to the GEF Council in November 2005.

² The "Project" refers to the global UNEP-GEF Project on Development of National Biosafety Frameworks (NBFs) throughout this document. This is not to be confused with "national projects", which are the individual, country level projects, also called "sub-projects".

³ Refer to Annex I for updated information on the project as of 10 April 2005.

7. However the Project also differs from these initiatives in some significant ways. Firstly the subject matter itself – biosafety – is a relatively new topic. The CPB is a newly adopted protocol, and the existing knowledge base on the topic is smaller and less evenly spread. Different groups of stakeholders have differing levels of access to good scientific information on biosafety. Different stakeholders also have diverging interests to defend, and unequal opportunities to have their viewpoints heard. As a result, the issue of biosafety is a contentious one. The debate on Genetically Modified Organisms (GMO) continues to be a very lively one both in the developed and developing worlds.

8. The scale of the Project also brings its own set of difficulties and opportunities. Given its global coverage with over 120 participating countries, management of the project is a major challenge. Each Regional Coordinator is responsible for an average of over 20 countries. In addition, the project team has to respond to the unique situation of each participating country, ranging from the level of development of biosafety frameworks when they entered the Project, to their individual national priorities and needs.

9. Adding to the complexity is the fact that countries enter the global project at different times. At any one point in time, there are countries just starting their projects, others carrying out their analysis and consultation, and yet others completing their NBF draft. This also provides an opportunity that the Project team builds on – they are able to learn from the countries that started their projects earlier, and use those experiences to adapt and improve on the services they provide to the other participating countries.

10. A global project also has its benefits such as economies of scale and being significantly more cost-effective than a series of national projects⁴. The centralized project management system facilitates standardized financial administration and development of global project tools that can be used by all countries. A global approach also provides a common platform for the various participating countries to exchange ideas and experiences as the knowledge base develops.

The NBF Development Project as a biosafety capacity building initiative

11. The UNEP-GEF NBF Development Project is a capacity building project that operates at the individual, institutional and systemic levels (Box 1). The main activity of the Project, which is to assist countries to prepare their NBFs falls into the systemic level of capacity. While carrying out the systemic capacity building efforts, the Project also assists in promoting the development of individual and institutional capacity. Thus this project faces the daunting task of trying to cover the full range of biosafety capacity needs of countries, and it is important to adjust expectations vis-à-vis the type of capacity being built at the different levels.

12. Expectations of the UNEP-GEF NBF Development Project as a capacity building project have also been diverse, depending largely on the priorities of the different groups of stakeholders. These various expectations have in turn underpinned a range of judgments on the project, for example: “The project should be aiming to finish country level initiatives within the 18 month time frame”; “The project should be neutral”; “The project should not be impartial”; “The project needs to concentrate on serving its clients (the countries)”; “The project should provide more technical assistance”; “The project should organize more workshops”; “The project should not spend resources on workshops”; “The project should develop models of NBFs”; “The project should not use models”; “The project should not use a one-size-fits-all- approach”; “The project should be realistic about the level capacity building it really can achieve”; “The project should be more science-based”.

⁴ Cost effectiveness of the project is analysed in the independent Mid Term Review (August 2004)

13. These differing positions and opinions on how capacity building should or could be carried out, show that there are as many possible answers as there are actors, with each actor influenced by their own interests and approach. This study attempts to focus on the fundamental questions that need to be discussed, such as: When and why do countries feel that it is necessary to build their capacity in this area? Whose capacity is being built and how? What are the facilitating or constraining factors for meaningful capacity building? Who decides what is meaningful? Given the situation of a donor supported global project, and individual country project implementation, what are the lessons that can be learnt? Part Two of the study provides a discussion platform for some aspects of building capacity on biosafety, looking at both processes and products.

Box 1. Capacity: individual, institutional and systemic levels

In a global context, “capacity” refers to the ability of individuals and institutions to make and implement decisions and perform functions in an effective, efficient and sustainable manner.

At the individual level, capacity building refers to the process of changing attitudes and behaviours - imparting knowledge and developing skills while maximizing the benefits of participation, knowledge exchange and ownership. In the field of biosafety, the kinds of capacity at this level would refer to human expertise in the legal, scientific or technical areas, for example, in risk assessment and risk management. Building capacity could also refer to increased awareness of biosafety issues.

At the institutional level it focuses on the overall organisational performance and functioning capabilities, as well as the ability of an organisation to adapt to change. It aims to develop the institution as a total system, including individuals, groups and the organisation itself. In biosafety, this could include the institutional capacities such as laboratory or research capabilities, or the administration of biosafety regulations and guidelines.

At the systemic level it further emphasizes the overall policy framework in which individuals and organisations operate and interact with the external environment, as well as the formal and informal relationships of institutions. In biosafety, this could include the legal or policy biosafety framework at the national level as well as inter-agency relationships in implementing the policy or legal frameworks.

General definitions based on: Zakri, AH et. al. Capacity Development Initiative. Country Capacity Development Needs and Priorities. Regional Report for Asia and the Pacific. GEF UNDP Strategic Partnership. Sept 2000

PART TWO: A DISCUSSION PLATFORM

The NBF Project as a development initiative

14. This main section of the study takes a closer look at the experiences of the Project as a development initiative, using five different but interlinked, entry points, called “key questions”. This discussion platform enables us to draw lessons from the experiences of the Project in its efforts to support the sustainable development agenda in participating countries.

15. The five questions chosen are:

- ✓ OWNERSHIP: Who drives and owns the capacity building process at the country-level?
- ✓ DEVELOPMENT CONTEXT: What is the context in which the capacity building project has to operate?
- ✓ TIMING: What are the considerations in terms of timing and the time horizon of building capacity?
- ✓ STAKEHOLDERS: Who is involved in the capacity building project and in which ways?
- ✓ TOOLS: How to build capacity using global, regional and national-level tools?

16. Sustainability of the Project outputs is an important consideration, as with all development cooperation projects. Sustainability of a capacity building initiative depends just as much on the processes of building capacity as on the success of the main product or output of the project i.e. the draft NBFs. Sustainability is therefore a common thread that runs through the discussion on all five questions

17. The following sections look at the five questions drawing out lessons from both country and global project experiences, highlighting implications for sustainability.

Key question 1: OWNERSHIP: Who drives and owns the capacity building process at the country-level?

Why this question?

18. The ownership of development projects is an important factor contributing to the success of a project, and is linked to “country-drivenness”. The more a project is owned and “driven” by a country, the greater the commitment of the country to the project. This contributes to the efficient and effective implementation of the project and the sustainability of project outputs.

What are some of the experiences and lessons from the Project?

19. Ownership can be demonstrated in many ways and in varying degrees. In some cases, it is simply shown through a letter of endorsement or a signature on a project document. This is an essential requisite for a country to participate in the UNEP-GEF NBF Development Project. In addition, the national-level projects have also demonstrated ownership and country level commitment through cash and (mainly) in kind contributions.

20. Another way to analyze ownership is to look at the reasons why countries wanted to join the Project. The demand for capacity building activities in biosafety also reflects the level of country drivenness – and hence ownership – at the national level. The main drivers encouraging countries to sign up to the Project were internal in some cases and external in others, or sometimes a combination of both.

Box 2: Why join the UNEP-GEF NBF Development Project?

The following gives an idea of the wide range of reasons countries signed up to the UNEP-GEF NBF Development Project:

“It was mainly because we had to comply with the Cartagena Protocol on Biosafety”;

“We already had a national target of developing a biosafety policy, even before the UNEP GEF project. We did a survey of the current needs and identified gaps and decided to use the UNEP GEF project funds to fill certain gaps. The Biosafety Committee vets the different externally funded projects and then decides which particular kind of assistance is needed from which particular source of funds”;

“There were some concerns from the public and civil society organisations and rumours that there were possible GMO releases, therefore we needed to build our capacity so as to be able to act in an informed manner”;

“Funding was available”;

“It was because of the personal concern of the CBD focal point in the country, who saw that biosafety was an extremely important issue and we needed to build our capacity in this area.”

21. As illustrated in Box 2, some countries which joined the Project had a clear idea of the current level of capacity in the country and the gaps that needed to be filled, and others less so. In Phase I of the Project toolkit, aptly named “Taking Stock”, countries are encouraged to undertake surveys, which also cover ongoing capacity building initiatives. This is not the same as taking stock of capacity gaps, which could have been useful for some countries in better targeting their capacity building activities. However, in a relatively new subject such as biosafety, it is not always possible to identify capacity gaps at the starting point. Indeed, some countries found that participating in the Project was useful for them to discover what capacity needs they had. Many countries continue to learn of the new areas they need to constantly build as they progress along the development of their NBF.

LESSON: *The process of building capacity is in itself a dynamic one. Therefore it is not always possible to have a complete picture of all the capacity building needs when starting a capacity building project. This should not be a stumbling block for project designers or implementers. More importantly, an integral part of a capacity building project is the flexibility to ensure that the project remains responsive to the countries’ changing needs as they evolve over the life of the project, and/or become more focused and better articulated. This iterative learning process, both on the part of the Project management as well as the Project beneficiaries also needs to be recognized as an important part of capacity building.*

22. The question of ownership becomes more interesting when one looks at the different groups of stakeholders. The reality is that countries themselves are not “black boxes” and that some segments of society would want to drive or own the project more than others. For example, even within the government, ownership of the project can sometimes mean a tussle between different agencies. This is perhaps more obvious when dealing with a relatively new area of biosafety, where in many cases the roles and responsibilities of different government agencies are not yet well defined and overlap. Through the Project activities, some countries have been able to make progress on the sharing of ownership among different government agencies. For example, the case study (Annex III) on Ghana illustrates the success in convincing major government stakeholders that the project is of a

common national importance, especially in the light of ratifying the CPB. Other countries have used the NBF development process itself to advance these efforts, but as Box 3 shows, this remains a challenging task and would still need to be addressed during implementation of the NBF.

Box 3: Iran: clarifying institutional roles

“At the government level, focal points as well as competent authorities with regard to biosafety issues have not been nominated yet. Broadly speaking, the government's policy and strategy on biosafety still needs to be defined clearly. Actually, at some point various governmental agencies felt that they were put in charge of similar responsibilities. For example, the Ministry of Science, Research and Technology, the Ministry of Jihad-e-Agriculture as well as the Department of Environment each wanted to endorse full authority over biosafety issues. The completion of the NBF, in which an institutional regulatory framework is proposed, is thus a major step toward providing a sound proposal to the government.”

Source: Terminal report Sept 2004

***LESSON:** There are difficulties in identifying a common and shared ownership of projects. However, in many development initiatives including this Project, the demonstration of ownership has been described as an “administrative hurdle” to overcome. A lesson for the future is to put less emphasis on this “hurdle” and concentrate instead on building and sustaining the sense of demand-drivenness through the national project activities.*

23. The question of national ownership is also pertinent when discussing initiatives undertaken with the broad goal of assisting countries in fulfilling their international obligations. Even though countries, as parties to Multilateral Environment Agreements (MEAs) shape the global agenda and work programme, there may be divergence between global priorities and the specificities of individual country-level project implementation. It is interesting to note that for some countries, this national biosafety capacity building exercise is an opportunity of further contributing to the global dialogue on biosafety (Box 4).

Box 4: Pacific Island Countries: engaging in the MEA process

For some of the Pacific Island Countries (PICs), the unregulated transboundary movement of GMOs was not seen as an immediate threat. However, this did not mean that the biosafety capacity building process was irrelevant to them. Instead, PICs saw the project as another opportunity of building capacity and developing skills to better engage and influence the MEA processes. This project has contributed to giving PICs and SIDS a stronger voice in the international MEA process. By doing so, biosafety becomes integrated into the development agenda at the national level.

Some considerations on sustainability issues under the “ownership” question?

24. A common assumption is that a project that demonstrates strong country ownership and a high level of country drivenness will contribute towards sustainability of project outputs. The question of sustainability is all the more important in the case of this particular capacity building initiative, because there may be a discontinuity in the funding of this UNEP-GEF NBF development Project and that of the next initiative supporting NBF implementation. In many cases, the Project has been successful in raising awareness on the issue of biosafety and generating high levels of interest in the NBF development process. Having adequate ownership and commitment in the project at the country level would help maintain the momentum and interest generated to smoothly make the transition into the NBF implementation project. In some countries, for example, Guatemala, the National Coordinating Committee (NCC) was established solely as a Project based entity but has

been given a new legal status that ensures its existence even after the duration of the Project and continues to be in operation.

25. Another important consideration is the financial sustainability of the Project outputs. In the case of this particular project, as the main output is a draft NBF, the challenge would be to identify the investment and recurrent costs of establishing the NBF and its actual implementation. However, not all of the completed Projects seem to have taken these factors into account, with cost estimations, as in the Philippines (Box 5). However, it must also be noted that the countries' commitments of cash and in-kind contributions during the Project duration has raised awareness on the importance of funding future recurrent costs, and as the example from the Philippines shows, the extensive stakeholder consultations that the Project facilitated has helped raised the concerns on this aspect of sustainability.

Box 5: Philippines - creative options for funding the NBF

In the Philippines, several concerns were raised in a series of extensive stakeholder consultation workshops. One of these concerns was related to the future funding of the NBF implementation, as shown in the excerpt below:

"Other stakeholders felt that the NBF still falls short with respect to issues relating to implementability, mainly on account of its undefined and unclear funding commitment. Several proposals were put forth to ensure funding or implementation. Among them: (1) specific budgetary allocations should be provided for in the General Appropriations Act of the respective departments involved, in a committed and sustainable basis for its implementation; (2) regulatory agencies should explore the possibility of charging administrative/regulatory fees (...); (3) tap Agricultural Competitiveness Enhancement Fund specifically from the importation of GM products; (4) consider establishing a biosafety trust fund to be managed by an inter-agency body; (5) enter into a joint Memorandum of Agreement among key departments for sharing of funds, and (6) a statutory legislation with specific budgetary commitments should be put forth in the form of a Republic Act. (...) There is a need to look at creative ways to finance and sustain the implementation of the NBF because no matter how good the intent, the NBF will be difficult to implement without funding."

Excerpt quoted from Halos, S. *et. al.* 2004. "Development the National Biosafety Framework for the Philippines". DENR – PAWB.

Summary

26. Ownership of any project is difficult to establish at the outset. However, it is important to keep building and sustaining ownership, country drivenness and demand drivenness into management of a project. An important indicator of success of a project would be to compare the level of ownership at the end of the project as compared to the initial situation. *Another lesson is that building ownership is a process, and just like the lesson highlighted on the identification of capacity needs, it is an iterative learning process.* More innovative ways of building capacity could be explored in order to continue building ownership.

Key question 2: DEVELOPMENT CONTEXT: What is the context in which the capacity building project has to operate?

Why this question?

27. In any development project, many stakeholders are involved –the donor, the implementing agency and the project management units – and each may have a different idea of the development context in which the project operates. This is very relevant to the UNEP-GEF NBF Development Project, given its centralized project team and more than 120

country level project management structures. In addition, the experiences from the Project show the opportunities and challenges inherent in managing a global project while responding to individual country level needs.

What are some of the experiences and lessons from the Project?

28. The scale on which the Project operates is not common and presents a challenging task for the small centralized project team in Geneva, but with an increasing presence in the regions⁵. Each Regional Coordinator (RC) covers over 20 country projects on average. The RCs strive to provide the best technical and country-specific support possible through email or telephone communications. They visit each participating country at least once during project implementation and participate as resource persons at the Project workshops held at the regional and subregional levels.

***LESSON:** A lesson for similar projects in the future is that it is important to strike a balance between centralizing project management structure and maintaining a presence closer to the countries. The way the current Project management structure has evolved to include the two additional regional coordinators based in the field is a response to the needs of participating countries. The team as a whole benefits from this more effective redistribution of workload. These RCs in the field participate fully as members of the global management team, while working to improve the quality of support to countries in the Subregion.*

29. The common framework within which the global team operates is a generic one. This provides opportunities such as a structured means for countries to learn from each other and by developing tools, such as the toolkit modules, that can be used by all countries. There is a delicate balance between providing relevant country-specific technical guidance and producing guidance that is general enough to be useful to all participating countries. For example, the Project management team refrains from suggesting models of NBFs, or “model laws” for countries to use as guidance. However, countries have been encouraged to learn from each other and use examples of NBFs from other countries in their Subregion as references. This is all the more so in the cases of countries which have not had much experience in developing their NBF. Most countries also turn to using resource persons from neighbouring countries or countries sharing relatively similar circumstances. These proactive initiatives of the countries, as encouraged by the Project team, have been very useful in translating the project documents and toolkit guidance into action, by ensuring that the NBF development process is grounded in reality. In fact, for those countries which embarked on the final stage of their national project before the corresponding toolkit module was made available, an important source of guidance was the experiences of other countries and their draft NBFs.

***LESSON:** The importance of being open to learning from peers. Some countries successfully complement the capacity building support provided by the Project with real experience from other countries. This has greatly helped to effectively translate the global level documents and toolkits into reality on a country level.*

30. An important facet of the development context in which biosafety capacity building activities operate, is the extent to which biosafety, and in particular the different components of the NBF, are integrated into a country’s development priorities. The Project has gone some way towards “mainstreaming” biosafety into the development context of each participating country, through an emphasis on a biosafety policy to guide the development of an NBF. Countries are developing their NBF within the context of their national policy framework through a diversity of national approaches such as sustainable development

⁵ There are now two Regional Coordinators for Africa based in Nairobi, one for Anglophone countries and the other for Francophone Africa. A Regional Coordinator for the Pacific, based in Apia, Samoa, was appointed in July 2003.

strategies, development plans, science and technology policies, biodiversity strategies and action plans and biosecurity. However, this process of mainstreaming needs to be further consolidated and integrated into other national processes if the NBF is to be sustainable within a country.

LESSON: *Biosafety and the NBF need to be mainstreamed into a country's national development context if the NBF is to be sustainable. Although this process has begun with the development projects, it needs to be strengthened and further consolidated during the implementation and operationalization of an NBF.*

31. Another facet of the context in which these biosafety capacity building activities operate, is the social, political and governance systems of the countries. In some countries, political instability and frequent changes in government have had repercussions such as a turnover in personnel and changes in priorities. The causes and influences of such issues are well beyond the scope of the global or national projects. However, they are risks that need to be recognized and managed as best as possible.

Box 6: Stability and biosafety?

Stability is an essential factor for the successful implementation of projects, but one that is not often recognized. Yet, the consequences of instability or rapid political changes are indeed very real. For example in Guatemala, during the project lifetime, internal changes resulted in three different NEA counterparts, which contributed to delays in project implementation. In Macedonia as well as several other Eastern and Central European countries, political instability did not only lead to changes in personnel, but meant that in a general sense, biosafety issues were accorded a low priority by the government during the period of instability

LESSON: *A possible strategy for mitigating the risks due to instability is to build a broad knowledge management base within the projects in order to ensure that the capacity built is sustained. If not, each time there is a disruption in institutional or personnel priorities, projects find themselves having to start all over again in raising awareness and building capacity.*

Some sustainability issues under the “development context” question.

32. The success of the national project depends to a large extent on the competencies and motivation of the National Project Coordinator (NPC). From the point of view of sustainability, the translation of a draft NBF into a finalized and workable NBF is the critical factor. One important contributing factor is the extent to which the capacity built by the Project can be shared, expanded and sustained within the country. Many different implementation modalities exist among the national projects, but one significant characteristic is whether the NPC is a civil servant integrated within the NEA or another national agency, or whether the NPC is a consultant hired for the duration of the project. In theory, one could assume that for sustainability considerations, it is better for the project to be led by a person positioned within a government agency or institution. However, this has not always been a straightforward option, given the Project team expectations that the NPC dedicate their entire professional time to the project. Therefore in some countries, the solution has been to hire NPCs from outside the civil service. In most cases, these NPCs are welcomed as part of the government agency for the duration of their involvement in the project. Besides working on a full time basis, these NPCs also can bring in fresh ideas and networks, to the benefit of the project. However, in terms of sustainability, it becomes more challenging to retain and sustain the capacity built. The NPC, who becomes a key figure in holding the NBF process together and whose capacity has been built by the Project will in most cases have to leave when the project funding ends. There are some examples where the NEA at the end of the project employs the NPC, but in other cases, the NPC will not be

retained to continue working on the implementation of the NBF. The chances of losing the NPC are also greater when there is a long gap between the completion of the development project and the start of the implementation of the NBF.

Box 7: National Project Coordinators: within or outside the system?

Some NPCs who are consultants, leave when they find a better job. In the LAC region, an estimated 40% of countries have had at least one change of NPC; in one case, Uruguay, the NPC changed three times. Fortunately, this is not the case for all consultants hired as NPCs. In some cases, they are well integrated into the NEA for the duration of the project, and have enjoyed the full institutional backing of the NEA. However, this still does not avoid the inevitable fact that unless the NPCs are hired by the NEA after the duration of the project (as in Slovenia), many “outsider” NPCs will leave, taking their knowledge with them. However, this has to be balanced by examples such as Sri Lanka, where the NPC, who was a university professor, has gone back to his old job after completing the NBF, and initiated a university course in biosafety. And he continues to be available as a consultant for the implementation of the NBF.

LESSON: A number of useful lessons arise from the above discussion:

- ❖ *Firstly, the question of availability of human resources to manage the NBF project shows that it is useful to be flexible in terms of allowing NPCs who are government staff to perform related tasks outside the scope of the project. This may even give NPCs the possibility of widening the scope of their work beyond the strict boundaries of project processes and products; this would increase the impact of their work and reinforce their role in the NBF development process.*
- ❖ *Secondly, some difficulties have been noted in countries with regards to finding NPCs (whether they be from within the government or outside the civil service) with the appropriate skills to manage the NBF development project. This raises questions about how these countries will be able to continue to manage the finalisation and implementation of their NBF. An emerging lesson is that the draft NBF needs to be firmly rooted in reality and reflect the local human resource pool in terms of quantity and quality.*
- ❖ *Thirdly, the discussion shows that while using external human resources as NPCs does bring benefits, and in some cases, was the only option available, one needs to take note that there is the risk that the NPC, if and when they leave the project will also take along the capacity built. The Project has been successful in many cases in building capacity of the NPCs, and it would be unfortunate to lose that capacity. Therefore a lesson to draw is that internal knowledge sharing and management systems need to be established during the project’s lifetime. It is not sufficient to just build capacity, but also to take into consideration ways of sustaining that capacity, which is essential for sustainability.*

Summary

33. The translation of any project document into actual implementation is a challenging task, especially in a Project such as this that covers more than 120 countries. The use of globally designed tools is enhanced when complemented by learning from real experiences of other countries. The way in which the Project team has evolved to include team members who can be closer to the ground in Francophone Africa, the Pacific Island Countries (PICs), and the Caribbean is a demonstration of responsiveness to specific country needs within a Subregion. The implementation of the global Project shows that there are many potential risks to the quality of implementation at the country level, such as frequent changes in government personnel, general political instability, and changes in government priorities. In addition to the need to sustain the capacity that has been built, a key element of such a Project would be to build a more structured knowledge management system at the national level. This would contribute towards the continuity of the capacity building efforts, as well as

making efficient use of the capacity that the Project has been able to build, by allowing greater sharing of capacity built within a broader community in the country.

Key question 3: TIMING: What are the considerations in terms of timing and the time horizon of building capacity?

Why this question?

34. Building capacity takes time, and based on the time frame considered, can be seen as a process or as a product. Many of the country experiences and stakeholder opinions gathered for this study highlight the issues of the timeframe of the Project, especially the duration of the national level projects. Some of the participating countries have also described their national project as being extremely timely, in terms of responding to the need to develop an NBF, in line with their international commitments and national concerns.

What are some of the experiences and lessons from the Project?

35. The first issue that has consistently been raised is the duration of the national level projects. The 18-month duration has proved to be insufficient and all participating countries have had to request project extensions. As of April 2005, the average length of extension required is 8 months, with some countries requesting an extension of more than a year. The Project team grants the extensions, recognizing that the 18-month period is only an indicative one. The Project team had chosen this time frame based on the reasoning that it was approximately half of the duration of the global project. In the team's view, this was necessary for planning purposes and that the target dates may slip. Thus, while giving countries a target date, the team responded to country needs in granting extensions when requested by countries in order to ensure that timelines did not interfere with the quality of the end product⁶.

LESSON: *Several lessons emerge from the above experiences:*

- ❖ *First, having a standard prescribed time frame cannot take into consideration the many different starting points of the countries and the particular situation in each. The level of capacity in biosafety in each country and the specific issues needed to be considered in determining project durations for countries.*
- ❖ *Second, the need for extensions also reveals underlying challenges that each participating country has had to address. These challenges include:*
 - *Mainstreaming of biosafety into general development priorities and planning;*
 - *A lack of awareness of biosafety;*
 - *The priority allocated to biosafety;*
 - *In countries with existing biosafety regulations, the time taken in strengthening cooperation and collaboration on reviewing and revising the NBF.*

Therefore each of these country specific challenges need to be understood and a more flexible approach to deciding project duration would allow greater responsiveness to country situations.

⁶ While keeping in mind the specificities of the NBF Project, the GEF-funded Enabling Activity (EA), the National Biodiversity Strategy and Action Plan (NBSAP) preparation process provides an interesting comparison. The interim evaluation of the NBSAPs comments that: "An informal norm of 12–18 months was adopted for planning biodiversity EAs. This required a hectic and demanding schedule in most countries, and experience has now shown that at least another year is usually needed. Awareness raising, stakeholder consultations, and a measured transition towards NBSAP implementation were the main activities that needed more time. In several cases, the pressure to meet deadlines for submitting first national reports to the COP led to these reports being developed hastily and with limited consultation." From: Wells, M. et. al. 2000. *Interim Assessment for Biodiversity Enabling Activities – National Biodiversity Strategies and Action Plans*.

- ❖ *Third, as shown by the NBSAP experience, the pressure to meet the timeframe may occasionally result in emphasis being put on the outputs, instead of the process in producing the outputs. Especially in a capacity building project, the processes are just as essential as the outputs, especially in terms of sustainability.*
- ❖ *Fourth, there is clearly a need for a balance between setting a timeframe which is realistic and achievable, while at the same time creating enough momentum and keep the focus and drive on the NBF process. Having a more realistic timeframe would allow for better pacing throughout the process as well as better management of stakeholders' expectations.*

36. The challenge of bridging the gap between the globally designed Project and the context in which national projects operate has in part contributed to the lengthy negotiation phase prior to the start-up of the national projects. This indicates the importance of adjusting donor perceptions to needs and priorities of countries, particularly in terms of planning project timeframes.

LESSON: *For a Project designed at a global level, it is important to acknowledge that it will be necessary to spend time at a country level ensuring that the global design is relevant and responsive to a given country situation. By making allowance for this initial negotiation, project time lines could be more realistic and stakeholders' expectations better managed.*

37. Another point for discussion is the timeliness of the project. Most countries covered in this study described the project as “timely”. In some cases, the project served to help countries review and fill gaps in already existing biosafety frameworks. In most cases, timeliness meant that the NEA considered that it was necessary to start developing the NBF, in many cases as a response to the CPB rather than in response to demands from stakeholders to do so. For example, the process in Tajikistan was kicked off at a time that the NEA considers opportune, even when “the majority of stakeholders were not prepared to work on biosafety, and it was not a high priority”. This has implications for demand-drivenness and ownership (see Key question 1).

LESSON: *In some ways, this capacity building initiative has served to increase awareness and demand for more support in biosafety, and not the other way round. A lesson from this is to note that in a new area such as biosafety, the usual project “prerequisites” of demand drivenness may not apply.*

38. Another important question is “Which level⁷ should come first in capacity building?” Should there be a coordinated order in which systemic, institutional or technical capacity is built? This indicates that a wide range of capacity building efforts are needed in biosafety, and that the UNEP-GEF NBF Development Project is only one of the many initiatives. Its scope is primarily to work on building systemic capacity, in terms of developing the NBF. By doing so, it is also addressing other systemic issues such as (in country) inter-agency collaboration. In a more targeted way, it builds individual capacities of personnel such as the NPCs. Countries need to continue working with a range of providers of capacity building assistance in order to ensure individual technical capacity and institutional capacity is also developed in order for the NBF to be implemented. One example is for countries to build capacity to generate and evaluate their own scientific data, and to constantly feed science-based information back into the discussions among stakeholders. As the technical and institutional capacities develop, countries should hopefully generate more informed feedback for improving the NBF itself, which will continue to evolve from “learning-by-doing”.

⁷ Refer to Box 1 on the three levels of capacity.

Some sustainability issues under the “timing” question.

39. One aspect of sustainability is the time horizon of the capacity building initiative. The capacity building processes as supported in the GEF Initial Strategy are divided into NBF development and NBF implementation. The transition between the two phases provides opportunities and challenges, as effective NBF implementation will depend to a large extent on how well the NBF was developed, and the level of stakeholder ownership and support. There has been a change in a success indicator for the Project, from having an NBF “in place” (as stated in the original project document) to the production of a draft NBF. This was done because it was unrealistic to expect countries to be able to prepare, approve and promulgate complex outputs such as biosafety laws within the duration of the national project.

40. Therefore, a draft NBF gives countries the opportunity to review and revise their NBF as they make the transition from development to implementation. Indeed, an important preliminary step in the NBF implementation project is a review and revision of the NBF. This approach taken by the Project team demonstrates that the development and implementation of NBFs need to be approached as a continuous process. Then again, the reality is that this process and the accompanying funding from GEF are divided into two distinct phases. There is a concern in some countries that the gap between the end of the national NBF development project and the approval of the implementation project will contribute towards a loss of the momentum created during the NBF development project.

***LESSON:** Support in the area of biosafety capacity building may be more effectively delivered to countries through a broader programme approach, or other modalities which allow countries to choose the type of capacity building support that is necessary and when they most need it. This would help to avoid any loss of momentum as well as trained staff between the development of an NBF and its implementation.*

Summary

41. Some of the lessons elaborated above suggest that the timeframe for building capacity in the relatively new area of biosafety needs to be more realistic. In addition, managing a participatory process of NBF development is also time consuming. Furthermore, the fact that the project was globally designed means that an important period of negotiation takes place at each country level to ensure that the Project can be made relevant to the countries’ needs. While it is important to be flexible and responsive, as the Project team has been with regard to project extensions, more realistic time frames in the first place will allow for more even pacing of project implementation and better management of stakeholder expectations. Another lesson is to note the interlinkage and interdependence between the three different levels of capacity, especially in terms of timing. It is difficult for any one provider of capacity building to answer to all needs at any one time. Good coordination is needed at the national level to maximise the benefits from various capacity building support initiatives. The priorities include:

- ❖ How best to serve individual country needs;
- ❖ Allowing countries the choice and knowledge to ensure that the assistance received is timely and well targeted; and
- ❖ To ensure that the capacity built is sustained within the country.

Key question 4: STAKEHOLDERS: Who is involved in the capacity building project and in which ways?

Why this question?

42. Stakeholder participation is an important element of this Project, which mainly aims to develop policy and regulatory frameworks. A high level of involvement and therefore commitment of stakeholders during the NBF development, would improve the chances that the NBF is effectively implemented.

What are some of the experiences and lessons from the Project?

43. The Project capacity building tools such as the toolkit (Box 8) place emphasis on the importance of identifying and involving stakeholders. The workshops and advice from the RCs reinforce this message at all stages of the NBF development. During the preparatory stages of NBF development, countries are encouraged to carry out a stakeholder analysis. Countries then make important choices on the level and scope of representation of stakeholders in project mechanisms, for example the National Coordinating Committee (NCC). A larger group of stakeholders is involved when the project has outreach or consultative workshops.

Box 8: Who should be involved in developing the NBF?

Article 23 of the Cartagena Protocol places a strong emphasis on participation *and* on increasing public awareness and education so that stakeholders have the relevant knowledge and information to enable them to participate effectively in decision making at the national level on the safe transfer, handling and use of living modified organisms (LMOs).

Participation is a simple word that means “*sharing or taking part in*” and implies how and to what extent people are able to express their views, to take part in decision-making, and contribute to policy formulation. The aim of participation is to build partnerships, so that it is possible to harness the collective energy and potential of all stakeholders in developing and implementing national policies.

Stakeholders are all those with an interest or stake in biosafety, i.e. in the safe transfer, handling and use of LMOs in the country. Two complementary forms of participation could be relevant in the development of a NBF: *interactive* participation and *participation by consultation*.

Source: Phase 0 Toolkit, UNEP-GEF NBF Development Project

44. An analysis of the composition of NCCs of 87 participating countries, based on the information posted on the Project website, shows the diversity in the composition of NCCs across countries. This is not surprising, as the NCC composition reflects the country’s needs and priorities, as well as what is politically acceptable in a given country context. For example, the NCC of some countries, such as the Seychelles, Kiribati and the Solomon Islands includes representatives from the church. This is a reflection of the reality of the socio-economic development context in those countries where the church is an extremely important actor.

45. The size of the NCC can also vary, ranging from 6 members up to 36 members. While the composition of the NCC also varies, government representatives tend to form the majority of members. In fact, in four countries, the NCC is entirely composed of members from Government agencies. Most NCCs include members of civil society and academia/research centres. Approximately 77% of the sample of NCCs included NGO representatives and approximately the same proportion (76%) included members of public

research institutions or universities. In 3 countries, representatives from the research and academic institutions form the majority of NCC members. This may indicate the country's choice in using technical and scientific expertise to drive the NBF development process. In comparison, only about half the NCCs included representatives of industry groups or private enterprise. Some NCCs include Members of Parliament (10 countries), while others included media representatives (6 countries) The involvement of the media in the NCC has been found to add value to the biosafety capacity building process especially in facilitating the outreach activities of the project.

LESSON: *The NCC composition reflects the priorities and needs of the country and is best determined at the national project level. Experiences also show that meetings of NCCs, just like any other committee can be difficult to organize. This may also be a cause of delays in project implementation. In most cases, countries have also created smaller, more focused sub groups of the NCC to work on specific tasks. For example, working within a smaller group or 'petit comité', with the endorsement of the larger NCC can be a useful lesson in terms of balancing the twin goals of being more efficient as well as gaining the guidance and ownership of a broader group of stakeholders.*

46. However, a study such as this one cannot capture the dynamics within the NCC and their internal governance systems. In addition, in some instances, the composition of the NCC has evolved to accommodate changing needs (Box 9).

Box 9: Philippines – being more inclusive

In the beginning, the NCC of the Philippines mainly comprised government agencies and research institutions. During some of the stakeholder consultations, with a much broader spectrum of stakeholders, a concern was raised on the absence of an NGO representative on the NCC. The project management in the Philippines promptly responded by inviting the NGOs to select a representative – through their own processes – and since then has included the NGO representative in the NCC.

47. On the issue of “who to involve”, some countries have reported success in using a high-level “champion” within the government, who can convene decision makers, and lend weight and credibility to the process. However, one possible risk of over dependence on such a strategy is that the “champion” becomes overly central and indispensable to the project, with the danger of compromising the broad-based consensus process, inevitably needed for sustainability of the NBF framework. For example, in Ghana, one of the main factors facilitating the NBF development process is the broad-based high level support it received. The NPC had direct access to the Ministerial level when necessary, and therefore was able to convene high-level decision makers when needed.

LESSON: *This high level support as seen in the case of Ghana, can be more sustainable than having one single “champion”. A combination of strategies must be deployed to ensure that support from all levels is genuine and long lasting. This is an intangible, but very crucial output of the NPCs and their project teams.*

48. The question of “who to involve” leads into **how** stakeholders are involved, the **effectiveness** of their participation, and **when** they are involved. The toolkits rightly recognize that conceptually, there is a spectrum of levels of participation, ranging from passive forms, to consultation and to the other end of the scale, where there is true empowerment, and stakeholders become decision makers themselves. While this conceptual framework can also be applied to the participatory processes in the development

of NBFs, the subject of biosafety brings its own specific challenges⁸ to effective participation, such as: the difficulty for more marginalised groups to access legal and policy information; the perceived barrier that scientific information is too complex; the controversy over the safety and ethical implications of LMOs which tends to make the debate seem polarised; secrecy about risk assessment and safety testing. Given the initial relatively low level of awareness on biosafety, most projects have had to spend a large amount of time and effort on education and awareness of their own NCC members as well as wider groups of stakeholders. Therefore in many cases, activities on participation on the country level have had to focus on first on conveying basic information on biosafety and the UNEP-GEF NBF Development Project itself.

LESSON: *An important message is that information dissemination and sharing is a crucial ingredient of public participation. This has been particularly evident in the case of biosafety, where most stakeholders at the country level had little exposure to biosafety issues prior to the Project. Information dissemination and awareness raising is not merely a “first step” in the process of participation, but needs to be encouraged throughout the entire NBF development process.*

49. Time and budgetary constraints also contributed to limiting the scope and target audiences of actual stakeholder consultations. While in some countries, consultations were limited to the capital city, in others, significantly more effort was made to go to the rural levels, for example, in countries such as Guatemala where the workshops in the rural areas were also held in native languages and dialects. Similarly, in Pacific Island countries such as Kiribati and Tonga with many scattered islands, the project team went out to distant outer islands to consult local populations. Some other countries were innovative and efficient in addressing the time and budgetary constraints, for example by using established channels of communication to reach a wider audience (Box 10)

Box 10: Macedonia – innovative ways of reaching target audiences

The awareness raising campaigns in Macedonia strategically targeted different groups and used different well established channels to deliver the messages. For example:

- To target farmers, the project prepared brochures and materials for extension workers. The extension workers then conveyed the information to the farmers as an integrated part of their normal duties.
- To target youth, the project used the vehicle of a monthly newsletter produced by the Ministry of Environment, and distributed to every school in the country

LESSON: *The box above illustrates that project management teams can work around logistical and budgetary constraints by creatively using existing channels of delivering information as well as getting feedback from selected target groups. This creativity also pays off in terms of sustainability. By using existing vehicles of communication, which are not created and supported by Project funds, there is a better chance that these efforts in awareness raising and outreach will continue even after the Project duration.*

50. Both at the global and country levels, one challenging question has been how to best target participants or stakeholders, especially given the differing levels of understanding on this topic. For example, in the case of the national level workshops, while on one hand it is more efficient to group like-minded stakeholders in order to proceed in a more focused manner, it is also useful for the quality of the discussion to have stakeholders with very different interests. In the latter setting, if well moderated, the workshops can serve as a

⁸ From Public Participation and the Cartagena Protocol on Biosafety. A Review for DfID and UNEP-GEF. Part III: A practical guide. Sept 2003.

discussion arena for different viewpoints to be raised. Some NPCs note that a significant contribution of the Project is the creation of a space for informed debate about issues on the NBF development.

Box 11: Managing meaningful workshops

Different countries have chosen various approaches to managing workshops so that they are most meaningful to the audiences. In Guatemala, for example, great care was taken to ensure separate targeting according to the level of education of participants, taking into account the high illiteracy rate. In another example, in Tajikistan, the project team held thematic workshops with special groups – for instance, with Parliament representatives, legal specialists and lawyers on the regulatory framework, and with scientists of the academy of sciences, agricultural academy on risk assessment.

51. It is also important to look at the role that the UNEP-GEF NBF Development Project and national level project management teams play in the participatory process. The project teams strive to be neutral in terms of the GMO debate, and NPCs frequently see their role as that of a “moderator” or “facilitator”.

Some sustainability issues under the “stakeholder” question.

52. The importance of stakeholder participation and the challenges of how to effectively manage participation are both likely to have an impact on sustainability. A broader based and inclusive NBF development process is more likely to lead to sustainability of the implementation of the NBF.

Summary

53. Stakeholder participation should be as inclusive as possible, but, practical constraints may limit the scope and depth of participation. Project managers need to be innovative in using channels of outreach that are well established and trusted, in order to effectively communicate with stakeholders. In addition, project managers also need to be aware that all stakeholders are not equal, and asymmetries of power and information will inevitably abound. One way of managing this is by ensuring more balanced representation of stakeholders in the NCC structure. In addition, one can also propose that important role of biosafety capacity building projects is to work towards creating a more level playing field so that all groups of stakeholders have access to information which they need to obtain in order to make their own informed choices.

Key question 5: TOOLS: How to build capacity using global, regional and national-level tools?

Why this question?

54. This question is the core of a capacity building project, although all five questions discussed in this study all contribute equally towards building capacity. As the scale and scope of this global Project is quite unique, it provides insights at the global, regional and national levels.

What are some of the experiences and lessons from the Project?

55. The starting point is the absorptive capacity of countries. In many countries, already limited human resources are stretched by a multitude of development projects, each requiring attendance at meetings, offering opportunities to travel to workshops, and entailing

often onerous and specific reporting procedures. While this is accepted as a challenge that come with development assistance projects, nevertheless, sometimes there is very little time or scope left in participating countries to actually do what the project is meant to do – build capacity.

56. In some countries, due to the limited number of staff in the particular government agency, one finds the same few staff involved in all the projects. One possible advantage of this is that there is naturally integration and information sharing between different projects, as one or two people handling them all. In some cases, staff had a good knowledge of project management, as they had been involved in managing similar externally funded projects (Box 12). However, a negative aspect is that concentration of expertise in only a few people may mean that this capacity is easily lost when people leave and nobody else has the requisite expertise to replace them.

Box 12: Tajikistan: using previous project experience

In Tajikistan, the personnel managing the project stated that they benefited greatly from their previous experience in managing other GEF projects. They had become familiar with project management styles and reporting requirements. They also had learnt from previous project management experience on how to strategize and plan activities, manage consultants, and how to adapt the activities within the framework of the project to fit their country's needs and priorities.

***LESSON:** A small number of staff at the national level can sometimes be an opportunity rather than a constraint. An informal knowledge sharing and management system across projects results from the same key players being active in managing such projects. This allows opportunities for more efficient project management and coordination of various capacity building efforts at the country level - where it matters most. A negative aspect is that expertise concentrated in only a few people can be easily lost when these people leave.*

57. However, this can be a constraint in some other countries, where the lack of human resources does pose a real problem in terms of absorptive capacity.

Box 13: SIDS - Absorptive capacity

A problem many Caribbean and Pacific island countries share is the lack of human resources. In many cases, one of the reasons for delays in starting up the projects is the difficulty in finding a suitable National Project Coordinator. In these countries, a lack of absorptive capacity, due to a lack of human resource, suggests a need for sub regional cooperation, as well as innovative ways of using existing human resources more efficiently. For examples, certain aspects of risk assessment capacity can be built on existing capacity to assess the threat of invasive species and biosecurity threats, and sub-regional mechanisms for risk assessment, involving regional organizations, to support national decision-making are being explored.

58. There are different levels of capacity – individual, institutional or systemic - which need to be addressed as a whole for a comprehensive capacity building strategy. One cross cutting issue which affects all “capacity levels” in the case of biosafety is how good science is used as a basis for capacity building initiatives. The more science-based the capacity building is, the less margin there is for all forms of extremism to creep into the NBF process, and exacerbate the existing asymmetries of knowledge (and hence also of power). Given the present levels of technical capacity in biosafety in developing countries, basing decisions on good science is easier said than done. For example, in a few countries, the project team found that it was necessary to first build capacity of national experts to carry out the surveys in Phase 1. This shows the limited levels of technical capacity in some countries at the start of the UNEP-GEF NBF Development Project, This may also be a cause for concern for the implementation of the NBF framework, and raises the question whether some countries will have the necessary technical science-based capacity for sustainability.

LESSON: *A lesson from this experience where there is insufficient technical capacity within the country is the possibility of tapping into regional and/or international capacity. During the Project, many countries have requested assistance from countries, which they consider to be good examples to learn from (see case study sheet on Macedonia in Annex II)*

59. The two most visible capacity building support tools provided by the UNEP-GEF NBF Development Project are (i) the regional and sub regional workshops and (ii) the tool kit. The global project team, with its in-house advisory capacity also gives constant support and advice to the national project teams.

60. The organisation of the sub regional and regional workshops demonstrated similar challenges to those that individual countries faced in organising their own capacity building activities. Although the scope of the workshop could be easily defined, there were challenges in determining the capacity level of participants, participation by different stakeholders, and the choice of presenters or facilitators. The workshops were in general defined by strict regional or sub regional groupings, but also were adequately flexible to capitalize on possible synergies and exchanges of information. One such example is the inclusion of some PICs in a workshop mainly targeted for CEE countries, due to the fact that those PICs were more advanced in the NBF process and it was timelier for them to attend the CEE workshop. Most of the countries contacted for this study indicated that the most valuable opportunity the workshops provided was for networking and for sharing experiences. This networking between individuals provides a foundation for building support networks between countries at the institutional and systemic level.

61. The toolkit, which was produced module by module, aimed to act as guidance for all the countries. As such, it was necessarily generic in nature. The challenges surrounding its development demonstrated the delicate balance between supplying a ready-made product while constantly ensuring a high level of relevance and demand drivenness. This form of iterative toolkit development allowed the toolkits to be improved at each phase. However, the staggered nature of its development also meant that for some countries, their own NBF processes preceded the toolkits as they became available. The project team would then use their experiences to build the toolkit. Most countries acknowledged the usefulness of the tool kit, in providing a guide for the country to follow. Most countries would also complement the use of the toolkit with samples or models of NBFs of other countries, in order to get more realistic examples.

LESSON: *In order to produce a quality product such as the toolkit, it is important to constantly incorporate the lessons from the experiences of the users. It is therefore an iterative process. The organisation of the toolkit into modules, which mirrored the national project phases, provided a good opportunity for continuously improving the quality of the toolkit.*

62. In the various country contexts, different vehicles have been used to build capacity. Some have promoted a “learning by doing” approach, for example, involving different levels of staff in sub committees or even the drafting team of the NBF. Some others aim to ensure that consultants’ knowledge is retained, and shared with national government counterparts. Within any one country, as illustrated in the example below from Iran (Box 14), a range of different channels has been used.

Box 14: Iran – different ways of building capacity

“ At the time when the proposal of the current project was being prepared, the team involved in the preparation of the proposal believed that a significant way to enhance capacity building was to publish scientific books.

Another original initiative for capacity building was to develop educational games dealing with general knowledge on genetics/biotechnology/biosafety related topics, as well as on the Cartagena Protocol. These games have been designed in Persian and English, for a wide range of public from scientific researchers who would like, for example, to know more about the Cartagena Protocol, to high school students who can check some of their scientific knowledge.

Capacity building of civil society. In the frame of the current project, the first Iranian Environmental NGO involved in biosafety issues has been established with the support of Iran's NBF project team. The *Blue Peace Association* is a Non Governmental Organisation (NGO) which has been established with the aim to help environmental protection by improving public awareness about the risks of modern biotechnology.”

Source: Terminal report, Sept 2004

63. One of the objectives of the UNEP-GEF NBF Development Project is to promote regional and sub-regional cooperation and exchange of experience. This has mainly been done through a series of regional and sub-regional workshops. The project team also established contacts with existing regional and subregional organisations, and works with them, for example, in organising experience sharing sessions.

64. Other ways in which there has been cooperation include the use of expertise from, or sharing experiences with, neighbouring countries or countries with similar legal and institutional systems. Although this kind of collaboration is usually spontaneous and natural, predisposing factors such as a shared history (e.g. in Central Asia and Eastern Europe), existing means for regional cooperation (e.g. in the Pacific or SE Asia) or common interests (e.g. in the Caribbean or Francophone Africa), can help to facilitate collaboration. The workshops held by the global Project have also helped to build relationships at a personal level that has helped to promote collaboration. In addition, the project team has worked with countries and regional organisations in the Pacific, Asia, Africa, the Caribbean, and Eastern Europe to organise meetings to share experiences in developing NBFs and identify potential areas for future cooperation.

LESSON: *Countries will move from isolation to collaboration based on their own needs and their own understanding of the possible benefits of sharing with trusted partners. They will tend to share more with countries they feel most comfortable with; cooperation cannot be driven by an external entity. Similarly, the move from cooperation to harmonization of legal frameworks among sovereign countries would have to be nationally driven.*

Box 15: Sharing experiences

A multitude of informal sharing of experiences and knowledge has started among project countries. For example, Tajikistan requested the NPC from Slovenia to comment on their NBF. The NPC from Tajikistan herself often lends guidance and advice to Kazakhstan, Kyrgyzstan, and Mongolia as these countries started their national projects later. The Macedonia NPC also agrees that “nonofficial” cooperation during this project was extremely close, for example, by using the expertise from Slovenia to provide inputs on the legal issues of the Macedonian NBF, and by learning from Bulgaria on implementation of the NBF. In Africa, Ghana, which has since completed its draft NBF, provides assistance to other countries such as Mozambique through its NPC. In Myanmar, a consultant to the Indonesian NBF project is providing advice on carrying out their project.

Some sustainability issues under the “tools” question.

65. The impact and sustainability of capacity building activities such as workshops is not easily monitored. In some countries, NPCs trained at workshops have taken the initiative of translating the training material and then disseminating it, or even using it as training tools in their respective countries. The use of the toolkit also presents opportunities for sustainability of capacity built. In addition, it can be expected that as countries move ahead in finalising and implementing their NBFs, they will continue to benefit from learning from other countries and sharing experiences. In many cases, national capacity at this point of time may not be sufficient to fulfil to the whole range of expertise needed in the NBF development process; countries turn to regional expertise to assist them in their NBF development. The use of this type of regional cooperation is an important factor in promoting sustainability.

Summary

66. Methods of delivering capacity building should, as far as possible, be tailored to capacity building needs. Those needs should ideally be demand driven, and country specific. However, in the relatively new field of biosafety, it is not always evident at the outset for a country to state what the most relevant demands would be. The relationship between “problems” and “solutions” is not strictly linear in this scenario, and absorptive capacity is an important consideration. For example, it is of little use to have an overly ambitious technical capacity building strategy if at a country level, there are not enough human resources. An important lesson derived from reflecting on the UNEP-GEF NBF Development Project is that in this situation, a pragmatic balance between global level efficiency and country demands is needed. Nevertheless, an important challenge is finding ways of continuously steering the global level capacity building instruments closer to the needs of the countries so that it is relevant. The experience from the toolkit development shows that using a modular approach allows for constant improvement of the toolkit based on the experiences of users. This implies establishing an inclusive and frank feedback mechanism to gather and act upon countries’ views on the form and content of the capacity building methods proposed. Lastly, regional cooperation has indeed proved to be an essential way of complementing the capacity building tools that the Project has developed. However, a lesson to be derived is that cooperation cannot be driven by an external entity.

CONCLUDING POINTS

Looking back at the lessons

67. The lessons learnt from the processes and products of UNEP-GEF NBF Development Project, based on the experiences of the countries involved in the project, cover both policy and operational issues.

68. The UNEP-GEF NBF Development Project was designed and implemented within a development context. Therefore, many of the lessons in this study are derived from, and can be applied to, other similar capacity building initiatives.

69. However some of the lessons are related to the specificities of the Project in terms of its subject matter, magnitude and management. The Project has introduced innovations based on the scale in which it operates. The balance between capitalising on the opportunities that a global project structure offers and providing country-specific capacity building is a challenging one. The channels in which the Project delivers its capacity building support and the range of tools which the countries themselves use show creativity in addressing the new and divisive issue of biosafety.

70. Capacity building means different things to different people, and there are capacity needs at the individual, institutional and systemic levels. There are as many strategic entry

points to capacity building as there are actors. Therefore it is important, both for the provider as well as the recipient of the capacity building exercise, to be extremely clear on the expectations and limitations of what any one project can deliver.

71. Given the diversity of capacity needs, no single provider of capacity building activities can claim to fulfil all the needs of participating countries. This reflects the wide range of needs and possibilities inherent in the subject of biosafety. Therefore, an important factor is the capacity of countries to manage all the different projects and programmes in terms of best serving their respective national needs; to have the choice and the knowledge to ensure that the assistance received is well targeted; and to ensure that the capacity built is sustained within the country.

72. The lessons linked to promoting sustainability cut across all five different key questions. There are at least two aspects to the issue of sustainability: firstly the sustainability of the capacity built under the UNEP-GEF NBF Development Project, and secondly, the sustainability of the product of the project – the NBF itself. While the GEF Initial Strategy also covers support for capacity building for NBF implementation, sustainability issues need to be addressed so that capacity building initiatives reach a wider group of stakeholders beyond the projects' lifespan. In addition, financial and technical sustainability considerations of the NBF itself need to be incorporated from the NBF development stage.

73. Moving ahead on the process of finalising their NBFs, countries will continue experimenting with different ways of building their capacity, as they find out what other aspects of capacity must be built in tandem with the NBF implementation. One of the many possible ways forward is to intensify information sharing and cooperation with like-minded countries. The UNEP-GEF NBF Development Project has greatly helped facilitate some level of networking among countries. More importantly, the willingness of countries to share and learn from one another will be a crucial factor in shaping capacity building strategies in the future.

FINAL THOUGHTS: *Taking a few steps back to look at this Project and its approaches in terms of a development initiative has allowed us to view the Project and its contributions in the much wider context of sustainable development. The discussion of this development initiative echoes some of the challenges and opportunities of building and managing capacity, especially at a global level, using a globally centralized management system. The experiences of this Project enrich the existing knowledge on building capacity, in particular given the specific challenges faced in building capacity in a new field, which is both technically challenging, and controversial. The study also highlights that sustainability is a crucial element of a capacity building strategy. Building capacity is a process as well as a product, and it is very much influenced by the development context in which it takes place. The lessons learnt from this Project can be helpful in future initiatives, and also provide an understanding of the development context in which the current Project is being implemented.*

ANNEXES

Annex I: Basic information on the UNEP-GEF Project on Development of National Biosafety Frameworks (NBFs)⁹.

Project funding and duration

The Global Project on the Development of National Biosafety Frameworks began in June 2001 and is implemented by UNEP. The total cost of the Project is US\$ 38.4 million. This is funded by a contribution of US\$ 26.1 million from the Global Environmental Facility (GEF), with co-financing of US\$12.3 million from UNEP and participating countries. These countries will contribute one third of the costs of their national projects, in cash and/or in kind.

This three and a half year project was designed to assist up to 100 countries to develop their National Biosafety Frameworks so that they can comply with the Cartagena Protocol on Biosafety. An “add-on” project was approved in November 2003 for 20 additional countries another add-on project for the final 10 countries was approved in May 2005. Currently the global project supports work on national projects in 126 countries, in addition to regional and sub-regional activities.

Project objectives and activities

The objectives of the UNEP-GEF global project are to:

- Assist eligible countries to prepare their National Biosafety Frameworks. Using a country-driven process, the global project will help each participating country to set up a framework for management of living modified organisms (LMOs) at the national level, allowing them to meet the requirements of the Cartagena Protocol.
- Promote regional and sub-regional collaboration and exchange of experience on issues of relevance to the National Biosafety Frameworks. This will help to make efficient use of financial and human resources, establish regional and sub-regional networks, and promote harmonization of risk assessment procedures and regulatory instruments.

The main activities designed in order to achieve the project objectives are as follows:

- Strengthening national capacity in order to implement biosafety procedures and maximize the potential for the safe use of modern biotechnology;
- Applying biosafety procedures to enhance environmental management;
- Applying biosafety guidelines under the Protocol taking into account the work of the Inter-governmental Committee for the Cartagena Protocol on Biosafety (ICCP);
- Harmonising regional and sub-regional legal instruments to simplify the process of applying and conforming to regulations;
- Raising public awareness of the issues involved in release of living modified organisms to promote informed debate and to ensure that where any use of modern biotechnology is permitted, it is done in an open and transparent way;
- Providing all stakeholders with an opportunity to be involved in the design and implementation of a national framework for biosafety;
- Carrying out an assessment of technological capacity, its effect on implementation of national biosafety frameworks and means to improve it.

⁹ Information compiled from the project document, Information Paper on the UNEP-GEF Project on Development of National Biosafety Frameworks and the project Mid Term Review.

For each country, the process of developing their national biosafety framework would consist of four phases: setting up the required project management structures, gathering of baseline information, analysis of that information in consultation with stakeholders, and preparation of the draft NBF. Whilst allowing for country specific situations, needs, and priorities, each NBF would consist of five common elements:

1. Biosafety policy
2. Regulatory regime
3. System to handle requests (administrative, risk assessment & management, decision-making)
4. Follow up actions (monitoring, inspections and enforcement)
5. Public awareness and participation

Project management

The Project is managed centrally by the biosafety team based in Geneva. The team is led by a Global Programme Manager and includes six Regional Coordinators as well as staff members responsible for administrative matters and fund management. The Regional Coordinators for Anglophone and Francophone Africa work out of Nairobi and the Regional Coordinator for the Pacific is based in Samoa.

The NBF Development project team also benefit from working closely with the Project Manager on UNEP-GEF Projects on Implementation of NBFs and staff of the Biosafety Clearing House project, also based in Geneva.

Annex II: Country case study sheets

About the case studies

These case study sheets attempt to briefly capture a certain aspect of five countries' journeys in the development of the NBF with the support of the UNEP-GEF NBF Development Project. The countries were chosen to each represent four different regions as well as the Small Island Developing States (SIDS).

For each of the countries, the case study first quickly sketches the context in which the NBF development process as supported by the UNEP-GEF NBF Development Project. Following that, each case study highlights one particular aspect of the challenges faced while implementing the national level project, and then discusses how the challenges was addressed.

NOTE: While the following case studies show a diversity of experiences, the countries were not deliberately chosen to portray a predetermined selection of issues.

Ghana

What was the background situation when the Project was initiated?

Modern biotechnology is regarded in Ghana as a promising technology for the improvement of the living conditions of the population, for the increase in food production and for providing better health facilities¹⁰. The country already had made significant progress in terms of articulating needs for biosafety capacity building before the UNEP GEF project. Back in 1999, during the National Stakeholders' Conference on Priority Setting for Enhanced Biotechnology in Agriculture and Health, discussed the need for filling gaps in biotechnology and biosafety capacity. The Department for International Development (DfID) supported a Biotechnology Development Programme, whose outputs included the inauguration of the National Biosafety Committee (2000) and the development of Draft Biosafety Guidelines, as well as a Technology Assessment of Capacity for Biotechnology Development in Ghana report in 2001.

What was one of the challenges faced when developing the National Biosafety Framework?

The development of the NBF was carried out as a broad based, inclusive and consultative process. This is a challenging task, especially given the levels of bureaucracy the project management was faced with when bringing multiple stakeholders together. The government procedures prescribed that certain protocol rules be respected, especially when requesting collaboration with staff of other Ministries, and when contacting Ministers or high level decision makers. This risked slowing down the NBF development process. However, the project management team persisted in finding a solution so that they could bring different stakeholders together to contribute to the NBF process, without being slowed down by bureaucratic procedures.

How was that challenge addressed?

The national project management deftly managed to circumvent these potential causes of delays. When the project was starting up, the project management communicated to all key government agencies information about the project, stressing its importance, and most importantly, highlighting the fact that the project is a national one, and that there needs to be shared ownership of the NBF development process. Having successfully convinced the main government stakeholders that the project was a critical one, especially because of the need to ratify the CPB, the National Project Coordinator was given permission to proceed to contact all the government officials needed to participate in the NBF development process. The NPC was thus able to promptly contact and involve a range of technical specialists as well as high level decision makers when needed, creating and maintaining a high level of interest and commitment to the NBF development process.

¹⁰ Cited from the "Initial Project Report as at Project Starting Date"

Grenada

What was the background situation when the Project was initiated?

When the Project was initiated in Grenada, there was little human and institutional capacity in the country in matters relating to biosafety in general and particularly with respect to risk assessment and risk management. Data with respect to GMO release in the country was virtually non-existent¹¹. While there was some level of regional interface by officials of the Ministry of Agriculture through the UN Food and Agricultural Organisation (FAO) or the Caribbean Agricultural Research and Development Institute (CARDI) initiatives, biosafety remained a very novel concept and little was known about it. The main drivers for participating in the Project were Grenada's intention to fulfill her international and regional obligations as well as, trade considerations given the country's membership in CARICOM single market.

What was one of the challenges faced when developing the National Biosafety Framework?

Given the fact that there was so little information on biosafety in the country, there was a lack of public knowledge on the issue. This vacuum of knowledge on biosafety was one of the main contributing factors to a low level of interest from the public in the national biosafety framework development process. As a result it was difficult to obtain public buy-in and ownership into the process. One of the main causes of the reluctance of the public to be more involved in the NBF development process was that they were not able to see the direct linkage between biosafety considerations and their livelihoods.

How was that challenge addressed?

In order to surmount this challenge, the project management prioritised the need of increasing public awareness and mounted a public awareness programme. The challenge remained, as mentioned above, to demonstrate the linkage between biosafety and how these related issues affected peoples' lives. One solution was by highlighting the linkages between biosafety and the economy, for example by demonstrating that the transboundary movement of GMOs would be an important issue in the context of the regional trading mechanism of which Grenada is a member. Another example was to emphasise the linkage between biosafety and tourism traffic. As tourism contributes 11% of the country's Gross Domestic Product (GDP) the relationship with the sustainability of economic livelihoods became more evident.

Another strategy of addressing this challenge was by including biosafety issues into national planning processes. Biosafety issues are included in the National Medium Term Planning document and the National Medium Term Economic Strategy Paper. This helped underscore the importance of biosafety issues as an integral part of economic development. By incorporating biosafety into larger development planning processes, the public was more aware of biosafety issues and showed more interest in being involved in the NBF process.

¹¹ Taken from the "Initial Project Report as at Project Starting Date"

Guatemala

What was the background situation when the Project was initiated?

Prior to the Project, Guatemala already had a Ministerial Agreement in which requirements for the import, transport and handling of the LMOs inside the country were defined, together with the regulations of the field experiments with organisms of agricultural use. This agreement included the details on the inspections, sanction and authorization mechanisms for experimentation with LMOs¹². Some of difficulties identified in terms of implementing a biosafety framework in the country include the shortage of qualified human resources and the isolation from the international biotechnology scientific community¹³.

What was one of the challenges faced when developing the National Biosafety Framework?

When starting up the project in Guatemala, one of the challenges faced was in organising the National Coordinating Committee (NCC). Many stakeholders expressed an interest in being involved in the NCC. Even within the major groups of stakeholders, such as the NGOs, many organisations clamoured to each have their own representation at the NCC. Eventually the number of NCC members reached 30. It was understandably a challenging task to convene all members each time a collective decision had to be made regarding the project.

How was that challenge addressed?

Firstly in terms of establishing the NCC, the project management put a high priority on sustainability of the committee, and insisted that NCC members be officially named by their institutions. Even though this would take some time, the experience shows that it was well worth it for the sake of continuity and also in terms of improving the accountability of the NCC representative.

Then the project management had to ensure that the many NCC members were all “speaking the same language”. This did not mean that the members had to share the same perspective on biosafety issues. Instead, this meant clarifying definitions as well setting a common understanding of the focus and boundaries of the UNEP-GEF project. Once the definitions of the task of the NCC was agreed upon and clearly delimited, it was then easier to distinguish the separate responsibilities of the NCC members and to establish an effective working relationship within the NCC.

Still, the project management had to deal with a large NCC, which, like any other committee could be difficult to convene and organise. Therefore the project management requested the endorsement of the NCC to work within a smaller group or ‘petit comité’. The smaller group met more frequently, as often as twice a week, and managed to maintain the momentum of the project, debate on the more detailed concerns of the project and help organize the project activities. However, all critical decisions were still made with the guidance and ownership of the larger group of NCC members. This proved to be a fruitful arrangement, as a balance was struck between the efficiency of the ‘petit comité’ and the broader ownership and buy-in of the large NCC.

¹² Taken from the “Initial Project Report as at Project Starting Date”

¹³ Taken from the Terminal Report (August 2004)

Macedonia

What was the background situation when the Project was initiated?

When the project was initiated (and even until today) there is no known production of GMOs, in commercial and scientific laboratories in Macedonia. The country has not defined a policy on GMO management so far and there is no particular legal provision to regulate biosafety issues. However, this does not mean that biosafety capacity building is not relevant. The Republic of Macedonia is actively included in the "Environment for Europe" ministerial process. As part of this process, the Government has prepared and adopted the National Environmental Action Plan (NEAP), as a main strategy for environment protection. Besides that, the country had signed an Association and Stabilization Agreement with the European Community in 2001, which obliges the country to harmonize the environmental legislation with the EU norms. In that direction, the Government adopted a programme on approximation of the national legislation to the EU legislation. Chapter 22 of the Programme (Environment) envisages adoption of a special Law on Genetically Modified Organisms by 2007¹⁴.

What was one of the challenges faced when developing the National Biosafety Framework?

The main challenge in the NBF process arose when preparing the draft version of the Law on GMOs. There was little local expertise to steer the process in the correct direction, and insufficient national technical expertise to prepare the draft NBF and draft law. In fact, besides some relevant officials in the government, very few people in the country were even aware of biosafety issues.

How was that challenge addressed?

With the guidance of the UNEP-GEF Project team, the NPC invited her counterpart from the Slovenia national project to become their legal adviser. The NPC from Macedonia together with the Chairperson of the NCC also visited Slovenia. This enabled them to see the database developed in Slovenia, which was an important learning experience since there had not been any GMO application in Macedonia. The choice of using the expertise from Slovenia was of course an appropriate one, seeing the similarities in their governance and institutional systems; Slovenia and Macedonia having been part of the same country prior to 1991. As a result of these exchanges and learning from the experience of Slovenia, the draft version of the Law on GMO had successfully been prepared. It was drafted by applying some of the provisions of the Cartagena Protocol on Biosafety, the EU Directives (2001/18/EC; 90/219/EEC and 98/81/EC), and experiences of the countries which have biosafety systems that are closest to the institutional infrastructure of the Republic of Macedonia. This experience illustrates how countries such as Macedonia have successfully used the expertise from neighbouring countries to complement the national level capacity building activities that are carried out.

¹⁴ Information provided in a written communication from the former National Project Coordinator.

Philippines¹⁵

What was the background situation when the Project was initiated?

The Philippines already had biosafety regulations in place prior to the UNEP-GEF project. In fact it was the first country in South East Asia to establish a biotechnology regulatory system. In 1990, the National Committee on Biosafety (NCBP) was established as an inter-agency committee composed of representatives of different agencies, such as the Department of Agriculture, the Department of Environment and Natural Resources and the Department of Health. To date the NCBP is the highest regulatory body in the country with respect to the introduction, use and transfer of GMOs and potentially harmful Exotic Species. However, it has no actual regulatory function and relies on the individual mandates of its members (such as the Department of Agriculture) Even with a regulatory system in place, the Philippines chose to participate in the UNEP-GEF NBF Development project as a way to be even better prepared to meet its obligations under the Protocol upon its ratification. The main objective of national project in the Philippines on NBF development was to “evaluate/review existing national policies on modern biotechnology/biosafety and to integrate and update and/or revise these policies to come up with an NBF that is consistent with the relevant provisions of the Protocol” (Halos, 2004)

What was one of the challenges faced when developing the National Biosafety Framework?

One of the main challenges of the process of developing the NBF was managing the consultations at the policy and decision making levels. The main actors in the policy level had overlapping functions and were protective of their own institutional “territory” and mandates. It was a challenge to facilitate the discussion of these main actors and even to get them to recognize the need for coordinating mandates.

How was that challenge addressed?

At the outset, there were some doubts about whether the UNEP GEF NBF development project could add value to the current state of thinking on biosafety in the country, given the fact that there already had been a lot of work done on this. Some stakeholders had felt that it might be more useful to proceed directly with the NBF implementation project. However, going through the NBF development project has provided the space for the country to debate outstanding issues and concerns, and clarify institutional mandates. Carrying out the process of developing the NBF has had important consequences for biosafety decision-making process. For example, it has emphasized to the major government and department agencies the importance of coordinating their respective jurisdictions and harmonizing overlapping policies, rules and regulations. While not all the differences could be resolved during the project, the participatory processes greatly contributed to a renewed commitment by the main stakeholders to see the NBF process through and to resolve outstanding issues. The consultations continued beyond the project duration and finally resulted in the differences being settled.

¹⁵ This case study draws heavily on Halos, S. et. al. 2004. Development the National Biosafety Framework for the Philippines. DENR – PAWB.

Samoa¹⁶

What was the background situation when the Project was initiated?

As a small island developing state with an economy based on agriculture and fisheries, Samoa recognizes that there are potential benefits and risks associated with the importation of genetically modified plants, animals and fish. Modern biotechnology offers potential benefits for both subsistence and export based agriculture and fisheries. At the same time any potential risks to biodiversity as well as any socio-economic considerations need to be assessed and managed. At the time the UNEP GEF NBF Development project was launched, Samoa did not have any regulatory regime in place to regulate the trade in living modified organisms (LMOs) either in the form of guidelines, policy or legislation. There was however a biodiversity policy approved by cabinet with a goal “The conservation of Samoa’s biological diversity for present and future generations and the sustainable development of its genetic resources for the benefit of all”. It was recognized early in the development of the NBF that biosafety issues would fall within the context of the biodiversity policy. There was extremely limited capacity in terms of identification of an LMO and in conducting risk assessment and risk management procedures as outlined under the Protocol. There was therefore an urgent need to understand and build capacity in the procedures that Samoa would need to follow either as an importer or potential exporter of biotechnology.

What was one of the challenges faced when developing the National Biosafety Framework?

There were no official records concerning the release of any GMOs in Samoa. Given the fact that there were no regulations or bills to addressing the transboundary movements of GMOs, one of the challenges was to determine the respective roles and responsibilities for the Ministry of Natural Resources and Environment and the Ministry of Agriculture (Quarantine), i.e., there was a need to harmonise biosecurity and biosafety regulatory and administrative systems. This was partly linked to the uncertainty of the definitions used. For example, the Ministry of Agriculture (Quarantine) defined GMO as pests. However, the Ministry of Environment, responsible for the implementation of Samoa’s obligations under environment related international conventions and responsibilities for Samoa’s other natural resources had a differing point of view. In their opinion, the issue of GMOs could not be simply treated similarly to that of pests, and that proper risk-assessments were needed before a decision could be made on allowing GMOs, based on national development priorities.

How was that challenge addressed?

Through the work of the UNEP GEF project, the National Biosafety Policy for Samoa (NBPS) was formulated which placed biosafety firmly within the context of Samoa’s biodiversity and national development priorities. The resulting regulatory regime and administrative systems proposed in the draft NBF, has helped clarify the question of roles and responsibilities of different institutions. The Quarantine Department of the Ministry of Agriculture will be responsible for overseeing the GMOs entering Samoa through the borders, while the Ministry of Natural Resources and Environment is the Focal Point for the administrative system, and will chair the Competent National Authority (CNA) that will be the decision-making body. The CNA will be chosen by the Minister for MNRE and will be made up of different government departments and stakeholders on a case-by-case basis depending on the nature of each application.

¹⁶ This case study draws heavily on email communication from the National Project Coordinator and the draft NBF.

Annex III: Sources

NOTE: The most important sources of information on which this study is based are from the Project stakeholders themselves, who generously shared their ideas and experiences through direct interviews and email communications.

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