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CONTENT

UNEP-GEF NBF Project – 2 Years in Summary……...1
Biosafety – A Framework designed for the nation……..……..……..2
National Biosafety Council - Mandates & Functions……..……..……..3
Snapshots on Public Consultation……..…3
National Workshop-Recommendations exposed……...……..……..…3
Events……..……..4

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BULLETIN OF THE NATIONAL BIOSAFETY FRAMEWORK PROJECT - LEBANON.

UNEP-GEF NBF PROJECT

2 YEARS IN SUMMARY

In February 2004, a multidisciplinary group of experts working with the Initiative for Biodiversity Studies in Arid Regions (IBSAR) at the American University of Beirut invested effort to implement activities planned under the Development of National Biosafety Project. The project was subcontracted to IBSAR by the Ministry of Environment, the United Nations Environment Programme and the United Nations Development Programme and executed in three main phases. The first phase focused on the execution of national surveys on biotechnology, existing legislations and policies as well as national research and development programs.

Awareness activities, starting at the end of the first phase, have been undertaken in various universities, government agencies and non-governmental organizations in order to ensure public participation. Information dissemination and awareness activities were ensured through media coverage via newspapers and talk shows broadcasted on local and regional TV stations. These activities were undertaken in an attempt to engage a broad spectrum of the public. Information dissemination on the Biosafety Clearing House, project activities and Cartagena Protocol on Biosafety (CPB) objectives and provisions as well as national workshops held was made through articles published in AGROTICA - a regional journal released by Debbane pioneering agri-business Company in the Middle East – and through 'NBFP@Lebanon' project's newsletter published.

Link with all project "partners" was maintained through the 'NBFP@Lebanon' which was produced at three-month intervals and distributed to the project list-server's subscribers as well as to the wider public during the various seminars and workshops. Six issues other then the present one were produced, each one discussing a specific theme related to GMOs and the CPB. A mechanism to ensure information dissemination and exchange was put in place during the first phase of the project through the establishment of a project list-server. The subscribers were participants in project's activities representatives from public and private sectors and NGOs who were convened to national workshops and training sessions held throughout the project's duration. The list-server was meant to provide a platform where inter-communications processes are promoted and to communicate information on latest global, regional and local news in the field of research, regulations and policies as well as to share resources related to Genetically Modified Organisms and highlight events taking place around the globe.

In the third phase, the NBF for Lebanon was developed further and in parallel to the various project's activities and capitalized on various sources of information, starting with the review of the content of the CPB, and the review of the NBF frameworks of different Asian and non-Asian countries. At national level, the existing draft capitalized on several local documents and events, including the surveys conducted during the first phase of the project, the feedback from various workshops conducted within the scope of the project, the outputs of meetings held with stakeholders from different Lebanese ministries and institutions, and the draft of the Lebanese Food Safety Law developed under the leadership of the Ministry of Economy and Trade. Support was provided from UNEP Regional Coordinator and the UNEP documents also provided pertinent guidance and information, including the explanatory guide to the CPB, the regulatory and administrative toolkits, and the practical guide to public participation and the CPB.

Upon the compilation of the first draft, various meetings have been held with Director Generals of the key ministries as well as key stakeholders, including representatives of private sector, public sector, NGOs, syndicates and farmers congregations. The NBF was finalized and fine-tuned further to a final national workshop held to discuss the national policy, administrative systems, regulatory measures, research and education programmes and public participation mechanisms. The current NBF proposes an administrative system drawing on the existence of a National Biosafety Council, a National Competent Authority and relevant ministries whenever necessary as well as guidelines for biosafety law to be adopted for the implementation of the CPB's provisions

BIOSAFETY
A FRAMEWORK DESIGNED FOR THE NATION

The National Biosafety Framework document was built up on CPB provisions and developed to include 5 sections: (1) National biosafety policy, (2) regulatory regime, (3) system to handle notification and request, (4) monitoring inspection and notification and (5) public awareness, education and participation.

Taking into account the biological diversity wealth and natural resources in the country;
"The overall objective of the national biosafety policy is to ensure that the risks likely to be caused by modern biotechnology and its products will be minimized and biodiversity, human health, and environment will be protected. At the same time, the biosafety policy should not impede sound and orderly technological development/research and the promotion of modern biotechnology that may otherwise reflect positively on society."

The National Biosafety Framework for Lebanon was built on the following principles:
Principle 1: Precautionary Principle
Principle 2: Research and Development
Principle 3: Risk Management
Principle 4: Public Participation
Principle 5: National and International Cooperation

The biosafety management system, which consists of several rules, will be gradually established for the research, development, environmental release and commercialization of GMOs and their products. These rules will be implemented in the form of related statutes and legal provisions that have to be elaborated. They will be grouped, as much as feasible, in a single ministerial decree, outlining interim measures, which will tackle the following rules:

- Rule of AIA applied on GMOs which do not figure on the 4 GMOs list categorized as per the level of risks arisen form GMOs.
- Rule of safe handling: the handling of GMOs, including contained use, use as food or feed, transportation, packaging, labelling and identification, consent and certification.
- Rule of risk assessment and management based on differentiated treatment: depending on risk level.
- Rule of environmental monitoring and supervision applied on a case-by-case basis.
- Rule of transparency, public participation and awareness
- Rule of taking into account socio-economic, cultural and ethical considerations in biosafety decisions
- Rule of consensus building among all relevant stakeholders.
- Rule of information sharing at the national, regional and international levels;
- Rule of regional cooperation {bilateral, regional and multilateral agreements};

"BIOLOGICAL DIVERSITY"

Is the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems (CBD text).

- Rule of prevention of illegal border crossing of GMOs, compensation for accidental trans-border crossing of GMOs, and the emergency measures;
- Rule of protection of confidential data;
- Rule of attracting, managing and guiding foreign investment;
- Rule on biosafety information management and set-up of a national biosafety database.

RISK LEVELS & SAFETY MEASURES TO BE ADOPTED IN LEBANON

Risk level	Safety measures
List A (No risk)	Permitted
List B (Low risk)	Precautionary approach
List C (Intermediate risk)	Research & Experimentation Other use need special permits (case by case)
List D (High risk)	Research & testing Excluded from any other use

Methods of biosafety management include:
1. Step by step basis: Divide into phases the activities of modern biotechnology such as laboratories research, pilot testing, environmental release, commercialization, transportation, use and waste disposal;
2. Case by case basis: Adopt different measures according to the differences in the receiving organisms, parental organisms, genetic operation, vectors, proposed applications and the conditions of receiving environment, taking into account, among other things, GMOs already in the environmental LMOs users register will be build up and annual permits will be issued for GMOs activities for the list A, B, C and D; while GMO not listed must go under the full AIA procedure.

National Competent Authority
Ministry of Environment

1. Being the National Competent Authority for the implementation of Environmental international and national agreements.
2. The Implementing agency and focal point for the Convention on Biological Diversity.
3. Major objectives of the Cartagena Protocol on Biosafety are the conservation and sustainable use of Environment.

The NCA for the implementation of the CPB will be the Ministry of Environment (MOE). The notification process will proceed along the following steps:

For GMOs listed in the categories' lists (A, B, C & D):

- **Step 1:** The intended user of the GMO registers himself as a User of GMOs with MOE;
- **Step 2:** The User apply for an Annual Permit to Use specific GMOs. The Annual Permit shall specify the types and quantities of GMOs that can be imported, and the specific use of the GMOs for which the Annual Permit is issued;
- **Step 3:** The importer of the GMOs notify MOE at least one week before the arrival of each shipment of GMOs to any Lebanese port of entry of the types of GMOs imported, and the intended use for said GMOs;
- **Step 4:** The importer should Use the GMO in accordance with the authorized use specified in the Annual Permit. The applicant must acknowledge receipt of information on tracking number and timeframe for taking decision (When informative document is completed).

For GMOs not listed in the categories' lists:

- **Step 1:** The MOE will assign the application a tracking number, examine it for its completeness and correspond with the applicant to complete the needed documents;
- **Step 2:** The applicant must acknowledge receipt of information on tracking number and timeframe for taking decision (When informative document is completed);
- **Step 3:** The MOE convenes the National Biosafety Council members and arranges for an appropriate scientific and technical review of documents provided with the AIA and any additional scientific documents provided through Global and local BCH, which will provide scientific recommendations for risk revealing and management;
- **Step 4:** The NBC may request additional expert input as deemed necessary, depending on the GM product;
- **Step 5:** The NBC has to submit a report on the results of the risk assessment and guidelines for risk management with its final decision to the MOE;
- **Step 6:** MOE issues declare the decision, notifies the applicant, the relevant ministry and the customs;
- **Step 7:** Concerned ministries give licenses depending on the type of GMO and GM products (Seeds, Feed, etc.).

The protocol provisions will be applied in partnership with other concerned public institutions namely Ministry of Agriculture, Ministry of Public Health, Ministry of Economy and Trade and customs and a newly established inter-institutional NBC that will play the decision-making role for the implementation of the NBF. MOE will declare the decision, transfer it to other ministries and the customs and the relevant ministries will be issuing the permit

NATIONAL BIOSAFETY COUNCIL MANDATES & FUNCTIONS

Being the National Competent Authority on biosafety, the Ministry of Environment responsibilities among many others through the Service of Conservation of Nature in partnership with Ministry of Agriculture, Ministry of Public Health will comprise:

- Establishing a National Biosafety Council (NBC) with adequate technical/scientific expertise;
- Establishing procedures for assessing the GMOs potential risks;
- Issuing annual permits for the use of GMOs placed on lists "A", "B", "C" and "D";
- Issuing special permits for the use of GMOs not listed on the above-mentioned lists;
- Issuing decisions on obligatory labelling requirements for GMOs;
- Announcing to the public and the relevant government agencies decisions on GMOs activities;
- Monitoring conditions and developments in the field of use of genetic technologies and LMO management;
- Initiating analysis of the effectiveness of the NBF;
- Organizing public discussions on the national policy, guiding principles and other documents on biosafety;
- Adopting positions, providing opinions and initiatives, advising the Government and enlightening and informing the general public;
- Developing special safety and emergency measures arisen from GMOs activities

SNAPSHOTS ON PUBLIC CONSULTATIONS

Since June 2005, public participation approach has been applied to gather stakeholders' recommendations and comments on the drafted National Biosafety Framework (NBF) for Lebanon.

GROUP OF NATIONAL KEY PERSONS

A national group of key experts representing various public and private institutions was formed in order to account for the private and public sector's recommendations and suggestions concerning the biosafety regulatory measures as well as the national biosafety policies and administrative system to handle request for GMOs transfer, handling and use. The national group of experts included representatives of public sector (Ministries of environment, Agriculture, Public Health & Customs), private sector (CCIAB, ASSPLANTE, and Syndicate of Agro-food Industry), and research institutes (LARI, IRI and NCSR) as well as educational institutions and NGOs. The selection of these institutions was based on the potential roles envisaged in regulating GMOs as per the institutions mandates and functions. During the regular meetings held between August and December 2005, discussion focused on constitution of the group of expert

as well as the National Biosafety Council (NBC) whereby the private sector representation was questioned. Recommendations taken from members were integrated and acknowledged in the NBF document

PRIVATE SECTOR

DEMANDS FOR DEVELOPMENT

The participation of private sector in the development of the NBF was accomplished through regular meetings held in the Chamber of Commerce, Industry and Agriculture of Beirut (CCIAB). During these meetings, major components of the framework were discussed, whereas the participants mostly stressed on the representation of the private sector within the NBC and suggested some changes related to the constitution and voting system, as well as merging the NBC with the National Food Safety Council.
Among many recommendations, it was recommended that the NBC be formed as an independent body with an internal voting system including 12 members {6 representing the public sector (ministries and public institutions) and 6 representing the private sector through the CCIA, from related fields (animal, plants, Agro-industries, pharmaceuticals and other fields)}. An expert advisory board would assist the NBC in receiving applications for import or any GMOs activities. These recommendations were transferred to the Directorate General of Environment for considerations and they were discussed with Service of Conservation of Nature personal and the Director General, Dr. Berj Hatjian

NATIONAL WORKSHOP

RECOMMENDATIONS EXPOSED

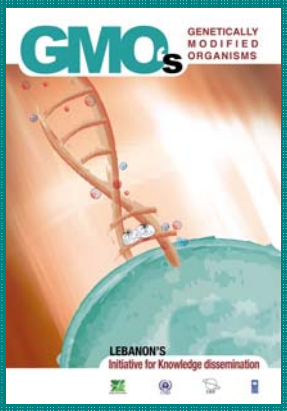
A 2-days workshop was held on the 15 and 16 of November 2005 to discuss the National Biosafety Policies and Regulations. The workshop objective was to finalize and fine-tune a proposed national biosafety framework with the public participation involving representatives from various sectors. The workshop was attended by representatives of private (Numelab, Mefosa, CCIAB, etc.) and public (MOE, MOA, MOPH, etc) sectors, NGOs (Al Beyt Al-Lubnani Lel Bi'a, Development Council of Koura, etc), research institutions (LARI, CNSR, etc.) and farmers (Union of Jbeil Farmers, Union of Farmers Cooperative, etc).

Dr. Sattout (UNEP/UNDP-MOE), Ms. Attalah (MOET) & Ms. Klaimi (MOE)

The aim of the national event was to present and discuss all NBF's sections in order to get recommendations from participants. The workshop was launched by Ministry of Environment Speech (Ms. Lamia Chamas, Service of Nature Conservation). Dr. Sattout introduced the project activities and aims. A Plenary session exposing risk and benefit of GMOs (Dr. Mashlab), Phytosanitary Department functions (Eng. Zarzour) and WTO and Environmental agreements (Ms. Attalah) was held. Participants were divided in 5 groups to discuss the various NBF's sections. Recommendations were thoroughly discussed on the proposed biosafety policy, the applicability of the administrative system, and regulatory measu capacity and education needs as well as tools for public participation

Workshop participants

To know more about our project activities, check the project fact sheets online at: http://biosafety.moe.gov.lb



EVENTS

- Second Coordination meeting for governments and organizations implementing or funding Biosafety capacity-building activities
  Tromso, Norway, 18-20 Jan. 2006
- Ad Hoc Open-ended Inter-sessional Working Group on Article 8(j) and related provisions of the Convention on Biological Diversity
  Granada, Spain, 23-27 Jan. 2006
- Fourth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing
  Granada, Spain, 30 Jan.- 3 Feb. 2006
- Second meeting of the Compliance Committee under the Cartagena Protocol on Biosafety
  Montreal, Canada, 6-8 Feb. 2006

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