Origin of report

Party	Republic of Moldova
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Submission	
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Date of submission:	August 30, 2005

Please provide summary information on the process by which this report has been prepared, including information on the types of stakeholders who have been actively involved in its preparation and on material which was used as a basis for the report:

The preparation of this report made use of materials in the possession of government institutions as well as legislative and regulatory legislation that relate to these questions.

The following took part in the preparation of this report:

- the Ministry of the Environment and Natural Resources;
- the Ministry of Agriculture and Food Industry;
- the Ministry of Health and Social Protection;
- the Academy of Sciences;
- the Center for Biosafety;
- non-governmental organizations.

Obligations for provision of information to the Biosafety Clearing-House

1. Several articles of the Protocol require that information be provided to the Biosafety Clearing-House (see the list below). For your Government, if there are cases where relevant information exists but has not been provided to the BCH, describe any obstacles or impediments encountered regarding provision of that information (note: To answer this question, please check the BCH to determine the current status of your country's information submissions relative to the list of required information below. If you do not have access to the BCH, contact the Secretariat for a summary):

The information required by the Protocol for the Biosafety Clearing-House was submitted. There were no obstacles or impediments to making this information available.

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Information required to be provided to the Biosafety Clearing-House:

(a) Existing national legislation, regulations and guidelines for implementing the Protocol, as well as information required by Parties for the advance informed agreement procedure (Article 20.3(a))

(b) National laws, regulations and guidelines applicable to the import of LMOs intended for direct use as food or feed, or for processing (Article 11.5);

(c) Bilateral, multilateral and regional agreements and arrangements (Articles 14.2, 20.3(b), and 24.1);

(d) Contact details for competent national authorities (Articles 19.2 and 19.3), national focal points (Articles 19.1 and 19.3), and emergency contacts (Article 17.2 and 17.3(e));

(e) In cases of multiple competent national authorities, responsibilities for each (Articles 19.2 and 19.3);

(f) Reports submitted by the Parties on the operation of the Protocol (Article 20.3(e));

(g) Occurrence of unintentional transboundary movements that are likely to have significant adverse effects on biological diversity (Article 17.1);

(h) Illegal transboundary movements of LMOs (Article 25.3);

(i) Final decisions regarding the importation or release of LMOs (i.e. approval or prohibition, any conditions, requests for further information, extensions granted, reasons for decision) (Articles 10.3 and 20.3(d));

(j) Information on the application of domestic regulations to specific imports of LMOs (Article 14.4);

(k) Final decisions regarding the domestic use of LMOs that may be subject to transboundary movement for direct use as food or feed, or for processing (Article 11.1);

(l) Final decisions regarding the import of LMOs intended for direct use as food or feed, or for processing that are taken under domestic regulatory frameworks (Article 11.4) or in accordance with Annex III (Article 11.6) (requirement of Article 20.3(d))

(m) Declarations regarding the framework to be used for LMOs intended for direct use as food or feed, or for processing (Article 11.6)

(n) Review and change of decisions regarding intentional transboundary movements of LMOs (Article 12.1);

(o) LMOs granted exemption status by each Party (Article 13.1)

(p) Cases where intentional transboundary movement may take place at the same time as the movement is notified to the Party of import (Article 13.1); and

(q) Summaries of risk assessments or environmental reviews of LMOs generated by regulatory processes and relevant information regarding products thereof (Article 20.3(c)).

Article 2 – General provisions

2. Has your country introduced the necessary legal, administrative and other measures for implementation of the Protocol? (Article 2.1)	
a) full domestic regulatory framework in place (please give details below)	x
b) some measures introduced (please give details below)	
c) no measures yet taken	

3. Please provide further details about your response to the above question, as well as description of your country's experiences and progress in implementing Article 2, including any obstacles or impediments encountered:

A series of legislative and regulatory acts to regulate the activities associated with GMOs were taken by the Parliament and Government of the Moldova Republic to implement Article 2.1.

- A law of the Republic of Moldova ratifying the Cartagena Protocol on Biosafety to the Convention of Biological Diversity.
- A law of the Republic of Moldova concerning biological safety (N° 755 dated February 21, 2003).

This law regulates the types of activities that deal with the reception, testing, manufacture, utilization and creation of genetically modified organisms using modern biotechnological methods.
The regulations of the law refer to the types of activities related to:

a) the reception, reproduction, testing and utilization in contained facilities, and for various purposes, of genetically modified microorganisms, plants and animals, using modern biotechnological methods;
b) the intentional introduction into the environment, and release into the market, of living organisms that are genetically modified using modern biotechnical methods, including any living forms, that are capable of producing organisms such as seeds, tubers, cuttings, pollen, spores, etc.;
c) the unintentional introduction of genetically modified organisms into the environment;
d) the intentional introduction into the environment, and into the market, of processed products that contain genetically modified organisms and/or non-living components of live genetically modified organisms in either non-processed or processed form;
e) any type of research into genetically modified organisms, including laboratory, clinical, field and industrial research;
f) the procedures for the intentional import and export of genetically modified organisms as well as of products derived therefrom;
g) the unintentional transboundary movement of genetically modified organisms;
h) the storage, burial and destruction of genetically modified organisms and/or products derived therefrom, and the recycling of waste resulting from the application of modern biotechnological methods.

- The law of the Republic of Moldova concerning the entry, modification and addition into the Law

on licensing different types of activity N° 451- XV dated July 30, 2001 (N° 214-XV dated June 24, 2004).

According to Article 8.34 of this law, activities in the realm of genetics and microbiology, and types of activities that are included in risk groups III and IV and carried out with genetically modified organisms are subject to licensing.

- The Government Resolution concerning the National Commission on biological safety (N° 603 dated May 20, 2003).

The establishment of the National Commission on Biosafety and its Regulations regarding its functioning was stipulated in the first paragraph, Article 43.4 of the Law on Biosafety. The National Commission is the National authoritative body whose function is the granting of permissions and control of all aspects of activity related to the reception, testing, utilization and creation of genetically modified organisms and their derived products using biotechnology, as well as functions related to communication and cooperation with international organizations in this field.

- Government Resolution N° 1153, dated September 25, 2003, confirming the Regulations concerning the issuance of permissions for various types of activities related to the testing, manufacture, utilization and creation of genetically modified organisms.

According to the Regulations, a permit is an official document certifying the right of its holder to effect, within a specified period of time, a certain kind of activity under condition of the compulsory observance of conditions established by the license.

The issuance of licenses for various activities is carried out by the National Commission on Biosafety.

The Regulation makes provision for the issuance of licenses for the following kinds of activities:

- the utilization, in contained facilities, of genetically modified microorganisms/organisms;
- the intentional introduction of genetically modified organisms into the environment;
- the introduction into the marketplace of genetically modified organisms and the products derived therefrom;
- the import and export of genetically modified organisms and/or the products derived therefrom.

During the reporting period, no application for a license for any kind of activity dealing with GMO was received by the National Commission on Biosafety.

- Government Regulations on the approval of standards for labeling food products and standards for labeling household chemicals.

This resolution provides for the elaboration of standards and regulations concerning the labeling of products that contain GMOs.

- By order of the Minister of Ecology, Construction and Territorial Development N° 19 dated February 10, 2004, the Regulation on public information and consultation on genetically modified organisms was confirmed.

The regulation was developed in accordance with the regulations of the Aarhus Convention, of the Cartagena Protocol and the Legislation of the Republic of Moldova on Biosafety. The regulation specifies detailed procedures and types of activities that require public consultations.

- By order of the Minister of Ecology, Construction and Territorial Development and the Minister of Education N° 28/61 dated February 18, 2004, the Center for Biosafety was created.

The reason for creating the Center for Biosafety is to conduct the analysis and testing of plants, seeds and food products for the presence of GMOs. Risk assessments will also be conducted for future decision-making.

Suggestions were also made for changing the legal code regarding administrative infringements, which provide for the collection of fines for contravening legislation on biosafety.

Articles 7 to 10 and 12: The advance informed agreement procedure

See question 1 regarding the provision of information to the Biosafety Clearing-House.

4. Is there a legal requirement for the accuracy of information provided by exporters 1/ under the jurisdiction of your country? (Article 8.2)	
a) yes	X
b) no	
c) not applicable – not a Party of export	
5. If you were a Party of export during this reporting period, did you request any Party of import to review a decision it had made under Article 10 on the grounds specified in Article 12.2?	
a) yes (please give details below)	
b) no	
c) not applicable – not a Party of export	X
6. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 9.2(c).	
a) yes	
b) no	X
c) not applicable – no decisions taken during the reporting period	X
7. If your country has been a Party of export of LMOs intended for release into the environment during the reporting period, please describe your experiences and progress in implementing Articles 7 to 10 and 12, including any obstacles or impediments encountered:	
8. If your country has taken decisions on import of LMOs intended for release into the environment during the reporting period, please describe your experiences and progress in implementing Articles 7 to 10 and 12, including any obstacles or impediments encountered:	

Article 11 – Procedure for living modified organisms intended for direct use as food or feed, or for processing

See question 1 regarding provision of information to the Biosafety Clearing-House.

9. Is there a legal requirement for the accuracy of information provided by the applicant with respect to the domestic use of a living modified organism that may be subject to transboundary movement for direct use as food or feed, or for processing? (Article 11.2)	
a) yes	X
b) no	
c) not applicable (please give details below)	

1/ The use of terms in the questions follows the meanings accorded to them under Article 3 of the Protocol

10. Has your country indicated its needs for financial and technical assistance and capacity building in respect of living modified organisms intended for direct use as food or feed, or for processing? (Article 11.9)	
a) yes (please give details below)	X
b) no	
c) not relevant	
11. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 11.4?	
a) yes	
b) no	X
c) not applicable – no decisions taken during the reporting period	X
12. If your country has been a Party of export of LMOs intended for direct use for food or feed, or for processing, during the reporting period, please describe your experiences and progress in implementing Article 11, including any obstacles or impediments encountered:	
This country was not a Party of export of LMOs intended for direct use as food or feed, or for processing.	
13. If your country has been a Party of import of LMOs intended for direct use for food or feed, or for processing, during the reporting period, please describe your experiences and progress in implementing Article 11, including any obstacles or impediments encountered:	
This country was not a Party of import of LMOs intended for direct use for feed or food, or for processing.	

Article 13 – Simplified procedure

See question 1 regarding provision of information to the Biosafety Clearing-House.

14. If your country has used the simplified procedure during the reporting period, please describe your experiences in implementing Article 13, including any obstacles or impediments encountered:
During the reporting period, this country did not use the simplified procedure as there was not a single application for permission for any type of activity related to GMO. The simplified procedure is stipulated in the Act on Biosafety and Regulations regarding the issuance of permissions for various types of activities related to the experimentation, manufacture, utilization and creation of genetically modified organisms. The National Commission can, if required, implement the rules and criteria of more simplified procedures for the confirmation of the types of activities related to the intentional introduction of genetically modified organisms into the environment on condition that: - the taxonomy and the biology of the genetically modified organism is reasonably well known; - information on the risk assessment of the impact on plants and other organisms involved in the ecosystem being tested is available; - there is scientific data of the results of the experimental introduction of genetically modified organisms into the environment that relate to the same type of receptor plant; - the elements that are introduced and their various forms be fail-safe as regards the health of people and of the environment under experimental conditions. - the inclusions must be described meticulously and integrated into the nuclear genome of the plant.

Article 14 – Bilateral, regional and multilateral agreements and arrangements

See question 1 regarding provision of information to the Biosafety Clearing-House.

15. If your country has entered into bilateral, regional or multilateral agreements or arrangements, describe your experiences in implementing Article 14 during the reporting period, including any obstacles or impediments encountered:
This country has not entered into any bilateral, regional or multilateral agreements or arrangements.

Articles 15 and 16 – Risk assessment and risk management

16. If you were a Party of import during this reporting period, were risk assessments carried out for all decisions taken under Article 10? (Article 15.2)	
a) yes	
b) no (please clarify below)	
c) not a Party of import	X
17. If yes, did you require the exporter to carry out the risk assessment?	
a) yes – in all cases	
b) yes – in some cases (please specify the number and give further details below)	
c) no	
d) not a Party of import	X
18. If you took a decision under Article 10 during the reporting period, did you require the notifier to bear the cost of the risk assessment? (Article 15.3)	
a) yes – in all cases	
b) yes – in some cases (please specify the number and give further details below)	
c) no During the reporting period, this country did not make any decision under article 10.	
19. Has your country established and maintained appropriate mechanisms, measures and strategies to regulate, manage and control risks identified in the risk assessment provisions of the Protocol? (Article 16.1)	
a) yes	X
b) no	
20. Has your country adopted appropriate measures to prevent unintentional transboundary movements of living modified organisms? (Article 16.3)	
a) yes	X
b) no	

21. Does your country endeavour to ensure that any living modified organism, whether imported or locally developed, undergoes an appropriate period of observation commensurate with its life-cycle or generation time before it is put to its intended use? (Article 16.4)	
a) yes – in all cases	X
b) yes – in some cases (please give further details below)	
c) no (please give further details below)	
d) not applicable (please give further details below)	
22. Has your country cooperated with others for the purposes specified in Article 16.5?	
a) yes (please give further details below)	
b) no (please give further details below)	X

23. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Articles 15 and 16, including any obstacles or impediments encountered:

According to the Act on Biological Safety, the risk assessment must be carried out according to scientific principles and transparency and using the appropriate risk assessment methods. The goal of the assessment is to find and determine any negative effects of the genetically modified organisms and/or the products derived therefrom on people's health or on the environment.
The National Commission decides which qualified public bodies or scientific institutions will carry out the risk assessment.
The National Commission must ascertain that a risk assessment has been made on the basis of which a decision may be made.
The National Commission is responsible to see that the risk assessment relating to micro-organisms and, in some cases, to other genetically modified organisms, is carried out in contained facilities.
The financial burden of the risk assessment is borne by the applicant.
Regulations concerning the issuance of a license for any type of activity related to the testing, manufacture, utilization and creation of genetically modified organisms provides for the submission of detailed information.

- The risk assessment report regarding the import of genetically modified organisms and/or products derived therefrom (the purpose and the function of the report, basic principles, risk assessment methodology, questions to be considered).
- Principles guiding the implementation of testing the risk assessment on the environment (purpose, main guidelines, methodology, and conclusions of the risk assessment).

Article 17 – Unintentional transboundary movements and emergency measures

See question 1 regarding provision of information to the Biosafety Clearing-House.

24. During the reporting period, if there were any occurrences under your jurisdiction that led, or could have led, to an unintentional transboundary movement of a living modified organism that had, or could have had, significant adverse effects on the conservation and sustainable use of biological diversity, taking also into account risks to human health in such States, did you immediately consult the affected or potentially affected States for the purposes specified in Article 17.4?	
a) yes – all relevant States immediately	
b) partially (please clarify below)	
c) no (please clarify below)	X

25. Please provide further details about your response to the above question, as well as description of your country's experiences in implementing Article 17, including any obstacles or impediments encountered:
During the reporting period, there were no occurrences that led, or that could have led, to an unintentional transboundary movement of a living modified organis m that had, or could have had, significant adverse effects on the conservation and sustainable use of biological diversity. According to the Act on Biosafety, in cases of illegal transportation of genetically modified organisms and/or the products derived therefrom, the authorized national organizations have the right to demand from the country of export their return or destruction at their expense in accordance with the standards of international law. In the case of the illegal transport of genetically modified organisms and/or of products derived therefrom, the relevant international bodies concerned with the procedures set through international legislation dealing in this field are informed. In the case of the unintentional transboundary movement of genetically modified organisms and/or the products derived therefrom, the relevant national bodies shall implement measures of notification provided for by international legislation, as well as measures to eliminate any and all risks to the health of people and the environment. The National Commission will inform the public of the measures taken to preclude the occurrence of a situation that may occur due to the unintentional transboundary movement of genetically modified organisms and/or the products derived therefrom.

Article 18 – Handling, transport, packaging and identification

26. Has your country taken measures to require that living modified organisms that are subject to transboundary movement within the scope of the Protocol are handled, packaged and transported under conditions of safety, taking into account relevant international rules and standards? (Article 18.1)	
a) yes (please give details below)	X
b) no	
c) not applicable (please clarify below)	
27. Has your country taken measures to require that documentation accompanying living modified organisms for direct use as food or feed, or for processing, clearly identifies that they 'may contain' living modified organisms and are not intended for intentional introduction into the environment, as well as a contact point for information? (Article 18.2(a))	
a) yes	X
b) no	
28. Has your country taken measures to require that documentation accompanying living modified organisms that are destined for contained use clearly identifies them as living modified organisms and specifies any requirements for the safe handling, storage, transport and use, the contact point for further information, including the name and address of the individual and institution to whom the living modified organisms are consigned? (Article 18.2(b))	
a) yes	X
b) no	
29. Has your country adopted measures to require that documentation accompanying living modified organisms that are intended for intentional introduction into the environment of the Party of import and any other living modified organisms within the scope of the Protocol, clearly identifies them as living modified organisms; specifies the identity and relevant traits and/or characteristics, any requirements for the safe handling, storage, transport and use, the contact point for further information and, as appropriate, the name and address of the importer and exporter; and contains a declaration that the movement is in conformity with the requirements of this Protocol applicable to the exporter? (Article 18.2(c))	

a) yes	X
b) no	

30. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 18, including any obstacles or impediments encountered:

According to Article 24 of the Act on Biosafety, the producer or, as the case may be, the importer, must present information to the National Commission which must include the specific conditions of utilization and handling as well as recommendations related to the packaging, labeling and identification. The presence of genetically modified organisms must be clearly indicated on the label and /or on accompanying documentation. It is obligatory that the words "This product contains genetically modified organisms" appear on both the label and the accompanying documents. Information concerning the presence of genetically modified organisms must take up no less than ten percent of the surface of the label and/or the accompanying documents. Products that contain genetically modified organisms and/or the products derived thereform which total no less than one percent of the total weight are recognized as being genetically modified products. For seeds, the percentage is 0.3 percent of the total weight.

Article 19 – Competent national authorities and national focal points

See question 1 regarding provision of information to the Biosafety Clearing-House.

Article 20 – Information-sharing and the Biosafety Clearing-House

See question 1 regarding provision of information to the Biosafety Clearing-House.

31. In addition to the response to question 1, please describe any further details regarding your country's experiences and progress in implementing Article 20, including any obstacles or impediments encountered:

The following information was presented to the Biosafety Clearing-House.

1. The national legislative base in the field of Biosafety.
2. A list of experts in the field of Biosafety.
3. Detailed contact information for authorized national bodies, national coordination centers and individuals to be contacted in the case of emergency.

There were no obstacles or impediments related to the presentation of such information.

Article 21 – Confidential information

32. Does your country have procedures to protect confidential information received under the Protocol and that protect the confidentiality of such information in a manner no less favourable than its treatment of confidential information in connection with domestically produced living modified organisms? (Article 21.3)

a) yes	X
b) no	

33. If you were a Party of import during this reporting period, did you permit any notifier to identify information submitted under the procedures of the Protocol or required by the Party of import as part of the advance informed agreement procedure that was to be treated as confidential? (Article 21.1)

a) yes	
If yes, please give number of cases	
b) no	
c) not applicable – not a Party of import	X
34. If you answered yes to the previous question, please provide information on your experience including description of any impediments or difficulties encountered:	
35. If you were a Party of export during this reporting period, please describe any impediments or difficulties encountered by you, or by exporters under your jurisdiction if information is available, in the implementation of the requirements of Article 21:	
This country was not a Party of export during the reporting period.	

Article 22 – Capacity-building

36. If a developed country Party, during this reporting period has your country cooperated in the development and/or strengthening of human resources and institutional capacities in biosafety for the purposes of the effective implementation of the Protocol in developing country Parties, in particular the least developed and small island developing States among them, and in Parties with economies in transition?	
a) yes (please give details below)	
b) no	
c) not applicable – not a developed country Party	X
37. If yes, how has such cooperation taken place:	
38. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training in the proper and safe management of biotechnology to the extent that it is required for biosafety?	
a) yes – capacity-building needs fully met (please give details below)	
b) yes – capacity-building needs partially met (please give details below)	
c) no – capacity-building needs remain unmet (please give details below)	X
b) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in transition	
39. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training in the use of risk assessment and risk management for biosafety?	
a) yes – capacity-building needs fully met (please give details below)	
b) yes – capacity-building needs partially met (please give details below)	

c) no – capacity-building needs remain unmet (please give details below)	X
d) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in transition	
40. If a developing country Party or a Party with an economy in transition, have you benefited from cooperation for technical and scientific training for enhancement of technological and institutional capacities in biosafety?	
a) yes – capacity-building needs fully met (please give details below)	
b) yes – capacity-building needs partially met (please give details below)	
c) no – capacity-building needs remain unmet (please give details below)	x
d) no – we have no unmet capacity-building needs in this area	
e) not applicable – not a developing country Party or a Party with an economy in transition	
41. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 22, including any obstacles or impediments encountered:	

Article 23 – Public awareness and participation

42. Does your country promote and facilitate public awareness, education and participation concerning the safe transfer, handling and use of living modified organisms in relation to the conservation and sustainable use of biological diversity, taking also into account risks to human health? (Article 23.1(a))	
a) yes – significant extent	
b) yes – limited extent	X
c) no	
43. If yes, do you cooperate with other States and international bodies?	
a) yes – significant extent	
b) yes – limited extent	X
c) no	
44. Does your country endeavour to ensure that public awareness and education encompass access to information on living modified organisms identified in accordance with the Protocol that may be imported? (Article 23.1(b))	
a) yes – fully	
b) yes – limited extent	X
c) no	
45. Does your country, in accordance with its respective laws and regulations, consult the public in the decision-making process regarding living modified organisms and make the results of such decisions available to the public? (Article 23.2)	
a) yes – fully	
b) yes – limited extent	
c) no	

The country did not make any decisions regarding living modified organisms.	
46. Has your country informed its public about the means of public access to the Biosafety Clearing-House? (Article 23.3)	
a) yes – fully	
b) yes – limited extent	X
c) no	
47. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 23, including any obstacles or impediments encountered:	

In accordance with the Act on Biosafety, a representative of non-governmental organizations.was included within the structure of the National Commission on Biosafety, which is authorized to implement the regulations of national and international legislation, which regulate activities related to genetically modified organisms.

Article 7 of this Act provides for information-sharing and consultation with the public at large. Under the Act, the procedure for approvals for the intentional introduction into the environment and into the marketplace of genetically modified organisms and products derived therefrom is made public. The National Commission guarantees the transparency of activities related to the use of genetically modified organisms and micro-organisms in contained use for which a request for permission is made.

Within ten days of receiving the notification, the National Commission must inform the public of the notification with instructions on the means for obtaining the information. Co mments from the public are accepted for thirty days after the date that it was notified and these comments are taken into consideration by the National Commission before making the decision regarding the request for that type of activity. Depending on the responses submitted, public discussions may be organized concerning any aspect of the problem under discussion.

The National Commission guarantees public involvement in the decision-making process regarding the granting of a permission for various types of activities that are regulated by actual laws, in accordance with the position of national legislation and international laws, one of the parties of which is the Republic of Moldova.

By order of the Minister of Ecology, Construction and Territorial development N^{o} 19 dated February 10, 2004, the Provision on notifying and consulting with the public on genetically modified organisms was accepted.

The provision was developed in accordance with the provisions of the Aarhus Convention, the Cartagena Protocol and the Republic of Moldova's Act on Biosafety. The provision details the procedures and types of activities that require public consultations.

In 2003 and 2004, the Project on the Development of the National Biosafety Frameworks was initiated, supported and financed by the Embassy of Great Britain. In accordance with the Project, about 20 initiatives such as seminars, press conferences, and public opinion surveys were conducted throughout the country.

The question of genetically modified organisms is being discussed actively on the radio, on television and in the press.

Article 24 – Non-Parties

See question 1 regarding provision of information to the Biosafety Clearing-House**.**

48. If there have been transboundary movements of living modified organisms between your country and a non-Party, please provide information on your experience, including description of any impediments or difficulties encountered:

Article 25 – Illegal transboundary movements

See question 1 regarding provision of information to the Biosafety Clearing-House.

49. Has your country adopted appropriate domestic measures to prevent and penalize, as appropriate, transboundary movements of living modified organisms carried out in contravention of its domestic measures? (Article 25.1)	
a) yes	X
b) no	

50. Please provide further details about your response to the above question, as well as description of your country's experiences in implementing Article 25, including any obstacles or impediments encountered:
In accordance with Article 40 of the Act on Biosafety, illegal activity in the reception, testing, manufacture, utilization, creation, import and export of genetically modified organisms and/or products derived therefrom answers under the law. If, as a consequence of activities related to the reception, testing, manufacture, utilization, creation and importation of genetically modified organisms, and/or the products derived therefrom, there is exposure to risk or there is damage to public health and the environment, the user and/or the importer, as the case may be, bear responsibility under the law. The degree of risk, and the nature and extent of damages, are determined by an expert commission appointed by the National Commission from representatives of central bodies responsible for the protection of the environment, agriculture, the food industry and the public health service. Compensation for damages proposed by the expert commission is set through judicial channels. If the damages resulting from the importation and utilization of genetically modified organisms, and/or the products derived therefrom, occur on the territory of this country, the provisions of international legislation, one Party of which is the Republic of Moldava, which regulates the transboundary movement of the identified organisms and products, come into effect. Changes to the Legal Code on administrative infringements were suggested to implement these measures.

Article 26 – Socio-economic considerations

51. If during this reporting period your country has taken a decision on import, did it take into account socio-economic considerations arising from the impact of living modified organisms on the conservation and sustainable use of biological diversity, especially with regard to the value of biological diversity to indigenous and local communities? (Article 26.1)	
a) yes – significant extent	
b) yes – limited extent	
c) no	
d) not a Party of import	X

52. Has your country cooperated with other Parties on research and information exchange on any socio-economic impacts of living modified organisms, especially on indigenous and local communities? (Article 26.2)	
a) yes – significant extent	
b) yes – limited extent	

c) no	X

53. Please provide further details about your responses to the above questions, as well as description of your country's experiences and progress in implementing Article 26, including any obstacles or impediments encountered:

Article 28 – Financial mechanism and resources

54. Please indicate if, during the reporting period, your government made financial resources available to other Parties or received financial resources from other Parties or financial institutions, for the purposes of implementation of the Protocol.	
a) yes – made financial resources available to other Parties	
b) yes – received financial resources from other Parties or financial institutions	x
c) both	
d) neither	

55. Please provide further details about your response to the above question, as well as description of your country's experiences, including any obstacles or impediments encountered:
The Republic of Moldova was one of one hundred countries financed within the framework of the UNEP-GEF Project on the Development of National Biosafety Frameworks. The purpose of this project for Moldova was cooperation in the introduction on a national level of the provisions of the Cartagena Protocol, including risk assessment and the procedures for public participation in the decision-making processes. The Project concluded with the creation of a National Biosafety Framework. This document is in the form of recommendations and serves as a point of departure for further activities in this area in implementing the propositions of the Protocol. In 2003 and 2004, the Project on the Development of the National Biosafety Frameworks was initiated, supported and financed by the Embassy of Great Britain. The purpose of this Project is: the training of specialists; becoming familiar with European practices; as well as conducting a series of seminars with various public groups connected to various fields concerned with GMOs.

Other information

56. Please use this box to provide any other information related to articles of the Protocol, questions in the reporting format, or other issues related to national implementation of the Protocol:

Comments on reporting format

The wording of these questions is based on the Articles of the Protocol. Please provide information on any difficulties that you have encountered in interpreting the wording of these questions:
