FIRST REGULAR NATIONAL REPORT ON THE IMPLEMENTATION OF THE CARTAGENA PROTOCOL ON BIOSAFETY

Origin of report

Party:	Romania
Contact officer for report	
Name and title of contact officer:	Dr. Maria Mihaela ANTOFIE Chief Officer Directorate for Nature Protection, Biodiversity, Biosafety Ministry of the Environment and Sustainable Development Mrs. Ana Maria COMANOIU Counsellor Directorate for Nature Protection, Biodiversity, Biosafety Ministry of the Environment and Sustainable Development
Mailing address:	12, Libertatii Blvd, Sector 5 Bucharest Romania
Telephone:	+40 21 316 33 82
Fax:	+40 21 316 02 82
E-mail:	mihaela.antofie@mmediu.ro; maria.comanoiu@mmediu.ro or comanoiu@mappm.ro
Submission	
(a) Signature of officer responsible for submitting report:	Silviu MEGAN Director Directorate for Nature Protection, Biodiversity, Biosafety Ministry of the Environment and Sustainable Development
(b) Date of submission:	23 October 2007
(c) Time period covered by this report:	11 September 2003 – October 2007.

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:

This first regular implementation Report updates the Romania's interim-implementation Report submitted in 2005.
Beginning with 01 January 2007 Romania became a member of the European Community and this Report supplements the Report of the European Community with some information, according to the specific situation at the national level.

The Report has been prepared by the Romanian National Focal Points for Cartagena Protocol on Biosafety, into the Ministry of the Environment and Sustainable Development, Directorate for Nature Protection, Biodiversity, Biosafety.

The draft Report was circulated for review to the following authorities, involved in the decision making process or inspection and control, related to the genetically modified organisms, in order to ensure the accuracy of the information:

National Environmental Protection Agency (NEPA)
National Environmental Guard (NEG)
Ministry of Agriculture and Rural Development (MARD)
National Sanitary Veterinary and Food Safety Authority (NSVFSA).

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 Biosafety Clearing-House (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 available information at the national level has been submitted to BCH. This is supplemented by the information submitted by EC. An EC note is included, where this is significant.
Romania encounters some difficulties because of the lack of EN translation possibilities. The national legal acts and decisions related to biosafety are available only in Romanian language.

Information has been published, also, on the site of the Ministry of the Environment and Sustainable Development (MESD), www.mmediu.ro

2. Please provide an overview of information that is required to be provided to the Biosafety Clearing-House:

Type of information	*Information exists and is being provided to the Biosafety Clearing-House*	*Information exists but is not yet provided to the Biosafety Clearing-House*	*Information does not exist /not applicable*
a) Existing national legislation, regulations and guidelines for implementing the Protocol, as well as information required by Parties for the advance informed agreement procedure	X		

(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);		X	
c) Bilateral, multilateral and regional agreements and arrangements (Articles 14.2, 20.3(b), and 24.1);			X-EC
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));	X		
e) In cases of multiple competent national authorities, responsibilities for each (Articles 19.2 and 19.3);	X		
f) Reports submitted by the Parties on the operation of the Protocol (Article 20.3(e));			X
g) Occurrence of unintentional transboundary movements that are likely to have significant adverse effects on biological diversity (Article 17.1);			X
Type of information	*Information exists and is being provided to the Biosafety Clearing-House*	*Information exists but is not yet provided to the Biosafety Clearing-House*	*Information does not exist /not applicable*
h) Illegal transboundary movements of LMOs (Article 25.3);			X
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));	X		
j) Information on the application of domestic regulations to specific imports of LMOs (Article 14.4);		X	
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);	X- EC		
l) Final decisions regarding the import of LMOs intended for direct use as food or feed, or for processing that are taken under domestic		X	

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)			X
n) Review and change of decisions regarding intentional transboundary movements of LMOs (Article 12.1);			X
o) LMOs granted exemption status by each Party (Article 13.1)			X
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);			X
q) Summaries of risk assessments or environmental reviews of LMOs generated by regulatory processes and relevant information regarding products thereof (Article 20.3(c)).	X		

Article 2 – General provisions

3. 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)	
b) some measures introduced (please give details below)	X
c) no measures yet taken	

4. 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) Romania ratified the Cartagena Protocol on Biosafety through the Law No 59/11.03.2003. As an EC member state, the national legislative framework is harmonised with the EU legislation.

- EC legislative acts and measures, submitted to Biosafety Clearing House: please, see the Report of the European Community.

- National legal acts: published on the website of the Ministry of Environment and Sustainable Development http://www.mmediu.ro/dep_mediu/legislatie_omg.htm

- *The Emergency Governmental Ordinance No 43/2007 on the deliberate release and placing on the market of the genetically modified organisms*, transposing 2001/18/EC Directive *(EGO No 43/2007)*
- *The Emergency Governmental Ordinance No 44/2007 on the contained use of genetically*

modified micro organisms, transposing 90/219/EEC Directive, modified through 98/81/EC Directive (*EGO No 44/2007*)
- *Governmental Decision No 497/2007 on establishing the measures for the implementation of the Regulation of the European Parliament and of the Council No 1946/2003 on transboundary movements of LMOs (GD No 497/2007*)
- *Law No 265/2006 on the approval of the Environmental Governmental Ordinance No 195/2005 on the environmental protection.*

b) The capacity building for implementing the Cartagena Protocol increased, at the national level, through the co-operation between the following authorities:
- Ministry of Environment and Sustainable Development (MESD);
- National Environmental Protection Agency
- Ministry of Agriculture and Rural Development
- National Sanitary Veterinary and Food Safety Authority
- National Authority for Customs, etc.

Under the MESD is functioning the National Environmental Guard, inspection and control body. Also, the inspectors from the above nominated authorities are involved in the control of the related activities, according to their specific responsibilities.

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

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

5. Were you a Party of import during this reporting period?	
a) yes	X
b) no	
6. Were you a Party of export during this reporting period?	
a) yes	
b) no	X
7. 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) not yet, but under development	
c) no	
d) not applicable – not a Party of export	
8. 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) not yet, but under development	
c) no	

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

d) not applicable – not a Party of export	X
9. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 9.2(c).	
a) yes	X
b) no	
c) not applicable – no decisions taken during the reporting period	
10. 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:	
Not applicable.	
11. 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:	
Import for field trials Romania applies its domestic legislative framework, transposing the EU legislation and compatible with the provisions of the Protocol. A legal person wishing to introduce a LMO into the environment for experimental purposes (field trials) must, first, obtain a written authorisation from the Romanian competent national authority. The authorization is issued on a case by case risk assessment and is applicable only on the national territory. For the first transboundary movement, the importer is obliged to obtain import consent from the competent authority. The subsequent imports, during the field trials period, have to be notified to the National Environmental Protection Agency, on a yearly base. *Import for cultivation* During 2005-2006 years, Romania imported Roundup Ready soybean from USA, through a procedure according to the provisions of the Law No 214/2002, partially transposing 2001/18/EC Directive. Beginning with 01 January 2007, Romania, as a European Community's member state, cultivated only MON810, authorized at the European level. These imports haven't been notified to BCH, yet. Please, see the Report of the European Community, also.	

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.

12. 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) not yet, but under development	

c) no	
d) not applicable (please give details below)	
13. 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	
14. Did your country take decisions regarding import under domestic regulatory frameworks as allowed by Article 11.4?	
a) yes	X
b) no	
c) not applicable – no decisions taken during the reporting period	
15. 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:	
Not applicable.	
16. 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:	
Please, see also the Report of the European Community. Beginning with 2007 year, Romania imported only LMOs authorized in the European Community for direct use for food or feed, or for processing. The operators must hold the information for each transaction and be able to identify the operator by whom and to whom the products are made available. LMOs and food or feed containing, consisting of, or produced from LMOs, which have been authorised under the EC procedure, are also subject to the labelling requirements and traceability laid down in Regulation (EC) No 1830/2003 and Regulation (EC) No 1829/2003. Conventional products that contain traces of authorised LMOs are not subject to the labelling requirements if the traces of these LMOs are below a limit of 0.9 per cent, provided that the presence of this material is adventitious or technically unavoidable. According to the EGO No 43/2007, the LMOs importer has the following obligations: - To be a legal person, registered in Romania - To use the Border Inspection Posts, established for import, export and transit, ensuring the phytosanitary and sanitary-veterinary and food safety control - To accompany the shipment by a document, according to the requirements of the Decisions of the Cartagena Protocol (Declaration) - At least 7 days in advance, to notify the County Environmental Guard, about the intended import, and to submit the copy of the accompanying document, to the competent	

authority - To ensure traceability - To ensure the labeling, mentioning the Unique Identifier (if is assigned) and "This product contains LMOs" - To keep and present, to the inspection bodies, legal documents providing the nature of the imported GM products, etc.

Article 13 – Simplified procedure

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

17. Have you applied the simplified procedure during the reporting period?	
a) yes	
b) no	X
18. If your country has used the simplified procedure during the reporting period, or if you have been unable to do so for some reason, please describe your experiences in implementing Article 13, including any obstacles or impediments encountered:	

Article 14 – Bilateral, regional and multilateral agreements and arrangements

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

19. Has your country entered into any bilateral, regional or multilateral agreements or arrangements?	
a) yes	
b) no	X
20. If your country has entered into bilateral, regional or multilateral agreements or arrangements, or if you have been unable to do so for some reason, describe your experiences in implementing Article 14 during the reporting period, including any obstacles or impediments encountered:	

Articles 15 and 16 – Risk assessment and risk management

21. 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	X
b) no (please clarify below)	
c) not a Party of import / no decisions taken under Article 10	
22. If yes to question 21, did you require the exporter to carry out the risk assessment?	
a) yes – in all cases	X
b) yes – in some cases (please specify the number and give further details below)	
c) no	
d) not a Party of import / no decisions taken under Article 10	

23. 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	X
b) yes – in some cases (please specify the number and give further details below)	
c) no	
d) not a Party of import / no decisions taken under Article 10	
24. 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 – fully established	
b) not yet, but under development or partially established (please give further details below)	X
c) no	
25. Has your country adopted appropriate measures to prevent unintentional transboundary movements of living modified organisms? (Article 16.3)	
a) yes – fully adopted	
b) not yet, but under development or partially adopted (please give further details below)	X
c) no	
26. 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- EU
b) yes – in some cases (please give further details below)	
c) no (please give further details below)	X
d) not applicable (please give further details below)	
27. Has your country cooperated with others for the purposes specified in Article 16.5?	
a) yes (please give further details below)	X- EU
b) no (please give further details below)	X
28. 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:	
Provisions related to the risk assessment and risk management are according to 2001/18/EC Directive and 90/219/EEC Directive, which have been transposed through EGO No 43/2007, respectively EGO No 44/2007. Romania issued the following legal acts for applying the European Community legislation referring to the risk assessment and risk management:	

- Council Decision 2002/811/EC of 3 October 2002 establishing guidance notes supplementing Annex VII to the Directive, describing the objectives and general principles to be followed to design the monitoring plan.
- Council Decision 2002/812/EC of 3 October 2002 establishing the summary information format,

And is in course of issuing the legal act for implementing Commission Decision 2002/623/EC of 24
July 2002 establishing guidance notes on the objective, elements, general principles and methodology of the environmental risk assessment referred to in Annex II to Directive 2001/18/EC.

Article 17 – Unintentional transboundary movements and emergency measures

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

29. 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) yes – partially consulted, or consultations were delayed (please clarify below)	
c) no – did not consult immediately (please clarify below)	
d) not applicable (no such occurrences)	X
30. 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:	
Not applicable	

Article 18 – Handling, transport, packaging and identification

31. 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) not yet, but under development	
c) no	
d) not applicable (please clarify below)	
32. 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) not yet, but under development	

c) no	
33. 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) not yet, but under development	
c) no	
34. 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) not yet, but under development	
c) no	
35. Please provide further details about your responses to the above questions, as well as a description of your country's experiences and progress in implementing Article 18, including any obstacles or impediments encountered:	
Please, see the Report of the European Community. In Romania is in force the legislation transposing the international legislation related to: ▪ Transport of dangerous goods by road; ▪ Transport of dangerous goods by rail. Romania applies the following Regulations: ▪ Regulation (EC) 1829/2003 of 22 September 2003 on genetically modified food and feed; ▪ Regulation (EC) 1830/2003 of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms ▪ Regulation (EC) No 641/2004 of 6 April 2004 on detailed rules for the implementation of Regulation (EC) No 1829/2003 ▪ Regulation (EC) No 65/2004 of 14 January 2004 establishing a system for the development and assignment of unique identifiers for genetically modified organisms ▪ Regulation (EC) No 1946/2003 of 15 July 2003 on transboundary movements of genetically modified organisms. Examples: *GD No 497/2007 for implementing the Regulation (EC) No 1946/2003 on transboundary*	

movements of LMOs (GD No 497/2007) establishes:

- The exporters are required to state in a document accompanying the LMO, which is to be transmitted to the importer receiving the LMO:
  - That it contains or consists of LMOs; and
  - The unique identification code(s) assigned (if such code/s exist/s).

- For LMOs intended for direct use as food or feed, or for processing, the above information must be supplemented by a declaration by the exporter:
  c) Stating that the LMOs are intended for direct use as food or feed, or for processing and indicating clearly that they are not intended for deliberate release into the environment;

  and

  d) Giving details of the contact point for further information.

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.

36. 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:
Most of the information is provided to BCH in Romanian language. For developing its capacity in BCH participation, beginning with 2008 year, Romania will execute UNEP-GEF Project on the implementation of BCH. Romania shall participate in the GMOREGEX/EC BCH application (currently, the application is in the pilot phase).

Article 21 – Confidential information

37. 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) not yet, but under development	
c) no	
38. 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	X
c) not applicable – not a Party of import / no such requests received	

39. If you answered yes to the previous question, please provide information on your experience including description of any impediments or difficulties encountered:
40. 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:
Not applicable.

Article 22 – Capacity-building

41. 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)	X- EC
b) no	X
c) not applicable – not a developed country Party	
42. If yes to question 41, how has such cooperation taken place:	
43. If a developing country Party, or Party with an economy in transition, during this reporting period has your country contributed to the development and/or strengthening of human resources and institutional capacities in biosafety for the purposes of the effective implementation of the Protocol in another developing country Party or Party with an economy in transition?	
a) yes (please give details below)	
b) no	X
c) not applicable – not a developing country Party	
44. If yes to question 43, how has such cooperation taken place:	
45. 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)	
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	X

46. 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)	
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	X
47. 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)	
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	X
48. 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:	
No further comments.	

Article 23 – Public awareness and participation

49. 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	
50. If yes, do you cooperate with other States and international bodies?	
a) yes – significant extent	
b) yes – limited extent	X
c) no	
51. 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	
52. 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	X
b) yes – limited extent	
c) no	
53. 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	
54. 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:	
Please see the European Community Report. The national legislation includes provisions regarding public consultation and public information in the decision making process regarding deliberate release into the environment of LMOs. All the notifications are published on JRC and MESD's websites. Public information at the national level is performed in cooperation with the county environmental agencies, functioning under the National Environmental Protection Agency. All the risk assessments submitted by the notifiers and the summary of all the decisions taken by the competent authority are published on the MESD's website www.mmediu.ro If necessary, public debates are organised during the authorization procedure for deliberate release and placing on the market of LMOs . Romania is a Party to the Aarhus Convention on the public access to the information, public participation in the decision making process and access to justice on environmental matters, signed at Aarhus, 25 June 1998 and is in course of developing the existing legislative framework on public participation, by accepting the amendment to the Aarhus Convention, adopted at Alma Ata, Kazahstan, 25-27 May 2005. According to this amendment, the results of the public participation have to be taken into consideration in the decisional process and the decisions shall be made publicly available, together with the reasons and motivation in issuing them.	

Article 24 – Non-Parties

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

55. Have there been any transboundary movements of living modified organisms between your country and a non-Party during the reporting period?	
a) yes	X
b) no	

56. 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.

57. 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	
58. Have there been any illegal transboundary movements of living modified organisms into your country during the reporting period?	
a) yes	
b) no	X
59. 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:	
National legislation (EGO No 43/2007, EGO No 44/2007, GD No 497/2007, etc) provide penalties, applicable to the infringements of the LMOs legislation.	

Article 26 – Socio-economic considerations

60. 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	X
d) not a Party of import	
61. 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

62. 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:
Socio-economic considerations haven't been taken into account in issuing the import decisions, until now. On the occasion of its participation in the procedure for authorizing the placing on the market of LMOs, Romania shall take into consideration the socio-economic conditions, across EU territory and including the national territory.

Article 28 – Financial mechanism and resources

63. 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	
c) both	X
d) neither	

64. 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:
Romania is contributing to the CBD General Trust Fund. On the other hand, Romania received financial resources for the purpose of the implementation of the Protocol, through the Project UNEP – GEF "*Development of the National Biosafety Framework for Romania"*.

Other information

65. 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:
Romania is developing the legislative and institutional framework for implementing the Cartagena Protocol. It's in course of elaboration a joint order of the Ministers of the environment, agriculture and of the Presidents of the National Authority for Food Safety and National Authority for Customs, on the procedure for controlling the transboundary movements of LMOs. The control procedure involves the participation of the National Environmental Guard's commissars and of the officers from the all involved authorities, including the National Authority for Customs. During the execution of the UNEP-GEF Project on BCH, in 2008 year, a National BCH website www.biosafety.ro shall be created. *Article 19 – Competent national authorities and national focal points* **<u>Competent national authorities</u>** Ministry of the Environment and Sustainable Development (through the National Environmental Protection Agency, working under the Ministry): All functions pursuant to the Cartagena Protocol, excepting LMOs for food, feed or processing

National Sanitary Veterinary and Food Safety Authority: LMOs for food, feed or processing

National Focal Points:

Dr. Maria Mihaela ANTOFIE
Chief Officer
Directorate for Nature Protection, Biodiversity, Biosafety
Ministry of the Environment and Sustainable Development

Mrs. Ana Maria COMANOIU
Counsellor
Directorate for Nature Protection, Biodiversity, Biosafety
Ministry of the Environment and Sustainable Development

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

BCH Focal Points
According to the GD No 497/2007, the National BCH Focal Point is ensured by the Ministry of the Environment and Sustainable Development.
12, Libertatii Blvd., Sector 5, Bucharest

Contacts:
Dr. Maria Mihaela ANTOFIE
Chief Officer
Directorate for Nature Protection, Biodiversity, Biosafety
Tel.: +40 21 316 33 82; Fax: +40 21 316 02 82

Mrs. Ana Maria COMANOIU
Counsellor
Directorate for Nature Protection, Biodiversity, Biosafety
Tel.: +40 21 316 33 82; Fax: +40 21 316 02 82

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:

No difficulties encountered