

**United Nations Development Programme
Country: Malaysia
Project Document**

Project Title	Capacity Development for the Formulation of a Policy and Regulatory Framework for Access and Benefit-sharing of Biological Resources in Malaysia
UNDAF Outcome(s):	Not Applicable
Expected CP Outcome(s): <i>(Those linked to the project and extracted from the CPAP)</i>	Malaysia has improved environmental stewardship through sustainable energy development and environmental management of biodiversity and natural resources.
Expected Output(s): <i>(Those that will result from the project and extracted from the CPAP)</i>	<ol style="list-style-type: none">1. Improved capacity of stakeholders in environmental management, including planning and implementing integrated approaches that also respond to the needs of the poor.2. Established protocol for traditional biodiversity knowledge.3. Non-CPAP Outputs: Established a Policy and Regulatory Framework for Access and Benefit-sharing of Biological Resources in Malaysia.
Executing Agency:	<u>Ministry of Natural Resources and Environment (NRE)</u>
Implementing Partner:	<u>Environmental Conservation Division (ECD), NRE</u>
Enabling Partner:	<u>UNDP Malaysia</u>
Responsible Parties:	<u>ECD, NRE</u> <u>CEBLAW, UM</u> <u>CGSS, USM</u>



Brief Description

Malaysia is one of the 12 mega-diverse countries and her rich biological heritage has a huge potential to be explored for new wealth creation and to enhance the development of the nation in line with the National Policy on Biological Diversity (1998) and the National Biotechnology Policy (2005). The Convention on Biological Diversity gives the recognition that biological diversity is the sovereign right of a nation opposed to the view that biological resources are the common heritage of mankind. Thus nations have the full right over biological resources within their boundaries and can regulate the access to these resources. Within this framework as provided by the CBD, national governments are obliged to take legal, administrative or policy measures for implementation. The National Policy on Biological Diversity (1998) states that a review of national legislation should be carried out to identify the areas where new legislation or enhancement are required to put into effect the commitments under the CBD, including those required to implement codes of practice for collectors, and to protect intellectual property rights and other ownership rights. The National Policy also identifies the sustainable utilisation of biological diversity and the equitable sharing of the benefits arising thereof as a strategy for biodiversity conservation, and proposes the undertaking of appropriate activities in bioprospecting as a means by which this can be done. The implication is that the need for the establishment of a regulatory framework for access to biological resources and benefit-sharing. The implementation of national measures will also have to take into account other international processes which are relevant to, and impact on, the development in this area.

Programme Period: 2010 – 2012

Key Result Area (Strategic Plan): Towards Improved Quality of Life through Sustainable Environmental Management

Atlas Award ID: TBD

Start date: TBD
End Date: TBD

PAC Meeting Date: 11 January 2010

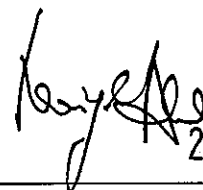
Management Arrangements: NIM

2010 AWP budget:	USD 162,000
2011 AWP budget:	USD 129,000
2012 AWP budget:	USD 109,000
Total resources required:	USD 400,000

Total allocated resources:	
UNDP:	
TRAC	USD 160,000
Government CS	USD 240,000
Government of Malaysia (GoM):	
In-kind Contribution	USD 140,000
Total	USD 540,000
GMS 6%	USD 14,400

Agreed by Government of Malaysia –
Economic Planning Unit:

DATO' NORIYAH BT AHMAD
Director General
Economic Planning Unit


24 MAR 2010

Agreed by UNDP:


Kamal Malhotra
Resident Representative

31 MAR 2010

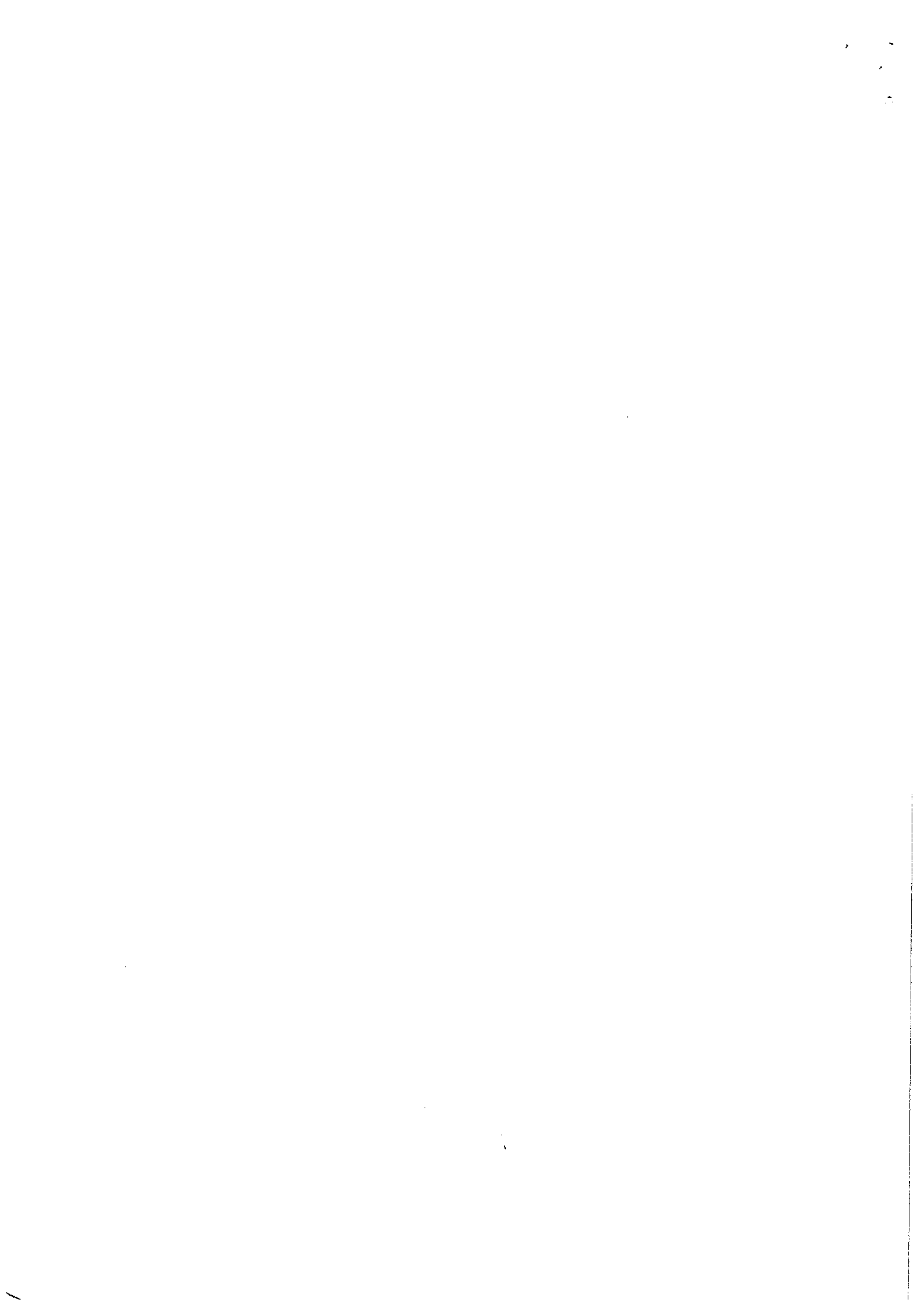


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ABBREVIATIONS

ABS	Access and Benefit-sharing
APR	Annual Progress Report
AWP	Annual Work Plan
CBD	United Nations Convention on Biological Diversity
CBO	Community-based Organisation
CDR	Combined Delivery Report
CEBLAW	Centre of Excellence on Biodiversity Law
CGSS	Centre of Global Sustainability Studies
CP	Country Programme
CPAP	Country Programme Action Plan
ECD	Environmental Conservation Division
EPU	Economic Planning Unit, Prime Minister's Department
FACE	Funding Authorization and Certificate of Expenditures
FRIM	Forest Research Institute Malaysia
IP	Intellectual Property
JPSM	Department of Forestry Peninsular Malaysia
KKLW	Ministry of Rural and Regional Development
MAT	Mutually Agreed Terms
MDTCC	Ministry of Domestic Trade, Co-operatives and Consumerism
MNC	Multi-national Corporation
NGOs	Non-Governmental Organisations
NIM	National Implementation Modality
NPD	National Project Director
NRE	Ministry of Natural Resources and Environment
NBC	National Biodiversity Council (previously known as National Biodiversity-Biotechnology Council)
NPBD	National Policy on Biological Diversity
NSC	National Steering Committee
ODA	Official Development Assistance
PIC	Prior Informed Consent
SaBC	Sabah Biodiversity Centre
SBAA	Standard Basic Assistance Agreement
SBC	Sarawak Biodiversity Centre
SCR	Security Council Resolutions
TK	Traditional Knowledge
TKDL	Traditional Knowledge Digital Library
TWC	Technical Working Committee
UM	University of Malaya
USM	University of Science Malaysia
UN	United Nations
UNDP	United Nations Development Programme

I. SITUATION ANALYSIS

Malaysia is one of the 12 megadiverse countries and her rich biological heritage has a huge potential to be explored for new wealth creation and to enhance the development of the nation in line with the National Policy on Biological Diversity (NPBD) (1998) and the National Biotechnology Policy (2005). The Convention on Biological Diversity (CBD) gives the recognition that biological diversity is the sovereign right of a nation opposed to the view that biological resources are the common heritage of mankind. Thus nations have the full right over biological resources within their boundaries and can regulate the access to these resources. One of the three objectives of the CBD, as set out in its Article 1, is the *"fair and equitable sharing of the benefits arising out of the utilisation of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding"*. Article 15 of the CBD attempts to define the international law on the relationship between providers and the users of biological and genetic resources.

The fundamental concepts enshrined in Article 15 and other relevant articles can be described as follows:

- Country sovereign rights over biological and genetic resources and the potential for it to be utilized wisely to support conservation and national development;
- Facilitation of access to biological and genetic resources subject to mutually agreed terms (MAT) and prior informed consent (PIC);
- Equitable sharing of benefits arising from the use of biological and genetic resources; and
- The recognition of the associated traditional knowledge (TK) with the use of the biological and genetic resources.

Within this framework as provided by the CBD, national governments are obliged to take legal, administrative or policy measures for implementation. The NPBD (1998) states that a review of national legislation should be carried out to identify the areas where new legislations or enhancements are required to put into effect the commitments under the CBD, including those required to implement codes of practice for collectors, and to protect intellectual property rights (IPRs) and other ownership rights.

The NPBD also identifies the sustainable utilisation of biological diversity and the equitable sharing of the benefits arising there from as a strategy for biodiversity conservation, and proposes the undertaking of appropriate activities in bioprospecting as a means by which this can be done. The National Capacity Action Plan developed in 2008 under the UNDP-GEF-NRE National Capacity Needs Self-Assessment for Global Environmental Management (NCSA) further establishes the need to build capacity in ABS and TK. The implication is that there is a need for the establishment of a regulatory framework for access to biological resources and benefit-sharing. The implementation of national measures will also have to take into account other international processes which are relevant to, and impact on, the development in this area.

At the moment, only Sabah and Sarawak have established a legal framework on ABS. Sarawak Biodiversity Regulations were first enacted in 1997 and revised in 2003 to address issues related to biodiversity including ABS and TK. The Sarawak Biodiversity Centre (Amendment) Ordinance 2003 entrusted Sarawak Biodiversity Centre (SBC) to initiate intensive biotechnology based research and development on the State's biological resources, particularly those that have been utilised by indigenous communities and to facilitate the documentation of the fast disappearing traditional knowledge of indigenous communities on the utilisation of biological resources. The Sabah Biodiversity Enactment was passed in 2000 which among others establishes the legal framework for ABS in Sabah. This enactment however has yet to be enforced. The Sabah Biodiversity Centre (SaBC) is in the process of enforcing this enactment and preparing the subsidiary regulations to enable its implementation.

Malaysia does not have a regulatory framework on ABS but NRE has formulated a preliminary working draft. In absence of a regulatory framework, the guideline to conduct research in Malaysia

administered by EPU is used for foreign research purposes which have bioprospecting elements. Besides that, direct bilateral agreements have been signed for bioprospecting activities such as FRIM and Nimura Genetics from Japan.

An ABS regulatory framework is thus needed to:

- Ensure all bioprospecting initiatives are legally carried out with the PIC of the authority in Malaysia. This will avoid biopiracy where our biological resources are taken without our permission and developed for commercialisation (and at times patented) and we do not get anything in return. Without a legal framework, a bio-prospector is NOT obliged to get consent from any authority and materials can flow out easily from the country. Even if we discover any biopiracy, no preventive, punitive or compensatory measures can be taken without national laws;
- Ensure that an agreement is signed between the prospector and the authority in Malaysia so that benefits are fairly and equitably shared. These benefits may include not only upfront fees for the bioprospecting activity but also at every stage of the development of the resource up to its commercialisation including transfer of technology;
- Ensure that not only monetary benefits but also gains from joint collaborations to ensure transfer of technology so as to build the needed capacity for our very own biotechnology development;
- Promote the recognition of TK associated with the biological resources. This knowledge also has to be not only protected but, when shared, fair and equitable benefits should accrue as stipulated in Article 8(j) of the CBD and in the NPBD;
- Give value to our biological resources and thus drive the need for conservation and sustainable use; and also help to ensure that local communities who are custodians of these resources and the associated knowledge reap benefits and are provided alternative livelihood;
- Ensure harmonisation of laws among states (Sabah & Sarawak have their own laws at the moment) and to create a standard framework for the whole of Malaysia. This will also ensure a fair benefit-sharing regime throughout Malaysia as all states share the same biodiversity.

Malaysia's legal framework on ABS is not to impede the biotechnology development but to complement the biotechnology industry to ensure Malaysia reaps maximum benefits of her rich biological heritage by having a proper legal instrument to regulate access and to spell out how benefits must be shared.

Among the objectives of Malaysia's ABS legal framework are to:

- Promote local scientific research and development, within a transparent and not overly bureaucratic regulatory scheme;
- Encourage bioprospecting for research, development and commercialization local universities and research institutions, private sector and MNCs;
- Provide ample opportunities to all stakeholders to participate;
- Secure the maximum practical and enforceable sharing of benefits from the use of biological resources and associated TK including technology transfer and opportunities for alternative livelihood for local communities.
- Ensure a practical and facilitative PIC procedure;
- Ensure adequate capacity to implement the law with a relevant degree of centralisation and decentralisation (Federal-State).

II. STRATEGY

Implementing Partner:

Environmental Conservation Division (ECD)

ECD in NRE is the focal point for biodiversity and has been the primary driver of implementing CBD in Malaysia. This division also serves as the Secretariat for the National Biodiversity Council chaired by the Rt. Hon. Deputy Prime Minister of Malaysia. This high level Council membership includes all head of State Governments and relevant Federal Ministers. By conducting this project ECD will be translating obligations of CBD into concrete policies at national level and creating the much needed legal framework on ABS. This will ensure that Malaysia be able to regulate bioprospecting and ensure the sharing of benefits which can be a driver for national development and new source of economy in tandem with the nation's emphasis on biotechnology as the new engine of growth.

Enabling Partner:

United Nations Development Programme (UNDP)

UNDP is committed to the achievement of Millennium Development Goals (MDG) in ensuring environmental sustainability. In particular, this project further compliments the Outcome 3 of Country Programme Action Plan (CPAP) between UNDP and Government of Malaysia (GoM) (2008 – 2012) which is to improve quality of life and enhance sustainable development through environmental management of biodiversity and natural resources. UNDP has a long history of supporting national capacity building activities to ensure effective implementation of policies and programmes in the area of biodiversity conservation and management; and incorporation of environmental considerations into the planning and development of non-environmental agencies. Through this, UNDP will provide the key necessary resources and technical assistance in the development of a national policy and regulatory framework for access and benefit-sharing of biological resources in Malaysia.

Responsible Parties:

Centre of Excellence for Biodiversity Law (CEBLAW)

CEBLAW was set up under the 9th Malaysian Plan to be a 'think-tank' on legal issue pertaining to biodiversity. The Centre too provides expert advice to the government on legal matters pertaining to the on-going ABS negotiations. The Centre too has a Masters in Biodiversity Law programme. The director of CEBLAW is an international expert on environmental law. The involvement of CEBLAW is important to give the legal perspective in developing the national ABS framework. CEBLAW will assist the review of current draft ABS Bill, preparation of an ABS Bill and drafting of the subsidiary regulations; support stakeholder consultation, workshops and platform for information dissemination.

Centre for Global Sustainability Studies (CGSS)

CGSS, USM has been created to foster the development of policies to promote sustainable development. One of the Centre's top priorities is to address the problem of global change such as global warming, degradation of biodiversity and ecosystem services and how these changes would impact on the socio-economic well-being of developing countries. The Centre's director is a renowned international expert on biodiversity and the involvement of this centre will ensure the incorporation of international and scientific perspective in developing the national ABS framework.

Sustainability

This project is envisaged to begin in 2010 and end in 2012. During the project implementation, NRE will liaise with the Government of India who is expected to share their experience and provide assistance in building capacity in the thematic areas of ABS and TK, particularly the formulation and implementation of policy and legal framework. In addition, the results and lessons learned from the project will also be shared among Southeast Asian countries through ASEAN.

Beyond 2012 this project should have entered the implementation phase and moreover, ECD has obtained the approval for the setting up of a National Biodiversity Centre during the last National Biodiversity Council meeting in November 2009. ECD will be requesting fund under the 10th Malaysian Plan for the Centre. ECD also plans to continue this project at its implementation phase from GEF funding beyond 2012. Once the body to implement the law is in place, the Malaysian government will also allocate the appropriate funding to operate and run the body which could be the National Biodiversity Centre.

Project Components

The project will consist of the following three key components:

Component 1: National Policy and Regulatory Framework for ABS

A review of the preliminary working draft of ABS Bill will be performed and it will be based on:

- the affirmation and protection of the national interest, within the international context where Malaysia is a provider and user of biological and genetic resources;
- protection of the knowledge of local and indigenous communities, with respect to the conservation and sustainable use of biodiversity;
- the national agenda on biotechnology as stipulated in the National Biotechnology Policy launched in April 2005, where Malaysia's rich biodiversity will be the main ingredient for new wealth creation through biotechnology for the nation.

The review exercise also includes review of the existing international obligations with relevance to the question of ABS including TK; review of national, regional and other experiences in the implementation of Article 15 and other relevant articles of the CBD; review and analysis of national initiatives undertaken elsewhere for the implementation of ABS measures; and analysis of the national policy, legal, constitutional and institutional frameworks in the context of ABS measures.

Extensive consultations will contribute to the successful drafting of the ABS Bill and its subsidiary regulations. Hence, three types of consultation will be conducted. They are:

- High level consultation at federal level (inter-ministerial), federal-state level and state level to solicit support for the draft ABS Bill and subsidiary regulations;
- A series of stakeholder consultation workshops to solicit inputs from relevant federal and state government agencies, NGOs, local communities, academia and industry; and
- Consultation with international experts in the field of ABS to peer-review the draft ABS Bill.

A fact finding study tour to India and Australia will be made as both countries have a law in place on ABS (India: Biological Diversity Act 2002; Australia: Environment Protection and Biodiversity Conservation Act 1999). Both countries have a Federal-State constitutional structure similar to Malaysia. Furthermore, Malaysia as one of the mega-diverse and TK rich country can benefit from India's experience in dealing with intellectual property issues on biodiversity (the neem, turmeric, Brasmati rice. cases).

The draft ABS Bill and subsidiary regulations will be presented to the Cabinet and Parliament for adoption. Further, the findings of the review and drafting exercises, expert and stakeholder consultations and study tour will form the basis for Component 2 of the project to develop an institutional arrangement for the implementation of ABS regulatory framework.

Component 2: Institutional Arrangement for Implementing ABS Law and its Subsidiary Regulations

The activities involved in this component are review of existing institutional capacity such as the proposed National Biodiversity Centre; conduct of a needs assessment and gap analysis for institutional arrangement relating to implementation of the ABS regulatory framework; and the development of a blueprint on infrastructure, personnel and financial needs to facilitate the implementation of the ABS law. This component will also address federal-state issues pertaining to ABS to ensure harmonisation with certain amount of centralisation and decentralisation of authority in implementing and enforcing the ABS legal framework. This can be accomplished by conducting consultative meetings and road shows with state governments on institutional arrangements and mechanism for implementation. Further, a database on ABS including TK will be created in collaboration with TKDL and participation from the local communities including indigenous communities.



Component 3: A Platform to Create Awareness and Disseminate Information on ABS

The main objectives are awareness creation at all levels, and to ensure that there is a good understanding about the issue of ABS and the proposed legislation on ABS, its perimeters and how it will be implemented. A platform will be established at federal level to create awareness and disseminate information on ABS using existing mechanisms such as National Biodiversity Clearing House. A series of public awareness and participation programme that include road shows, forums, seminars and/or workshops will be developed to target a wide spectrum of stakeholders, including government officials (both at federal and state level); legislators (Members of Parliament); holders of traditional knowledge that include local and indigenous communities; NGOs and CBOs; researchers; and industry. In addition, publications on the legal framework will be produced to facilitate better understanding and implementation.

III. RESULTS AND RESOURCES FRAMEWORK

Intended Outcome as stated in the Country Programme Results and Resource Framework:

Outcome 3:

Supporting Environmental Stewardship through Sustainable Energy Development and Environmental Management

Outcome indicators as stated in the Country Programme Results and Resources Framework, including baseline and targets:

1. Improved capacity of stakeholders in environmental management, including planning and implementing integrated approaches that also respond to the needs of the poor.
2. Established protocol for traditional biodiversity knowledge.
3. Non-CPAP Outputs: Established National Policy and Regulatory Framework for Access and Benefit-sharing of Biological Resources in Malaysia.

Baseline: Malaysia is a signatory to the United Nations Convention on Biological Diversity (CBD) and Malaysia does not have a national regulatory framework on ABS at the moment.

Targets: National policy and regulatory framework for ABS developed.

Applicable Key Result Area (from 2008-11 Strategic Plan):

Mainstream Environment and Energy

Partnership Strategy

ECD will be the implementing agency. Other key stakeholders from relevant national and international agencies, non-governmental organisations and experts from other institutions will provide technical inputs through various platforms including the Technical Working Committee and National Steering Committee.

Project Title and ID (ATLAS Award ID): Capacity Development for the Formulation of a Policy and Regulatory Framework for Access and Benefit-sharing of Biological Resources in Malaysia.

INTENDED OUTPUTS	OUTPUT TARGETS	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
1 National Policy and Regulatory Framework for ABS (including TK)	Target (2010) 1.1 A Draft ABS Bill completed. Target (2011) 1.2 Draft ABS bill presented in Parliament for adoption. 1.3 Draft ABS subsidiary regulations completed. Target (2012) 1.4 ABS subsidiary regulations tabled for adoption.	National ABS law and subsidiary regulation are developed. <ul style="list-style-type: none"> ▪ Review preliminary working draft of ABS Bill. ▪ Review existing international obligations related to ABS. ▪ Analyse national policy, legal, constitutional and institutional frameworks in the context of access and benefit-sharing measures. ▪ Conduct fact finding study tour to India and Australia that have implemented ABS law since 2002 and 1999 respectively. 	ECD, NRE CEBLAW CGSS UNDP Project Manager Consultants	International Consultants Local Consultants Meetings/Workshops Travel Information Technology Equipment Miscellaneous

Project Title and ID (ATLAS Award ID): Capacity Development for the Formulation of a Policy and Regulatory Framework for Access and Benefit-sharing of Biological Resources in Malaysia.

INTENDED OUTPUTS	OUTPUT TARGETS	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
		<ul style="list-style-type: none"> ▪ Conduct a series of stakeholder consultation workshops to solicit inputs for the draft ABS Bill and proposed subsidiary regulations. ▪ Consult international experts in the field of ABS to peer-review the proposed draft ABS Bill. ▪ Draft the ABS Bill and subsidiary regulations with inputs from stakeholders and local & international experts. ▪ Conduct high level consultation at federal level (inter-ministerial), federal – state level and state level to solicit support for the revised ABS bill and subsidiary regulations. ▪ Develop forms for the ABS Act and incorporate with 'on-line' interface. ▪ Table the draft ABS Bill and subsidiary regulations to Cabinet and subsequently Parliament for adoption. 		
<p>2. Institutional Arrangement for Implementing ABS Law and its Subsidiary Regulations</p>	<p>Target (2010)</p> <p>2.1 A needs assessment and gap analysis on institutional arrangement for implementing ABS law conducted.</p> <p>Target (2011)</p> <p>2.2 A needs assessment and gap analysis report on institutional arrangement for implementing ABS law completed.</p> <p>2.3 A database on ABS including TK created.</p>	<p>A blueprint on institutional arrangements that includes infrastructure, personnel and financial needs for implementing the ABS law developed.</p> <ul style="list-style-type: none"> ▪ Review existing institutional capacity including the proposed National Biodiversity Centre. ▪ Conduct a needs assessment and gap analysis for institutional arrangement relating to implementation of the ABS law. ▪ Conduct consultative meetings and road shows with state governments and on institutional arrangements and 	<p>ECD CEBLAW CGSS Project Manager Consultants</p>	<p>International Consultants Local Consultants Seminars/Workshops Travel Miscellaneous</p>

Project Title and ID (ATLAS Award ID): Capacity Development for the Formulation of a Policy and Regulatory Framework for Access and Benefit-sharing of Biological Resources in Malaysia.

INTENDED OUTPUTS	OUTPUT TARGETS	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
	<p>Target (2012)</p> <p>2.4 A blueprint on infrastructure, personnel and financial needs developed and agreed by central agencies.</p>	<p>Identify mechanism for implementation.</p> <ul style="list-style-type: none"> ▪ Create database on ABS including TK (cooperation with TKDL) ▪ Develop a blueprint on infrastructure, personnel and financial needs. 		
<p>3. A Platform to Create Awareness and Disseminate Information on ABS (including TK)</p>	<p>Target (2010)</p> <p>3.1 Awareness and outreach materials on ABS developed.</p> <p>3.2 A platform such as interactive website, forums and seminars is in place to create awareness and disseminate information.</p> <p>Target (2011)</p> <p>3.3 Awareness and outreach materials on ABS disseminated.</p> <p>3.4 A database on ABS including TK created.</p> <p>Target (2012)</p> <p>3.5 Awareness among key stakeholders especially legislators, researchers, industry, states and federal government institutions are raised.</p> <p>3.6 Awareness among the general public is also raised.</p>	<p>A platform to create better understanding of ABS developed.</p> <ul style="list-style-type: none"> ▪ Enhance the National Biodiversity Clearing House database with inputs from stakeholders. ▪ Create database on ABS including TK (cooperation with TKDL). ▪ Develop and disseminate awareness and outreach materials on ABS. ▪ Conduct public awareness seminar/workshop on ABS. ▪ Conduct road shows, forums, seminars and/or workshops to explain the ABS regulatory framework. 	<p>ECD, NRE CEBLAW CGSS FRIM Project Manager Consultants</p>	<p>Local Consultants Forums / Seminars / Workshops Travel Publication Miscellaneous</p>

IV. ANNUAL WORK PLAN

Year: 2010

EXPECTED OUTPUTS <i>and baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	Funding Source	PLANNED BUDGET	
		Q1	Q2	Q3	Q4			Budget Description	Amount (USD)
<p>Output 1</p> <p>National Policy and Regulatory Framework for ABS</p> <p><i>Baseline:</i> There is no regulatory framework for ABS in Malaysia. A preliminary working draft of ABS Bill was prepared.</p> <p><i>Indicators:</i> A national policy and regulatory framework on ABS is formulated and endorsed by Cabinet and Parliament.</p> <p><i>Targets:</i> A draft ABS Bill completed.</p> <p><i>Related CP outcome:</i> Supporting Environmental Stewardship through Sustainable Energy Development and Environmental Management</p>	<p><i>Activity Results:</i> National ABS law and subsidiary regulations are developed.</p> <p><i>Associated Actions:</i></p> <ol style="list-style-type: none"> 1. Recruit and appoint project manager. 2. Conduct inception workshop. 3. Appoint consultants/ consultancy company. 4. Conduct at least one stakeholder consultation workshop. 5. Conduct at least one high level stakeholder consultation at federal level (inter-ministerial) and federal-state level. 6. Conduct one fact finding study tour to India and Australia 7. Review preliminary working draft of ABS Bill. 8. Draft ABS Bill with inputs from stakeholders and international experts. 								
		X				ECD Project Manager CEBLAW CGSS UNDP Consultants	TRAC (50%) and CS (50%)	Project Manager	44,000
		X				Consultants	CS	Local Consultants	20,000
							TRAC	Travel (Airfare & TE)	16,500
		X					TRAC	Travel (DSA)	20,000
			X				TRAC	Travel (Monitoring)	1,500
			X				TRAC	Meetings/Workshops	10,000
					X		CS	Information Technology Equipment	2,000
							TRAC	Miscellaneous	1,000
Subtotal									115,000

EXPECTED OUTPUTS and baseline, associated indicators and annual targets	PLANNED ACTIVITIES List activity results and associated actions	TIMEFRAME				RESPONSIBLE PARTY	Funding Source	PLANNED BUDGET	
		Q1	Q2	Q3	Q4			Budget Description	Amount (USD)
Output 2 Institutional Arrangement for Implementing ABS Law and its Subsidiary Regulations	Activity Results: A blueprint on infrastructure, personnel and financial needs for implementing ABS law and subsidiary regulations developed. Associated Actions: 1. Appoint consultants / consultancy company. 2. Review institutional capacity such as the proposed National Biodiversity Centre. 3. Conduct at least one consultative meeting or road show with state governments on institutional arrangements and identify mechanism for implementation. 4. Conduct a needs assessment and gap analysis for institutional arrangement relating to implementation of the ABS law.		X			ECD CEBLAW CGSS Project Manager Consultants	CS CS CS TRAC	Local Consultants Travel (Airfare & TE) Travel (DSA) Meetings/Workshops	10,000 2,000 2,000 10,000
Baseline: Institutional arrangement for the implementation ABS law and its subsidiary regulations is not in place. Indicators: A blueprint on infrastructure, financial and personnel needs for implementing ABS law and subsidiary regulations is agreed by central agencies. Targets: A needs assessment and gap analysis on institutional arrangement for implementing ABS law conducted. Related CP outcome: Supporting Environmental Stewardship through Sustainable Energy Development and Environmental Management			X	X					
Subtotal									24,000

EXPECTED OUTPUTS and baseline, associated indicators and annual targets	PLANNED ACTIVITIES List activity results and associated actions	TIMEFRAME				RESPONSIBLE PARTY	Funding Source	PLANNED BUDGET	
		Q1	Q2	Q3	Q4			Budget Description	Amount (USD)
Output 3 A Platform to Create Awareness and Disseminate Information on ABS	Activity Results: A platform for awareness creation and information dissemination on ABS established. Associated Actions: 1. Appoint consultants / consultancy company. 2. Enhance the National Biodiversity Clearing House database on ABS and TK with inputs from stakeholders. 3. Develop and disseminate awareness and outreach materials on ABS. 4. Conduct at least one public awareness forum/seminar/worksh op on ABS.					ECD, NRE CEBLAW CGSS FRIM Project Manager Consultants	TRAC CS CS TRAC TRAC TRAC	Local Consultants Travel (Airfare & TE) Travel (DSA) Seminars/Workshops Publication Miscellaneous	5,000 2,000 2,000 10,000 3,000 1,000
Baseline: There is a Biodiversity Clearing House database at FRIM which disseminate limited information on ABS and TK. Indicators: 3.1 National Biodiversity Clearing House for ABS and TK is in place. 3.2 Awareness and outreach materials completed. Targets: A platform for awareness creation and information dissemination on ABS is established. Related CP outcome: Supporting Environmental Stewardship through Sustainable Energy Development and Environmental Management Subtotal			X						
TOTAL (2010) USD									23,000 162,000

AWP: 2011

EXPECTED OUTPUTS <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	Funding Source	PLANNED BUDGET	
		Q1	Q2	Q3	Q4			Budget Description	Amount (USD)
Output 1 National Policy and Regulatory Framework for ABS <i>Baseline:</i> There is no regulatory framework for ABS in Malaysia. A preliminary working draft of ABS Bill was prepared. <i>Indicators:</i> A national policy and regulatory framework on ABS is formulated and endorsed by Cabinet and Parliament. <i>Targets:</i> 1.1 Draft ABS bill presented in Cabinet and Parliament for adoption. 1.2 Draft ABS subsidiary regulations completed.	<i>Activity Results:</i> National ABS law and subsidiary regulations are developed. <i>Associated Actions:</i> 1. Conduct at least one stakeholder consultation workshop. 2. Conduct at least one high level stakeholder consultation at federal and federal-state level. 3. Develop forms for the ABS Act and incorporate with 'on-line' interface. 4. Table the draft ABS Bill to Cabinet and subsequently Parliament for adoption. 5. Draft ABS subsidiary regulations.					ECD Project Manager CGSS CEBLAW UNDP Consultants	TRAC (50%) and CS (50%) CS TRAC CS TRAC TRAC CS	Project Manager Local Consultants Travel (Airfare & Terminal Allowance) Travel (DSA) Travel (Monitoring) Meetings/Workshops Miscellaneous	44,000 10,000 5,000 5,000 1,500 10,500 2,000
Subtotal									78,000

EXPECTED OUTPUTS <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET		
		Q1	Q2	Q3	Q4		Funding Source	Budget Description	Amount (USD)
Output 2 Institutional Arrangement for Implementing ABS Law and its Subsidiary Regulations <i>Baseline:</i> Institutional arrangement for the implementation ABS law and its subsidiary regulations is not in place. <i>Indicators:</i> A blueprint on infrastructure, financial and personnel needs for implementing ABS law and subsidiary regulations is developed and agreed by central agencies. <i>Targets:</i> 2.1 A needs assessment and gap analysis report on institutional arrangement completed. 2.2 A database on ABS including TK created. <i>Related CP outcome:</i> Supporting Environmental Stewardship through Sustainable Energy Development and Environmental Management.	<i>Activity Results:</i> A blueprint on infrastructure, personnel and financial needs for implementing ABS law and subsidiary regulations developed. <i>Associated Actions:</i> 1. Complete a needs assessment and gap analysis report. 2. Conduct at least one consultative meeting and one road show with state governments on institutional arrangements and identify mechanism for implementation. 3. Create database on ABS including TK (cooperation with TKDL).	X	X			ECD CEBLAW CGSS Project Manager Consultants	CS TRAC CS TRAC	Local Consultants Travel (Airfare & Terminal Allowance) Travel (DSA) Meetings/Workshops	10,000 3,000 3,000 10,000
Subtotal									26,000

EXPECTED OUTPUTS <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	Funding Source	PLANNED BUDGET	
		Q1	Q2	Q3	Q4			Budget Description	Amount (USD)
Output 3 A Platform to Create Awareness and Disseminate Information on ABS	Activity Results: A platform for awareness creation and information dissemination on ABS established.					ECD, NRE CEBLAW CGSS FRIM Project Manager Consultants	CS TRAC CS CS TRAC CS	Local Consultants Travel (Airfare & TE) Travel (DSA) Seminars/Workshops Publication Miscellaneous	5,000 2,500 2,500 10,000 3,000 2,000
Baseline: There is a Biodiversity Clearing House database at FRIM which disseminate limited information on ABS and TK.	Associated Actions: 1. Enhance the National Biodiversity Clearing House database with inputs from stakeholders.	X	X	X	X				
Indicators: 3.1 Awareness and outreach materials disseminated. 3.2 A database on ABS and TK created	2. Prepare and disseminate awareness and outreach materials on ABS.	X	X	X	X				
Targets: A platform for awareness creation and information dissemination on ABS is established.	3. Create database on TK (TKDL). 4. Organise at least one public awareness seminar/workshop on ABS. 5. Conduct at least one road show, forum, seminar or workshop to explain the ABS legal framework.		X	X	X				
Related CP outcome: Supporting Environmental Stewardship through Sustainable Energy Development and Environmental Management.				X					
Subtotal									25,000
TOTAL (2011) USD									129,000

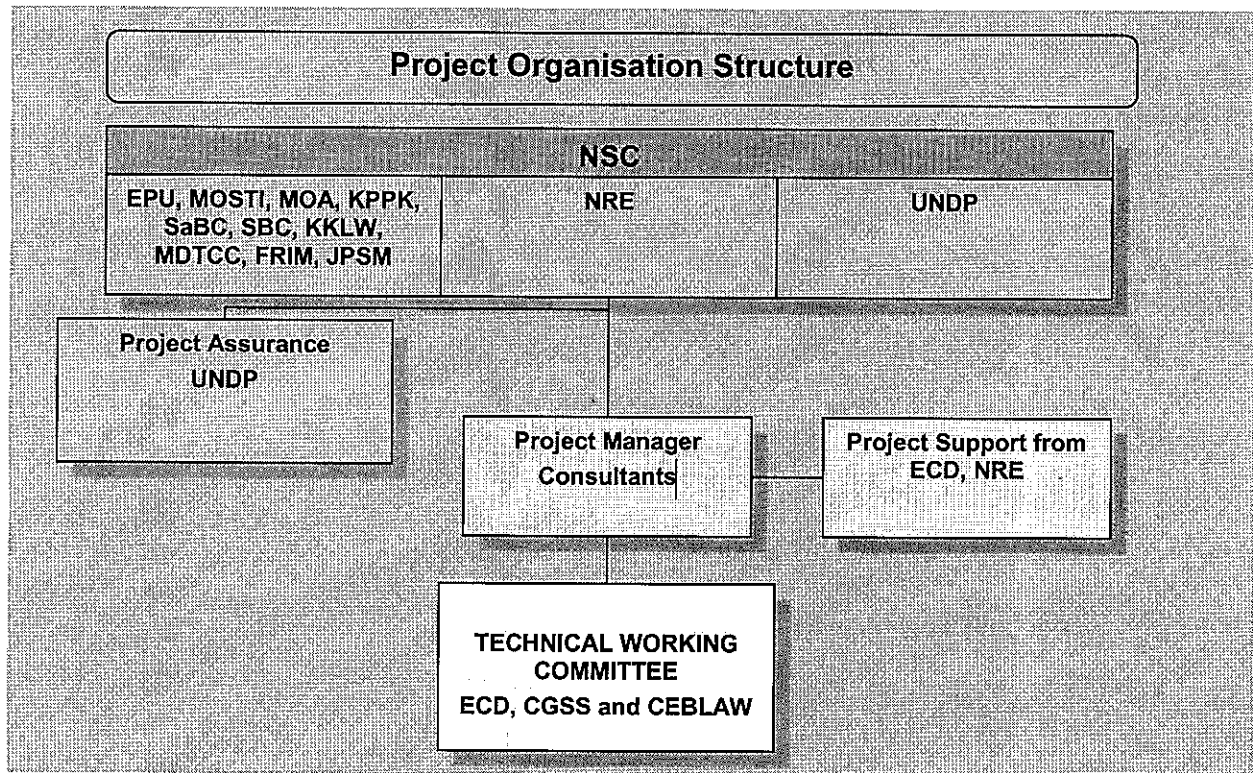
AWP: 2012

EXPECTED OUTPUTS <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	Funding Source	PLANNED BUDGET	
		Q1	Q2	Q3	Q4			Budget Description	Amount (USD)
<p>Output 1</p> <p>National Policy and Regulatory Framework for ABS</p> <p><i>Baseline:</i> There is no regulatory framework for ABS in Malaysia. A preliminary working draft of ABS Bill was prepared.</p> <p><i>Indicators:</i> A national policy and regulatory framework on ABS is formulated and endorsed by Cabinet and Parliament.</p> <p><i>Targets:</i> 1.1 ABS subsidiary regulations tabled for adoption.</p> <p><i>Related CP outcome:</i> Supporting Environmental Stewardship through Sustainable Energy Development and Environmental Management.</p>	<p><i>Activity Results:</i> National ABS law and subsidiary regulations are developed.</p> <p><i>Associated Actions:</i></p> <ol style="list-style-type: none"> Conduct at least one stakeholder consultation workshop. Conduct at least one high level stakeholder consultation at federal level (inter-ministerial) and federal-state level. Develop forms for the ABS Act and incorporate with 'on-line' interface. Draft ABS subsidiary regulations. Table the ABS subsidiary regulations for adoption. 	X	X			<p>ECD Project Manager CGSS CEBLAW UNDP Consultants</p>	<p>CS CS CS CS TRAC CS CS</p>	<p>Project Manager Local Consultants Travel (Airfare & Terminal Allowance) Travel (DSA) Travel (Monitoring) Meetings/Workshops Miscellaneous</p>	<p>44,000 5,000 4,000 4,000 1,500 10,000 1,500</p>
Subtotal									70,000

EXPECTED OUTPUTS <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET			
		Q1	Q2	Q3	Q4		Funding Source	Budget Description	Amount (USD)	
Output 2 Institutional Arrangement for Implementing ABS Law and its Subsidiary Regulations	<p>Activity Results: A blueprint on infrastructure, personnel and financial needs for implementing ABS law and subsidiary regulations developed.</p> <p>Associated Actions: 1. Conduct at least one consultative meeting and one road show with state governments on institutional arrangements and identify mechanism for implementation. 2. Develop a blueprint on infrastructure, personnel and financial needs.</p>					ECD CEBLAW CGSS Project Manager Consultants	CS CS CS CS	Local Consultants Travel (Airfare & Terminal Allowance) Travel (DSA) Meetings/Workshops	5,000 2,000 2,000 6,000	
<p>Baseline: Institutional arrangement for the implementation ABS law and its subsidiary regulations is not in place.</p> <p>Indicators: A blueprint on infrastructure, financial and personnel needs for implementing ABS law and subsidiary regulations is agreed by central agencies.</p> <p>Targets: A blueprint on infrastructure, personnel and financial needs completed.</p> <p>Related CP outcome: Supporting Environmental Stewardship through Sustainable Energy Development and Environmental Management.</p>		X								
Subtotal										15,000

EXPECTED OUTPUTS And baseline, associated indicators and annual targets	PLANNED ACTIVITIES List activity results and associated actions	TIMEFRAME				RESPONSIBLE PARTY	Funding Source	PLANNED BUDGET	
		Q1	Q2	Q3	Q4			Budget Description	Amount (USD)
Output 3 A Platform to Create Awareness and Disseminate Information on ABS <i>Baseline:</i> There is a Biodiversity Clearing House database at FRIM which disseminate limited information on ABS and TK. <i>Indicators:</i> 3.1 Awareness and outreach materials on ABS disseminated. 3.2 Awareness of key stakeholders and general public created. <i>Targets:</i> A platform for awareness creation and information dissemination on ABS is established. <i>Related CP outcome:</i> Supporting Environmental Stewardship through Sustainable Energy Development and Environmental Management.	Activity Results: A platform for awareness creation and information dissemination on ABS established. Associated Actions: 1. Disseminate awareness and outreach materials on ABS. 2. Organise at least one public awareness seminar/workshop on ABS. 3. Conduct at least one road show, forum, seminar or workshop to explain the ABS legal framework.		X	X	X	ECD, NRE CEBLAW CGSS FRIM Project Manager Consultants	CS CS CS CS CS TRAC	Local Consultants Travel (Airfare & TE) Travel (DSA) Forums / Seminars / Workshops Publication Miscellaneous	5,000 2,000 2,000 10,000 4,000 1,000
Subtotal									24,000
TOTAL (2012)									109,000
GRAND TOTAL									400,000

V. MANAGEMENT ARRANGEMENTS



The project will be governed by the National Steering Committee (NSC) and the Technical Working Committee (TWC).

National Steering Committee (NSC)

A National Steering Committee will provide guidance and direction to the project implementation process according to the established detailed work plan monitoring tool. The Committee will be chaired by Secretary General of NRE and composed of representatives from NRE, UNDP Malaysia and other relevant stakeholders to be identified. The TORs of the NSC shall be agreed among the stakeholders within the first six months of the project.

National Project Director (NPD)

The National Project Director will be responsible for coordinating project activities among the main parties to the project. Among these responsibilities are ensuring that the project document and project revisions requiring Government's approval are verified by ECD and processed through the Government co-ordinating authority in accordance with established procedures and providing direction and guidance on project-related issues. It is assumed that NPD of the project is the Under Secretary of ECD, NRE.

Technical Working Committee (TWC)

A technical working committee will be established to handle all technical matters relating to the project and will be chaired by the Director of CGSS. The members of the TWC will consist of representatives from NRE, UNDP, CEBLAW, FRIM and other relevant stakeholders to be determined by the National Steering Committee.

Consultants and Technical Support

Technical support will be provided by local and international professionals with extensive experience working in relevant areas as required by the project. The UNDP global knowledge network will provide valuable inputs through best practices and lessons learned from similar experiences in other countries.

Project Assurance

The Project Assurance role supports the Project Board by carrying out objective and independent project oversight and monitoring functions. This role ensures that appropriate project management

milestones are managed and completed. A UNDP Programme Officer will hold the Project Assurance role for the UNDP together with a representative from the International Cooperation Division, EPU, representing the Malaysian Government.

Project Manager

The Project Manager will manage the project on behalf of the NSC and the TWC in close coordination within the Term of Reference agreed to by the NSC and the TWC. The Project Manager is responsible for day-to-day management and decision-making for the project together with an identified officer of the implementing agency. The Project Manager ensures that the project produces the results specified in the project document to the required standard of quality and within the specified constraints of time and cost.

The Project manager will be recruited externally and will report administratively and programmatically to the NPD and reports on project progress during Steering Committee meetings. He or she will prepare progress reports in timely and required manner, and provide the information needed to agree disbursement of funds. The TOR of the project manager shall be agreed among the stakeholders as soon as the project commences.

Financial Management

Based on the approved AWP, UNDP will provide required financial resources to the Implementing Partner to carry out project activities during the annual cycle. Under the Harmonized Approach to Cash Transfer (HACT), the following modalities may be used:

- Direct cash transfers to the Implementing Partner, for obligations and expenditures to be made by them in support of activities;
- Direct payments to vendors and other third parties, for obligations incurred by the Implementing Partner; (See Annex III and Annex X)
- Reimbursement to the Implementing Partner for obligations made and expenditure incurred by them in support of activities.

The FACE form as per Annex X should be used for all of the above cash disbursements as well as for expenditure reporting.

The Implementing partner and Project Manager will work closely with UNDP to monitor the use of the financial resources and are accountable for

- Managing UNDP's resources to achieve the expected results;
- Maintaining an up to date accounting system that contains records and controls to ensure the accuracy and reliability of financial information and reporting. Expenditures made should be in accordance with the, Annual Work Plans and budgets.

At the end of a quarter/year UNDP prepares a Combined Delivery Report (CDR) which records all disbursements made under the project for verification. The Implementing Partner and UNDP should sign this CDR.

A project revision shall be made when appropriate; to respond to changes in the development context or to adjust the design and resources allocation to ensure the effectiveness of the project provided that the project remains relevant to the Country Programme. A project revision shall be supported by the record of an approval decision made by the project NSC, and an updated and signed AWP.

UNDP Support Services

In addition, UNDP may/ shall provide the following services:

- a) Identification and recruitment of project personnel;
- b) Procurement of goods and services including project vehicle;
- c) Identification of training activities and assistance in carrying them out.

The above will be carried out based on UNDP policies and procedures, following the principles of best value for money, fairness, integrity, transparency, and effective competition.

UNDP will charge for the support services provided as follows:

- a. 6% cost recovery for the provision of general management support (GMS) for activities funded under Government Cost sharing
- b. Direct cost for implementation support services (ISS) for activities under TRAC funding.

In-Kind Contribution

In addition to the financial resources through UNDP, the implementing partner will provide the following in-kind contribution:

- Assist in gaining access to all relevant data and information required to for the project that is accessible for public viewing;
- Office space (i.e. room/workspace) for the Project Manager, consultants and experts at NRE;
- Use of office support facilities by the Project Manager, consultants and experts (e.g. fax machine, stationary, Xerox machine, telephone), local transport and secretarial support where applicable;
- Facilities for convening meetings, workshops and seminars.
- Personnel support from ECD and relevant federal and state level government agencies.
- Allocation from the Ninth Malaysia Plan to support CEBLAW.

VI. MONITORING FRAMEWORK AND EVALUATION

The project activities will be closely monitored by UNDP. In compliance with UNDP regulations, the following will be conducted:

a) Project Monitoring and Review Meetings

- **National Steering Committee Meetings**
The National Steering Committee (NSC) will meet after the receipt of each project report or at least twice a year, whichever is greater and address project issues raised by the Project Manager, review project progress reports and provide direction and recommendations to ensure that the agreed deliverables are produced satisfactorily according to the project document. A final NSC meeting should also be held at the end of project completion to agree to and endorse the final findings and outcomes of the project and to make recommendations towards project closure.
- **Technical Working Committee (TWC) Meetings**
The Technical Working Committee (TWC) will meet as regularly as required to assist the NSC in monitoring and advising the technical implementation of the project and its activities. The TWC acts as the technical advisors to the NSC, and regularly reviews the progress of all project components.
- **Annual Project Review Meeting**
This internal review meeting will be chaired by EPU during the fourth quarter of the year to assess the performance of the project based on the Annual Work Plan (AWP) submitted at the beginning of the calendar year as well as the Annual Progress Report submitted during the fourth quarter of each calendar year. The review will involve all key project stakeholders and the Implementing Partner, and will focus on the extent to which progress have been made towards achievement of the outputs and that they remain aligned to appropriate outcomes as outlined in the project document. This review should update output targets and results achieved. In the last year of the project, the review will be a final assessment.
- **Final Project Review Meeting**
A Final Project Review meeting will be conducted towards the end of the project completion. Its purpose is to assess the performance and success of the project. It should look at sustainability of the results, including the contribution to related outcomes (and the status of these outcomes) and capacity development. It will also review lessons learned and recommendations that might improve design and implementation of other UNDP-funded projects. The meeting will discuss the Final Project Review Report that should be submitted two weeks prior to the Final Project Review Meeting.

b) Progress Reporting Documents

- **Mid Year Progress Report**
A Mid Year Progress Report shall be prepared by the Project Manager and shared with the NSC by 30 June of each project year. As a minimum requirement, the Mid Year Progress Report shall utilise the standard template for the Annual Project Report (APR) covering a six month period.
- **Annual Progress Report (APR)**
An Annual Progress Report shall also be prepared by the Project Manager and shared with the NSC by the end of the last quarter of each year. The Annual Progress Report shall highlight risks and challenges, the summary of results achieved, and lessons learnt of the project for that reporting year.
- **Final Project Review Report**
This document which is prepared by the implementing partner is a structured assessment of progress based on the chain of results initially defined in the Project Document and Annual Work Plans (AWP) and will include information on financial allocations of expenditure. It may be supplemented by additional narrative to meet specific reporting needs of stakeholders, especially the donor(s). The following should be submitted together with the report:
 - Lessons learnt log - summarizing the information captured throughout the implementation of the project

- Minutes of NSC meetings
- Minutes of TWC meetings
- Annual signed CDRs
- Statements of cash position (if applicable)
- Statements of assets and equipment

This report will be discussed at the Final Project Review meeting mentioned above.

- **Final Project Evaluation**

Project evaluation assesses the performance of a project in achieving its intended results. It yields useful information on project implementation arrangements and the achievement of outputs. It is at this level that direct cause and attribution can be addressed given the close causal linkage between the intervention and its effect or output. Project evaluation provides valuable information to support informed decision-making and serves to reinforce the accountability of project managers. Depending on the purpose, project evaluations can be commissioned by the management at any time during the project cycle: at mid point, just before or after completion. They should ideally take place around the time of completing a project to determine the future of the project (e.g. continuation or termination of the project), to decide whether the concept should be scaled up or replicated elsewhere, and/or to generate lessons that are of strategic significance for the organization. The evaluation should be conducted by an independent consultant.

c) Financial Monitoring and Quality Assurance

- **Combined Delivery Reports**

The Combined Delivery Report (CDR) is the report that reflects the total expenditures and actual obligations (recorded in Atlas) of a Project during a period. This report is prepared by UNDP using Atlas and shared with the implementing partner on a quarterly basis and at the end of each year. The Implementing Partner is required to verify each transaction made and sign the quarterly issued CDR report. Statements of cash position as well as assets and equipments should also be submitted together with the CDR on a yearly basis.

- **Audit**

Audit is an integral part of sound financial and administrative management, and of the UNDP accountability framework. The project will be audited at least once in its lifetime and in accordance with the threshold established for the annual expenditures by the Office of Audit and Investigations (OAI). The audit provides UNDP with assurance that resources are used to achieve the results described and that UNDP resources are adequately safeguarded.

The selection of an Audit Firm shall be through a competitive Request for Proposals, in consultation with the Implementing Partner and EPU or if possible shall be performed by the National Audit Authority. UNDP procedures must be followed as per the specific Terms of Reference for Audits of NIM Projects.

The audit is expected to provide assurance related to the following broad areas:

- Project progress and rate of delivery (PP)
- Financial management (FM)
- Procurement of goods and /or services (PR)
- Human resource selection and administration (HR)
- Management and use of equipment and inventory (EQ)
- Record-keeping systems and controls (R)
- Management structure (MS)
- Auditors' comments on the implementation status of prior year audit.

VII. LEGAL CONTEXT

This document together with the CPAP signed by the Government and UNDP which is incorporated by reference, constitute together the instrument envisaged and defined in the Supplemental Provisions to the Project attached hereto and forming an integral part hereof, as "the Project Document"

Consistent with the above Supplemental Provisions, the responsibility for the safety and security of the Implementing Partner and its personnel and property, and of UNDP's property in the Implementing Partner's custody, rests with the Implementing Partner. To this end, the Implementing Partner shall:

- a) put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
- b) assume all risks and liabilities related to the Implementing Partner's security, and the full implementation of the security plan.

UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of the Implementing Partner's obligations under this Project Document [and the Project Cooperation Agreement between UNDP and the Implementing Partner]¹.

The Implementing Partner agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received pursuant to the Project Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999).

This provision must be included in all sub-contracts or sub-agreements entered into under/further to this Project Document.

General responsibilities of the Government, UNDP and the Executing Agency

1. All phases and aspects of UNDP assistance to this project shall be governed by and carried out in accordance with the relevant and applicable resolutions and decisions of the competent United Nations organs and in accordance with UNDP's policies and procedures for such projects, and subject to the requirements of the UNDP Monitoring, Evaluation and Reporting System.

2. The Government shall remain responsible for this UNDP-assisted development project and the realisation of its objectives as described in this Project Document.

3. Assistance under this Project Document being provided for the benefit of the Government and the people of (the particular country or territory), the Government shall bear all risks of operations in respect of this project.

4. The Government shall provide to the project the national counterpart personnel, training facilities, land, buildings, equipment and other required services and facilities. It shall designate the Government Co-operating Agency named in the cover page of this document (hereinafter referred to as the "Co-operating Agency"), which shall be directly responsible for the implementation of the Government contribution to the project.

5. The UNDP undertakes to complement and supplement the Government participation and will provide through the Executing Agency the required expert services, training, equipment and other services within the funds available to the project.

6. Upon commencement of the project the Executing Agency shall assume primary responsibility for project execution and shall have the status of an independent contractor for this purpose. However, that primary responsibility shall be exercised in consultation with UNDP and in agreement with the Co-operating Agency. Arrangements to this effect shall be stipulated in the Project Document as well as

¹ Use bracketed text only when IP is an NGO/IGO

for the transfer of this responsibility to the Government or to an entity designated by the Government during the execution of the project.

7. Part of the Government's participation may take the form of a cash contribution to UNDP. In such cases, the Executing Agency will provide the related services and facilities and will account annually to the UNDP and to the Government for the expenditure incurred.

(a) Participation of the Government

1. The Government shall provide to the project the services, equipment and facilities in the quantities and at the time specified in the Project Document. Budgetary provision, either in kind or in cash, for the Government's participation so specified shall be set forth in the Project Budgets.

2. The Co-operating Agency shall, as appropriate and in consultation with the Executing Agency, assign a director for the project on a full-time basis. He shall carry out such responsibilities in the project as are assigned to him by the Co-operating Agency.

3. The estimated cost of items included in the Government contribution, as detailed in the Project Budget, shall be based on the best information available at the time of drafting the project proposal. It is understood that price fluctuations during the period of execution of the project may necessitate an adjustment of said contribution in monetary terms; the latter shall at all times be determined by the value of the services, equipment and facilities required for the proper execution of the project.

4. Within the given number of man-months of personnel services described in the Project Document, minor adjustments of individual assignments of project personnel provided by the Government may be made by the Government in consultation with the Executing Agency, if this is found to be in the best interest of the project. UNDP shall be so informed in all instances where such minor adjustments involve financial implications.

5. The Government shall continue to pay the local salaries and appropriate allowances of national counterpart personnel during the period of their absence from the project while on UNDP fellowships.

6. The Government shall defray any customs duties and other charges related to the clearance of project equipment, its transportation, handling, storage and related expenses within the country. It shall be responsible for its installation and maintenance, insurance, and replacement, if necessary, after delivery to the project site.

7. The Government shall make available to the project - subject to existing security provisions - any published and unpublished reports, maps, records and other data which are considered necessary to the implementation of the project.

8. Patent rights, copyright rights and other similar rights to any discoveries or work resulting from UNDP assistance in respect of this project shall belong to the UNDP. Unless otherwise agreed by the Parties in each case, however, the Government shall have the right to use any such discoveries or work within the country free of royalty and any charge of similar nature.

9. The Government shall assist all project personnel in finding suitable housing accommodation at reasonable rents.

10. The services and facilities specified in the Project Document which are to be provided to the project by the Government by means of a contribution in cash shall be set forth in the Project Budget. Payment of this amount shall be made to the UNDP in accordance with the Schedule of Payments by the Government.

11. Payment of the above-mentioned contribution to the UNDP on or before the dates specified in the Schedule of Payments by the Government is a prerequisite to commencement or continuation of project operations.

(b) Participation of the UNDP and the executing agency

1. The UNDP shall provide to the project through the Executing Agency the services, equipment and facilities described in the Project Document. Budgetary provision for the UNDP contribution as specified shall be set forth in the Project Budget.
2. The Executing Agency shall consult with the Government and UNDP on the candidature of the Project Manager² who, under the direction of the Executing Agency, will be responsible in the country for the Executing Agency's participation in the project. The Project Manager shall supervise the experts and other agency personnel assigned to the project, and the on-the-job training of national counterpart personnel. He shall be responsible for the management and efficient utilization of all UNDP-financed inputs, including equipment provided to the project.
3. The Executing Agency, in consultation with the Government and UNDP, shall assign international staff and other personnel to the project as specified in the Project Document, select candidates for fellowships and determine standards for the training of national counterpart personnel.
4. Fellowships shall be administered in accordance with the fellowships regulations of the Executing Agency.
5. The Executing Agency may, in agreement with the Government and UNDP, execute part or all of the project by subcontract. The selection of subcontractors shall be made, after consultation with the Government and UNDP, in accordance with the Executing Agency's procedures.
6. All material, equipment and supplies which are purchased from UNDP resources will be used exclusively for the execution of the project, and will remain the property of the UNDP in whose name it will be held by the Executing Agency. Equipment supplied by the UNDP shall be marked with the insignia of the UNDP and of the Executing Agency.
7. Arrangements may be made, if necessary, for a temporary transfer of custody of equipment to local authorities during the life of the project, without prejudice to the final transfer.
8. Prior to completion of UNDP assistance to the project, the Government, the UNDP and the Executing Agency shall consult as to the disposition of all project equipment provided by the UNDP. Title to such equipment shall normally be transferred to the Government, or to an entity nominated by the Government, when it is required for continued operation of the project or for activities following directly therefrom. The UNDP may, however, at its discretion, retain title to part or all of such equipment.
9. At an agreed time after the completion of UNDP assistance to the project, the Government and the UNDP, and if necessary the Executing Agency, shall review the activities continuing from or consequent upon the project with a view to evaluating its results.
10. UNDP may release information relating to any investment oriented project to potential investors, unless and until the Government has requested the UNDP in writing to restrict the release of information relating to such project.

Rights, Facilities, Privileges and Immunities

1. In accordance with the Agreement concluded by the United Nations (UNDP) and the Government concerning the provision of assistance by UNDP, the personnel of UNDP and other United Nations organizations associated with the project shall be accorded rights, facilities, privileges and immunities specified in said Agreement.
2. The Government shall grant UN volunteers, if such services are requested by the Government, the same rights, facilities, privileges and immunities as are granted to the personnel of UNDP.

² May also be designated Project Co-ordinator or Chief Technical Adviser, as appropriate.

3. The Executing Agency's contractors and their personnel (except nationals of the host country employed locally) shall:

- (a) Be immune from legal process in respect of all acts performed by them in their official capacity in the execution of the project;
- (b) Be immune from national service obligations;
- (c) Be immune together with their spouses and relatives dependent on them from immigration restrictions;
- (d) Be accorded the privileges of bringing into the country reasonable amounts of foreign currency for the purposes of the project or for personal use of such personnel, and of withdrawing any such amounts brought into the country, or in accordance with the relevant foreign exchange regulations, such amounts as may be earned therein by such personnel in the execution of the project;
- (e) Be accorded together with their spouses and relatives dependent on them the same repatriation facilities in the event of international crisis as diplomatic envoys.

4. All personnel of the Executing Agency's contractors shall enjoy inviolability for all papers and documents relating to the project.

5. The Government shall either exempt from or bear the cost of any taxes, duties, fees or levies which it may impose on any firm or organization which may be retained by the Executing Agency and on the personnel of any such firm or organization, except for nationals of the host country employed locally, in respect of:

- (a) The salaries or wages earned by such personnel in the execution of the project;
- (b) Any equipment, materials and supplies brought into the country for the purposes of the project or which, after having been brought into the country, may be subsequently withdrawn therefrom;
- (c) Any substantial quantities of equipment, materials and supplies obtained locally for the execution of the project, such as, for example, petrol and spare parts for the operation and maintenance of equipment mentioned under (b), above, with the provision that the types and approximate quantities to be exempted and relevant procedures to be followed shall be agreed upon with the Government and, as appropriate, recorded in the Project Document; and
- (d) As in the case of concessions currently granted to UNDP and Executing Agency's personnel, any property brought, including one privately owned automobile per employee, by the firm or organization or its personnel for their personal use or consumption or which after having been brought into the country, may subsequently be withdrawn therefrom upon departure of such personnel.

6. The Government shall ensure:

(a) prompt clearance of experts and other persons performing services in respect of this project; and

(b) the prompt release from customs of:

- (i) equipment, materials and supplies required in connection with this project; and
- (ii) property belonging to and intended for the personal use or consumption of the personnel of the UNDP, its Executing Agencies, or other persons performing services on their behalf in respect of this project, except for locally recruited personnel.

7. The privileges and immunities referred to in the paragraphs above, to which such firm or organization and its personnel may be entitled, may be waived by the Executing Agency where, in its opinion or in the opinion of the UNDP, the immunity would impede the course of justice and can be waived without prejudice to the successful completion of the project or to the interest of the UNDP or the Executing Agency.

8. The Executing Agency shall provide the Government through the resident representative with the list of personnel to whom the privileges and immunities enumerated above shall apply.

9. Nothing in this Project Document or Annex shall be construed to limit the rights, facilities, privileges or immunities conferred in any other instrument upon any person, natural or juridical, referred to hereunder.

Suspension or termination of assistance

1. The UNDP may by written notice to the Government and to the Executing Agency concerned suspend its assistance to any project if in the judgement of the UNDP any circumstance arises which interferes with or threatens to interfere with the successful completion of the project or the accomplishment of its purposes. The UNDP may, in the same or a subsequent written notice, indicate the conditions under which it is prepared to resume its assistance to the project. Any such suspension shall continue until such time as such conditions are accepted by the Government and as the UNDP shall give written notice to the Government and the Executing Agency that it is prepared to resume its assistance.

2. If any situation referred to in paragraph 1, above, shall continue for a period of fourteen days after notice thereof and of suspension shall have been given by the UNDP to the Government and the Executing Agency, then at any time thereafter during the continuance thereof, the UNDP may by written notice to the Government and the Executing Agency terminate the project.

3. The provisions of this paragraph shall be without prejudice to any other rights or remedies the UNDP may have in the circumstances, whether under general principles of law or otherwise.

ANNEX I: Project Budget

USD 1 = RM 3.38

Award ID:												
Project Title: Capacity Development for the Formulation of a Policy and Regulatory Framework for Access and Benefit-sharing of Biological Resources in Malaysia												
Output/Atlas Activity	Implementing Partner	Source of Funds	Atlas Code	ERP/Atlas Budget Description	Year 1 (2010)	Year 2 (2011)	Year 3 (2012)	Total (USD)	Total (RM)			
1. National Policy and Regulatory Framework for ABS	ECD, NRE	UNDP (TRAC & CS)	71305	Local Consult.-Sht Term-Tech	20,000.00	10,000.00	5,000.00	35,000.00	118,300.00			
			71405	Service Contracts-Individuals (Project Manager)	44,000.00	44,000.00	44,000.00	132,000.00	446,160.00			
			71605	Travel Tickets-International	13,000.00			12,000.00	40,560.00			
			71610	Travel Tickets-Local	3,500.00	5,000.00	4,000.00	12,500.00	42,250.00			
			71615	Daily Subsistence Allow-Intl	15,000.00			15,000.00	50,700.00			
			71620	Daily Subsistence Allow-Local	5,000.00	5,000.00	4,000.00	14,000.00	47,320.00			
			71635	Travel - Other (Monitoring)	1,500.00	1,500.00	1,500.00	4,500.00	15,210.00			
			72815	Inform Technology Supplies	2,000.00			2,000.00	6,760.00			
			73107	Rental & Maintenance-Premises (Meeting/Workshop)	10,000.00	10,500.00	10,000.00	30,500.00	103,090.00			
			74500	Misc - Sundry	1,000.00	2,000.00	1,500.00	5,500.00	18,590.00			
				Subtotal			115,000.00	78,000.00	70,000.00	263,000.00	888,940.00	
						71305	Local Consult.-Sht Term-Tech	20,000.00	20,000.00	10,000.00	50,000.00	169,000.00
						71400	Contractual Services - Individ (Supervisory)	3,500.00	3,500.00	3,500.00	10,500.00	35,490.00
						71400	Contractual Services - Individ (Managerial)	8,000.00	8,000.00	8,000.00	24,000.00	81,120.00
						71605	Travel Tickets - International	2,500.00			2,500.00	8,450.00
		GoM (In-kind)	71615	Daily Subsistence Allow-Intl	1,100.00			1,100.00	3,718.00			
			71610	Travel Tickets-Local	500.00	500.00	500.00	1,500.00	5,070.00			
			71620	Daily Subsistence Allow-Local	200.00	200.00	200.00	600.00	2,028.00			
			73125	Common Services - Premises	8,000.00	8,000.00	8,000.00	24,000.00	81,120.00			
			74105	Management and Reporting Servs	5,000.00	5,000.00	5,000.00	15,000.00	50,700.00			
			75110	Facilities and Admin - Services	2,000.00	2,000.00	2,000.00	6,000.00	20,280.00			
				Subtotal	50,800.00	47,200.00	37,200.00	135,200.00	456,976.00			

Output/Atlas Activity	Implementing Partner	Source of Funds	Atlas Code	ERP/Atlas Budget Description	Year 1	Year 2	Year 3	Total (USD)	Total (RM)
2. An Institutional Arrangement for Implementing ABS Law and its Subsidiary Regulations	ECD, NRE	UNDP (TRAC & CS)	71305	Local Consult.-Sht Term-Tech	10,000.00	10,000.00	5,000.00	25,000.00	84,500.00
			71610	Travel Tickets-Local	2,000.00	3,000.00	2,000.00	7,000.00	23,660.00
			71620	Daily Subsistence Allow-Local	2,000.00	3,000.00	2,000.00	7,000.00	23,660.00
			73107	Rental & Maintenance-Premises (Meeting/Workshop)	10,000.00	10,000.00	6,000.00	26,000.00	87,880.00
				Subtotal	24,000.00	26,000.00	15,000.00	65,000.00	219,700.00
			71610	Travel Tickets-Local	500.00	500.00	500.00	1,500.00	5,070.00
			71620	Daily Subsistence Allow-Local	200.00	200.00	200.00	600.00	2,028.00
				Subtotal	700.00	700.00	700.00	2,100.00	7,098.00
			71305	Local Consult.-Sht Term-Tech	5,000.00	5,000.00	5,000.00	15,000.00	50,700.00
			71610	Travel Tickets-Local	2,000.00	2,500.00	2,000.00	6,500.00	21,970.00
3. A Platform to Create Awareness and Disseminate Information on ABS	ECD, NRE	UNDP (TRAC & CS)	71620	Daily Subsistence Allow-Local	2,000.00	2,500.00	2,000.00	6,500.00	21,970.00
			73107	Rental & Maintenance-Premises (Meeting/Workshop)	10,000.00	10,000.00	10,000.00	30,000.00	101,400.00
			74210	Printing and Publication	3,000.00	3,000.00	4,000.00	10,000.00	33,800.00
			74500	Misc - Sundry	1,000.00	2,000.00	1,000.00	4,000.00	13,520.00
				Subtotal	23,000.00	25,000.00	24,000.00	72,000.00	243,360.00
			71610	Travel Tickets-Local	500.00	500.00	500.00	1,500.00	5,070.00
			71620	Daily Subsistence Allow-Local	200.00	200.00	200.00	600.00	2,028.00
			74500	Misc - Sundry	200.00	200.00	200.00	600.00	2,028.00
				Subtotal	900.00	900.00	900.00	2,700.00	9,126.00
				UNDP's Contribution	162,000.00	129,000.00	109,000.00	400,000.00	1,352,000.00
	GoM's Contribution	52,400.00	48,800.00	38,800.00	140,000.00	473,200.00			
	Grand Total (USD)	214,400.00	177,800.00	147,800.00	540,000.00	1,825,200.00			

ANNEX II: Risks and Mitigation

Description	Type	Impact & Probability	Mitigation Measures
The value of US Dollars foreign exchange against the Ringgit may depreciate during the project cycle.	Financial	Probability: Low Impact: Medium	The project will monitor the exchange rate on regular basis to ensure that it does not affect the budget of the project. If there are major fluctuations, the budget will be adjusted accordingly and approved by the NSC. Alternative funding source may be considered.
Difficulties to endorse the national ABS regulatory framework by relevant stakeholders especially at the state level due to the federal-state constitutional structure.	Political	Probability: Medium Impact: High	The project will conduct extensive consultation and advocacy campaigns with the state level stakeholders to create awareness and political will to endorse the proposed ABS regulatory framework.
The proposed schedule of presenting the new ABS Bill and subsidiary regulations to Parliament for adoption may be affected due to the lengthy review process required by the Attorney General's Chambers.	Operational	Probability: High Impact: High	The project and NRE will involve AG's Chambers throughout the development process of ABS Bill and subsidiary regulations.
The new ABS Bill and subsidiary regulations may fail to pass in Parliament or may experience major delay as extensive amendments to the Bill and subsidiary regulations may be required in the legislative process.	Regulatory	Probability: High Impact: High	NRE and the project will conduct forums or seminars targeting legislators (Members of Parliament) to advocate for their support to the new ABS regulatory framework.

ANNEX III: Financial arrangements

The UNDP Resident Representative ensures that the project has an internal control system that allows it to monitor effectively the financial activity of the project and to support and monitor the progress towards achieving results.

UNDP may assist with direct payments to other parties for goods and services provided to the project. In this connection, the government implementing agency will forward to the UNDP a standard form and keep all the original records of the transaction such as purchase orders, invoices, receipts, delivery orders, etc.

ANNEX IV: UNDP ANNUAL WORK PLAN MONITORING TOOL

Together with project issue/risk logs, the following AWP Monitoring Tool should be used for the project review purpose.

Expected Outputs and Indicators: List all CP outputs and indicators, including annual targets

Planned Activities: List all the activities including monitoring and evaluation activities, including evaluations, field monitoring visits, technical backstopping missions, and audits to be undertaken during the year towards stated CP outputs

Expenditures: List actual expenditures against activities complete

Results of Activities: For each activity, state the results of the activity

Progress towards Achieving CP Outputs: Using data on annual indicator targets, state progress towards achieving the CP outputs. Based on the updated project issue/risk logs, comment on factors that facilitated and/or constrained achievement of results including:

- Whether risks and assumptions as identified in the CP M&E Framework materialized or whether new risks emerge.
- Internal factors such as timing of inputs and activities, quality of products and services, coordination and/or other management issues.

The Annual Work Plan (AWP) Monitoring Tool

Year _____

CP Component _____
 Implementing Partner _____

EXPECTED OUTPUTS AND INDICATORS including annual targets	PLANNED ACTIVITIES List all the activities including monitoring and evaluation activities to be undertaken during the year towards stated CP outputs	EXPENDITURES List actual expenditures against activities completed	RESULTS OF ACTIVITIES For each activity, state the results of the activity	PROGRESS TOWARDS ACHIEVING OUTPUTS Using data on annual indicator targets, state progress towards achieving the CP outputs. Where relevant, comment on factors that facilitated and/or constrained achievement of results including: <ul style="list-style-type: none"> ▪ <i>Whether risks and assumptions as identified in the CP M&E Framework materialized or whether new risks emerged</i> ▪ <i>Internal factors such as timing of inputs and activities, quality of products and services, coordination and/or other management issues</i>
OUTPUT 1:				
INDICATOR 1.1 WITH TARGET FOR THE YEAR:				
INDICATOR 1.2 WITH TARGET FOR THE YEAR:				
INDICATOR 1.3 WITH TARGET FOR THE YEAR:				
OUTPUT 2:				
INDICATOR 2.1 WITH TARGET FOR THE YEAR:				

ANNEX V: TERMS OF REFERENCE: National Steering Committee (NSC)

The National Steering Committee (NSC) will monitor the conduct of the project and provide strategic guidance to the project team on the implementation of the project. The NSC will be chaired by the Secretary General of NRE.

Members of the NSC may include NRE, EPU, MOSTI, MOA, SaBC, SBC, KKLW, MDTCC, FRIM, JPSM and other related agencies. The NSC will meet after the receipt of each project report or at least twice a year, whichever greater. The NSC will have the following duties and responsibilities:

- Provide policy guidance on matters pertaining to the implementation of the project;
- Monitor and evaluate the implementation of the project towards fulfilment of the objectives stated in the project document;
- Review, approve and endorse proposed work plan and budget;
- Initiate remedial actions to overcome all constraints in progress of the project;
- Review and approve relevant changes to the project design;
- Coordinate the roles of the various organisations involved in the execution of the project and ensure harmony with related activities;
- Advise on the long term sustainability strategy of the project;
- Review and approve all related reports to the projects.

ANNEX VI: TERMS OF REFERENCE: Technical Working Committee (TWC)

The Technical Working Committee (TWC) will assist the NSC in monitoring the conduct of the project and providing technical guidance on the implementation of the project. The TWC will act as technical advisors to the NSC. The TWC will be chaired by the Director of CGSS and the ECD will act as Secretariat to the TWC. The members of the TWC will consist of representatives from the ECD, CEBLAW, UNDP and other relevant stakeholders to be determined by the NSC.

The TWC will be specifically responsible for:

- Provide guidance and decisions on matters pertaining to the technical aspects of the project such as review and drafting exercise of the ABS Bill and subsidiary regulations, the stakeholder consultation strategies, the development of awareness and outreach programme to ensure that they meet with the objectives set in the project document and with international good practices and standards;
- Monitor and evaluate the technical implementation of the project towards fulfilment of the objectives stated in the project document;
- Review and comment on the proposed technical work plan and budget; and
- Regular monitoring of the progress of the project and recommend approved technical reports to the NSC

ANNEX VII: TERMS OF REFERENCE: National Project Director

National Project Director is a staff member of the Government of Malaysia's implementing agency of a UNDP-supported project and in this case will be the Under Secretary of the Environmental Conservation Division of the Ministry of Natural Resources and Environment. His/her main responsibility is to coordinate project activities among the main parties to the project: the Government co-coordinating authority, the project manager, consultants, and UNDP.

Specifically, he/she works in close collaboration with the Project Manager, as well as UNDP and his/her responsibilities include:

- Ensuring that the project document and project revisions requiring Government's approval are processed through the Government co-ordinating authority, in accordance with established procedures;
- Preparing work plans in discussion with the Project Manager, UNDP and consultants;
- Mobilising national institutional mechanisms for smooth progress of project;
- Reviewing project status reports;
- Providing direction and guidance on project-related issues;
- Providing advice and guidance to the project team.
- Approve financial transaction.

Annex VIII: TERMS OF REFERENCE: Project Manager

The Project Manager will be primarily focused on the administrative, financial and operational aspects of the project. The project manager's role is to manage and coordinate the implementation of various project activities in ensuring quality and timeliness of activities and delivery of outputs. He/She will be based at ECD.

The specific tasks of the Project Manager are:

- Provide direction for the project based on the project document and decisions made by the TWC and NSC;
- Manage and coordinate the implementation of project activities to ensure the maintenance of quality and timeliness, and delivery of outputs;
- Liaise and work closely with the project partners and beneficiaries;
- Report regularly to the NSC and TWC on the project's progress;
- Ensure that no statements are made/announced, and no data/output are released regarding the study without prior consent from UNDP and EPU;
- Maintain close contact with designated focal points from UNDP and other stakeholders, indicating any estimated changes to the work plan, and proposing a budget revision when appropriate;
- Ensure that the requisite allocations are available in accordance with the agreed budget and established schedules of payment, if any, in consultation with ECD and UNDP;
- Coordinate and facilitate the work of multiple component teams engaged in the implementation of project activities;
- Work closely with key stakeholders in the drafting and preparation of relevant Terms of Reference for local consultants;
- Monitor the project funds and resources. Prepare progress and financial reports of the project when required;
- Maintain an up-to-date accounting system to ensure accuracy and reliability of financial reporting;
- Be responsible for the delivery of the project results and final outputs;
- Establish a monitoring plan for activities implemented by project consultants;
- Be actively involved in the preparation of relevant knowledge products (including publications and reports); and
- Where necessary and upon advice by UNDP, perform the function of ATLAS External User, creating requisitions and vouchers, and other relevant ATLAS processes.

Duration: Three years

Reports to: National Project Director

Qualifications and skills:

1. Masters degree or equivalent in Biodiversity/Environmental Science/Environmental Law/Natural Resources Management or a related discipline. Work experience in lieu of formal qualifications will also be considered.
2. At least 5 years of relevant working experience and has a solid understanding in biodiversity conservation especially in access and benefit-sharing (ABS) and traditional knowledge (TK) is highly appreciated.
3. Knowledgeable in CBD subject matters especially relating to ABS and TK.
4. Have an understanding of political, institutional and environmental governance issues associated with biodiversity in Malaysia.
5. Project management experience will be essential. Candidate must be able to multitask and work independently.
6. Relevant exposure to UN projects will be an added advantage.
7. Be proactive, energetic, committed and innovative.
8. Excellent in human relations, coordination, planning and team work.
9. Excellent writing and communication skills. Strong command of English and Bahasa Malaysia.

ANNEX IX: Project Annual Progress Report Template

DATE:
Award ID:
Description:
Implementing Partner:
Period Covered:

1. Project Issues:

Status of Project Risks:	Open Project Issues:
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2. Project Performance

OUTPUT 1:						
Project ID:						
Description:						
YYYY target:						
YYYY Achievement:						
Activity ID:						
Deliverable Description:						
Start and End Date:						
% Progress to date:						
Quality Criteria		Date	Results of Activities			
			User Perspective	Resource Status	Timeliness	
Financial						
Account	Fund	Donor	R. Party	Budget	Expenditure	Balance
OUTPUT 2:						
Project ID:						
Description:						
YYYY Target:						
YYYY Achievement:						
Activity ID:						
Deliverable Description:						
Start and End Date:						
% Progress to date:						
Quality Criteria		Date	Results of Activities			
			User Perspective	Resource Status	Timeliness	
Financial Summary						
Account	Fund	Donor	R. Party	Budget	Expenditure	Balance

3. Lessons Learned

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ANNEX X: FACE Form for Direct Payment

Funding Authorization and Certificate of Expenditures

Country: XXXXXXXXXXXXXXXXXXXXXXXXXXXX
 Programme Code & Title: XXXXXXXXXXXXXXXXXXXXXXXXXXXX
 Project Code & Title: XXXXXXXXXXXXXXXXXXXXXXXXXXXX
 Responsible Officer(s): XXXXXXXXXXXXXXXXXXXXXXXXXXXX
 Implementing Partner: XXXXXXXXXXXXXXXXXXXXXXXXXXXX

UN Agency: UNDP

Date: DD/MM/YYYY

Type of Request:

- Direct Cash Transfer (DCT)
 Reimbursement
 Direct Payment

Currency: _____

REPORTING

Activity Description from AWP with Duration	Coding for UNDP, UNFPA and WFP
XXXXXXXXXXXX (MM/YYYY - MM/YYYY)	
XXXXXXXXXXXX (MM/YYYY - MM/YYYY)	
XXXXXXXXXXXX (MM/YYYY - MM/YYYY)	
Total	

REPORTING

Authorised Amount <u>MM-MM-YYYY</u> A	Actual Project Expenditure B	Expenditures accepted by Agency C	Balance D = A - C
0	0	0	0

REQUESTS / AUTHORIZATIONS

New Request Period & Amount <u>MM-MM-YYYY</u> E	Authorised Amount F	Outstanding Authorised Amount G = D+F
0	0	0

CERTIFICATION

The undersigned authorized officer of the above-mentioned implementing institution hereby certifies that:

- The funding request shown above represents estimated expenditures as per AWP and itemized cost estimates attached.
- The actual expenditures for the period stated herein have been disbursed in accordance with the AWP and request with itemized cost estimates. The detailed accounting documents for these expenditures can be made available for examination, when required, for the period of five years from the date of the provision of funds.

Date

Submitted: _____

Name: _____

Title: _____

NOTES: * Shaded areas to be completed by the UN Agency and non-shaded areas to be completed by the counterpart.

FOR AGENCY USE ONLY:

FOR ALL AGENCIES
Approved by: _____
Name: _____
Title: _____
Date: _____

FOR UNICEF USE ONLY	
Account Charges	Liquidation Information
Cash Transfer Reference:	DCT Reference:
CRQ ref. no., Voucher ref. no.	CRQ ref. no., Liquidation ref. no.
GL codes:	DCT Amount
Training	0
Travel	Less: Liquidation
Meetings & Conferences	Amount
Other Cash Transfers	0
Total	Balance
	0

FOR UNFPA USE ONLY	
New Funding Release	
Activity 1	0
Activity 2	0
Total	0