



Government of Malawi

Guidelines for Integrating Environmental Sustainability and Natural Resource Management in Policy Making and Planning in Malawi

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List of Acronyms

AIDS	<i>Acquired Immunodeficiency Syndrome</i>
EA	<i>Economic Assessment</i>
EAD	<i>Environmental Affairs Department</i>
EIA	<i>Environmental Impact Assessment</i>
ENRM	<i>Environmental and Natural Resource Management</i>
EMA	<i>Environmental Management Act</i>
ESCF	<i>Environmental Sustainability Criteria Framework</i>
GDP	<i>Gross Domestic Product</i>
HIV	<i>Human Immunodeficiency Virus</i>
IEA	<i>Integrated Ecosystem Assessment</i>
M&E	<i>Monitoring and Evaluation</i>
MEAs	<i>Multilateral Environmental Agreements</i>
MEF	<i>Monitoring and Evaluation Framework</i>
OPC	<i>Office of the President and Cabinet</i>
PAD	<i>Policy Analysis Document</i>
PSPRC	<i>Principal Secretaries Policy Review Committee</i>
SEA	<i>Strategic Environmental Assessment</i>

1.0 INTRODUCTION

The Government of Malawi through the Office of the President and Cabinet (OPC) developed a Guide to Executive Decision-making Processes (2009) that details steps that have to be followed by decision makers during the policy making and decision making processes. This addendum to the Executive Guide has been produced to help the decision makers integrate environmental and natural resources management (ENRM) issues at all stages of the policy planning and development cycle. The Guide to Executive Decision Making identifies stages for policy development and planning which has been a basis for the development of the ENRM guide. Under each stage of the policy development and planning cycle, the ENRM Guide identifies what needs to be done during the decision making process.

2.0 OBJECTIVES OF THE GUIDELINES

Overall Objective

To provide guidance to decision makers in all sectors on how they can integrate environment and natural resource management in their policy planning and development processes.

Specific Objectives

- *To guide the executive decision making machinery to ensure that policies and legislations in the country have integrated environment and natural resource management issues;*
- *To identify ENRM issues that need to be considered during the policy planning and development processes;*
- *To identify priority actions that can be integrated into the policy planning and development processes; and,*
- *To provide monitoring and evaluation indicators that can assist policy makers to determine whether they are integrating ENRM in their policies planning and development processes.*

3.0 THE GUIDELINES

3.1 Conditions for successful implementation of the Guidelines

In order to strengthen integration of ENRM into the policy planning and decision making processes, the following should be considered:

- i. Integrating ENRM into the policy planning and development processes should begin at the earliest stages of the policy review process;
- ii. Intensify environmental education and outreach to ensure that all people are aware of linkages between the environment and poverty;
- iii. Strengthen the capacity of the sectoral ministries and ENRM coordinating institutions on how to carry out Strategic Environmental Assessment (SEA), Integrated Ecosystem Assessment (IEA) and Economic Assessment (EA);

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- iv. Strengthen and operationalise the ENRM sector working group to provide a robust platform for advocacy on environment and lobbying for significant allocation for ENRM programmes in the National Budget;
 - v. Carry out national environmental audits regularly and produce environmental outlook reports as provided for in the Environmental Management Act (EMA);
 - vi. Strengthen level of awareness on ENRM amongst the various structures such as the Principal Secretaries Policy Review Committee , Cabinet Committee, and the Parliamentary Committee on Agriculture and Natural Resources ;
 - vii. Improve ENRM sector alignment and harmonisation by establishing the ENRM Sector Wide Approach programme;
 - viii. Promote mainstreaming of Environmental Sustainability Criteria Framework (ESCF) and Monitoring and Evaluation Framework (MEF) in line ministries.
 - ix. Allocate more financial and human resources for ENRM education and advocacy; and
 - x. Establish a semi autonomous national ENRM regulating body.

3.2 Guidelines Specific to the Policy Development Cycle

Policy development (normally) goes through the following stages:

- Identification of issues and policy agenda setting;
- Development of Concept Paper;
- Review of Concept Paper;
- Policy Analysis including policy impact assessment; Consultations
- Review of Policy Analysis Document;
- Cabinet decision;
- Policy Implementation; and,
- Policy Monitoring and Evaluation.

3.2.1 Issues Identification and Policy Agenda Setting

To ensure ENRM integration at this stage; the originating government department or ministry should:

- i. Ensure that the issues identification process has been informed by among other things various reports such as *the Environmental Outlook Report; the District Environment Outlook Reports; the National Environmental Action Plan; and the District Environmental Action Plans;*
- ii. Utilise such tools as the Integrated Ecosystem Assessments that provide information and evidence on consequences of ecosystem change on human well-being; Economic Analyses that demonstrate importance of the environment to pro-poor growth as well as achievement of the national development strategy;

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- iii. Take into account emerging environmental issues such as Climate Change, bio-fuels, genetically modified organisms, etc; and,
 - iv. Promote effective stakeholder participation including experts from public institutions and the private and non-governmental sectors;

The above process shall allow the originating institutions to identify policy challenges and set priorities crucial for the development of the Policy Analysis Document.

3.2.2 Concept Paper Development and Review

The concept paper outlines the issues, scope and severity of the issues, rationale, goals, objectives, outputs. To effectively articulate ENRM issues in the concept papers, originating institutions need to:

- i. Engage the services of department responsible for environmental affairs to advice on the concept paper process before submission for review to the Cabinet Office.
- ii. Engage the Principal Secretaries Policy Review Committee to ensure that the concept clearly outlines how the issues of ENRM have been dealt with in terms of goals, objectives, outputs and activities.

3.2.3 Policy Analysis

The policy analysis stage identifies critical policy choices that may help resolve the identified issues or problems. This is the stage when originating institution designs, determines and considers the choices, alternatives as well as consequences of taking the policy actions. In order to make meaningful policy choices, the originating institution should:

- i. Devote adequate resources (human and financial) to undertake research and stakeholder consultations to determine critical policy choices of the policy issues identified vis-a-vis ENRM;
- ii. Undertake an assessment of ENRM consequences and impacts of the various policy options proposed; and,
- iii. Review current implementation processes of existing policies to determine key ENRM lessons (negative or positive) for inputting into the policy analysis stage.

3.2.4 Policy Impact Assessment

The process of assessing policy proposal involves analyzing how the policy might affect people, programs, regions, and ultimately how to make sure that it meets its objectives. Policy impact assessment helps to guide decision makers to determine the expected directions, effects and overall usefulness of the policy before implementation. The originating institution is expected to assess a number of policy impacts before the policy options are considered, including strategic impacts; fiscal/financial impacts; economic

impacts; national and international impacts; social impacts; gender impacts; HIV and AIDS impacts; environmental impacts; legal and constitutional impacts; regulatory impacts; and institutional/labor impacts among many others. To ensure inclusion of ENRM issues at this stage, the originating institution should consider the following:

- i. Seek answers to specific questions (as suggested in Box 1 below) relating to ENRM and the proposed policy proposal; and,
- ii. The costs and benefits to environment and natural resources in the fiscal assessment of the policy proposal.

3.2.5 Consultations

Before a policy option is presented to Cabinet, it is necessary that all stakeholders in government, civil society organization, private organization, political leaders, faith leaders, local communities, media and development partners and others are consulted to give their views and recommendations on the policy option. To ensure holistic and comprehensive coverage of ENRM issues at this stage, the originating institution should identify a multi-disciplinary stakeholder group whose task shall be to scrutinize the impact of the policy option on ENRM. Such a group shall be guided by, among others, issues raised on the suggested key questions as proposed in Box 1 below.

Box 1: Some key questions for assessing impacts of policy options (Checklist)

1. What is the likely impacts (negative and positive) of the policy option on ENRM
2. Is the policy in line with the national strategic goal of sound ENRM?
3. What will be the public response in terms of exploitation of the environment?
4. What is the impact on ownership of the resources?
5. What are the costs and financial benefits on the natural resources and the environment?
6. How will the financial benefits be used for improved livelihoods, environment conservation and management?
7. Are the production processes environmentally sustainable?
8. What are the costs of the economic gains in terms of damage to environment and natural resources?
9. Do the economic gains promote further damage to the environment?
10. Will the option require the movement of people that will cause concentration in other areas and need for other facilities such as waste management facilities?
11. Will the option cause the relocation of human and financial resources away from ENRM?
12. What are the implications for trans-boundary natural resources management?
13. Which Multilateral Environmental Agreements (MEAs) / Protocols will be affected by the policy?
14. Will our national obligations under MEAs not be met because of implementing the policy?
15. Will the option affect national or international heritage sites?
16. Will the different social groups be affected in a way that they will destroy the environment?
17. Will the policy affect the gender balance in terms of access, ownership and control over natural resources and benefits realized from them?
18. Will the option provide the HIV and AIDS affected communities to access productive resources and technologies to maximize production?
19. Is the option consistent with the Constitution and the relevant legal frameworks in Malawi?
20. Does the option respect the provisions of the Environmental Management Act?
21. Will the option require the enactment of new legislation on environment?
22. Does the option unnecessarily expose the environment to abuse and therefore the need for more controls and enforcement?
23. Does the option affect roles and mandates of environment sector institutions?
24. Does the option have the potential to cause overlap of responsibilities and mandates?

Source: Authors' own compilation

3.2.6 Review of the Policy Analysis Document (PAD)

Once a Policy Analysis Document has been developed, PAD consultation with government stakeholders, more especially the Central Government Agencies and selected line ministries, are carried out to ensure that any major differences that may arise are resolved. This stage precedes finalization of the policy Cabinet Paper for consideration by the Cabinet Committee. The Cabinet Office responsible and the PSPRC structure play a critical role in this process. To ensure that this stage includes ENRM issues the originating institution, through consultation with the Cabinet Office responsible, shall ensure that ENRM topics form part of the agenda of the relevant PSPRC policy review meeting where, among other areas, the meeting will analyze how stakeholder ENRM comments and issues have been incorporated.

3.2.7 Cabinet Committee Review and Decision

This is the stage when the relevant Cabinet Committee reviews the Policy Submission before it is referred to the Cabinet for its decision. The Committee reviews the submission to ensure that the policy recommendations are in line with the government priorities and directions. To ensure that ENRM issues are taken into account at this stage, the following is recommended:

- i. The Cabinet Office shall ensure that discussions of the Cabinet Committee are guided by appropriate ENRM questions as per policy in question (please refer to Box 1); and,
- ii. The originating institution in collaboration with Cabinet Office shall prepare a Cabinet Paper which outlines how ENRM issues, among others, have been responded to in the Policy development process of the policy under consideration. Such an action will ensure that Cabinet is aware, before its final decision, of the ENRM opportunities, challenges, and impacts of the policy under consideration.

3.2.8 Policy Implementation

This is the stage at which the government puts into action the approved policy. To ensure that ENRM is integrated in the policy implementation plan, Cabinet Office should ensure that originating institution has put in place strategies and actions to address challenges that are associated with policy implementation.

Some of the policy implementation challenges may include:

- Inadequate financial resources that have seen ENRM policy implementation resources being diverted to other policy implementation strategies;
- Limited ENRM implementation capacities that slows execution of ENRM action plans;
- Lack of operationalisation action plans with clearly defined time-phased and result based activities and clear performance indicators;
- Weak understanding of poverty and ENRM linkages by the communities;

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- Weak understanding by sectoral and departmental heads (especially the planning departments) of *the long-term inter-linkages* (not only those activities with immediate and direct effects) *between sectoral activities and the environment*;
 - Professional biases arising from negative attitude and resistance to change towards ENRM by policy implementers;
 - Conflicting sectoral policies and overlapping sectoral mandates; and,
 - Politicising of ENRM issues- especially at the local level where political leaders might aim to gain political mileage irrespective of the harm their actions mean for the environment and natural resources.

3.2.8 Resource Mobilization

ENRM must be adequately provided for in sector budgets if meaningful integration and implementation of integration action plans are to be realized. Therefore:

- i. The Ministry of Finance should consider increasing the budgetary allocations for ENRM activities based on public expenditure reviews;
- ii. Implementing institutions shall ensure that ENRM resources are solidly built into their budget and annual work plans; and,
- iii. Implementing institutions in collaboration with ministry responsible for planning shall endeavour to provide quantification of the value of natural resources and their contribution to GDP to signify ENRM's contribution to National Development.

3.2.9 Monitoring and Evaluation

Each ministry (originating institution) is responsible for monitoring the effectiveness and impact of policy implementation. The OPC and planning ministry should ensure that policy implementing institutions:

- i. Define clear performance and impact indicators. The Logical Framework Approach (LFA) to policy programme action areas greatly facilitates this process. Box 2 below provides a sample of some poverty-environmental indicators that can be established;
- ii. Submit regular ENRM related policy implementation reports to the Office of President and Cabinet who are mandated to monitor implementation of Cabinet decisions;
- iii. Always refer and link its M&E to the *National Monitoring and Evaluation Framework* which has been developed by the ministry responsible for planning to enhance national M&E; and,
- iv. Shall always utilise the *Environmental Sustainability Criteria Framework (ESCF)* and *Monitoring and Evaluation Framework (MEF)* developed by the Environmental Affairs Department for its ENRM monitoring and evaluation.

4.0: CONCLUSION

Box 2: Sample of Poverty-environmental indicators

- Number of people affected by environmental risks and disasters such as floods, droughts, water borne diseases, etc more especially in districts like Nsanje, Chikhwawa, Balaka, Salima, Karonga, Mangochi.
- Percentage of households and institutions using firewood as a source of energy.
- Number of communities benefitting from forest collaborative management agreements with the Department of Forestry.
- Percentage of households benefitting from ecotourism activities or employed in the ecotourism industry.
- Percentage of public expenditure on ENRM.
- Percentage contribution of ENRM to the GDP.

The Guide to Executive Decision Making outlines the policy planning and development cycle and it proposes the various policy decision stages before a policy is approved for implementation. What the ENRM guidelines have done is to identify key issues in the proposed stages of the policy cycle, entry points and key challenges that would affect the integration of ENRM. These have provided the basis for recommended actions at each stage policy development as proposed in the Guide to Executive Decision Making processes. The guidelines also outline some preconditions for ministries to integrate ENRM into the policy planning and development processes. These are informed by the findings of the study which are contained in a separate document.