

Environmental management

WHY DOES IT MATTER?

The extractive industries, particularly the mining sector, can have major impacts on human health, livelihoods, and animal and plant life. Good environmental management is therefore important.

WHAT IS INVOLVED?

Governments should:

- Write laws and regulations that define environmental standards and identify the institutions responsible for upholding them.
- Review environmental impact assessments and management plans before issuing environmental approvals.
- Monitor compliance.



HOW IS THIS POLICY AREA CURRENTLY MANAGED IN MYANMAR?

Myanmar's natural resource sector faces serious environmental challenges. Stricter laws and regulations have been put in place in recent years, but their implementation remains weak.

Who does what?

- The environmental legal framework is defined in Union legislation. The most important laws and regulations are the Environmental Conservation Law (2012), Environmental Quality Standards (2015) and Environmental Impact Assessment Procedures (2015).
- The Environmental Conservation Department (ECD), a department within the Ministry of Natural Resources and Environmental Conservation (MONREC), is responsible for granting environmental approvals. ECD is required to consult subnational stakeholders. However, this often does not happen because ECD lacks the capacity to do so.
- Multiple entities within MONREC have overlapping and unclear mandates for environmental monitoring. ECD, the Department of Mines and state-owned enterprises all have some responsibility for monitoring.
- ECD plans to increase its presence at the state and regional level. However, ECD officials will remain accountable to the Union government.
- There are reports that some state and regional governments are addressing environmental damage, including by ordering the closure of mines. The legal framework does not clearly explain how this relates to the responsibilities of ECD and other institutions.





HOW DO OTHER COUNTRIES INVOLVE SUBNATIONAL INSTITUTIONS IN THIS POLICY AREA?

- National governments typically create environmental legal frameworks, including in federal countries like India and Malaysia. But this is not always the case. In Australia, only matters of “national environmental significance”—such as threatened species, national and world heritage sites, and certain water resources—are covered by federal legislation.
- Subnational institutions are often involved in granting environmental approvals and in conducting monitoring. In the Philippines, local governments can veto licensing decisions on environmental grounds. In many federal countries, including India and Australia, subnational governments are responsible for most environmental approvals and monitoring activities.
- Approaches often differ between onshore and offshore natural resources. In Australia, the marine environment mostly falls under federal jurisdiction.
- Non-state stakeholders can also play a role. In Peru, participatory community monitoring has helped to build trust between companies, communities and the government.

OPPORTUNITIES AND CHALLENGES FOR SUBNATIONAL RESOURCE GOVERNANCE

OPPORTUNITIES

CHALLENGES

Ensuring the views of communities are considered in approval processes

Maintaining minimum standards

Making monitoring activities more effective

Improving skills and knowledge to review environmental impact assessments and management plans

Building trust between communities, companies and the government

Improving skills and knowledge to monitor compliance