

**REPORT ON THE 2<sup>nd</sup> GOVERNMENT-MENGO DIALOGUE ON  
“ENHANCING ENVIRONMENTAL PROTECTION IN MALAYSIA – COOPERATION  
AND COLLABORATION BETWEEN GOVERNMENT AND NGOs”**

**11<sup>th</sup> October 2004, The Legend Hotel, Kuala Lumpur**

**INTRODUCTION**

1. The 2nd Government–MENGO Dialogue on “Enhancing Environmental Protection In Malaysia – Cooperation and Collaboration between Government and NGOs” organized by Malaysian Environmental NGO (MENGO) was held on 11<sup>th</sup> October 2004 at The Legend Hotel, Kuala Lumpur. The dialogue agenda is attached as **ANNEX A**.
2. The objectives of the dialogue are as follows:
  - Introducing the environmental-related governments; including their roles and responsibilities and their focus areas, to the NGOs.
  - Obtain feedback from the Government Departments and the NGOs on the roles that NGOs can play in promoting environmental protection and sustainable development in Malaysia.
  - Providing a platform for exchange of ideas and views on the cooperation and collaboration between NGO and the Government and to discuss the possibilities of joint projects between them.
3. The dialogue was attended by 50 participants, representing the 18 MENGOs and other environmental-related NGOs. It was also attended by representatives from 17 different government agencies. The lists of participants are attached as **ANNEX B**.

**WELCOME ADDRESS**

4. The Chair of MENGO Cooperating Committee, Dr. Sundari Ramakrishna gave a warm welcome to all the participants. She thanked the government representatives for their participation and hope that the dialogue will strengthen the collaboration between NGOs and government in environmental conservation and protection. Dr. Sundari also gave a short presentation on MENGOs; including their roles and contributions and some of the achievement and focus areas in the MENGO project. Dr. Sundari’s presentation is attached as **ANNEX C**.

**OPENING ADDRESS**

5. Representing YB Datuk S. Sothinathan, the Deputy Minister of Ministry of Natural Resources and Environment, Puan Hajah Rosnani Ibarahim, the Director General of Department of Environment, gave the opening address. She stated that this is the second time a coalition of environmental NGOs initiating a dialogue with the government and the Ministry welcomed the initiative and viewed it as an opportunity to provide information to the NGOs and intended to use this platform as a forum to exchange views and ideas on

environmental management. She wished everyone a happy and fruitful deliberation and discussion and declared the dialogue open. The full text of the opening address is in **ANNEX D**.

### **SESSION 1 : Priority Areas and Opportunities for Government-NGOs Collaboration**

6. This session has been divided into three plenary where a total of ten panel speakers presented. Each speaker gave a 10-15 minutes of presentation. Each plenary was followed with a Q&A session. The presentation papers were summarized as follows:

#### **Plenary 1: Land Development and Rehabilitation - Chair: Dr. Dionysius Sharma, National Programme Director of World Wide Fund for Nature (WWF)**

*i. **Integrated River Basin Management: Issues and challenges (Department of Drainage and Irrigation)***

Ir. Haji Ahmad Fuad b. Embi (Deputy Director General 1) gave an overview of Integrated River Basin Management. Participants were informed of what is IRBM, the issues and challenges and spatial implications of IRBM. His presentation also included a lot of graphic examples of environment pollution, particularly in waste pollution. His presentation paper is attached as **ANNEX E**.

*ii. **Management of Land-based Resources: Gaps and constraints (Department of Minerals and Geosciences)***

Tuan Haji Mustapha b. Mohd Lip (Deputy Director General of Operation) started his presentation with an overview of the department and introduced the profile of land-based resources in Malaysia and the issues related to land-based resources management. He also gave an overview of the strategies and recommendations of the sustainable mining and also the areas where NGOs can contribute to achieve those strategies. His presentation paper is attached as **ANNEX F**.

*iii. **Land Use Classification and Planning: Issues and challenges (Department of Town and Country Planning)***

Encik Mohd Jaafar b. Mohd Atan (Director) gave an overview of the National Physical Plan. Details of his presentation are attached as **ANNEX G**.

#### **Q & A Session:**

Directing his question to Ir. Haji Ahmad Fuad b. Embi (DID), Lee Shok Mee from SERI asked about the condition of Sg. Pinang. He informed that SERI have already sent a proposal to the Penang State Government concerning the pollution in Sg. Pinang, but have not received response from them.

#### **Plenary 2: Conservation and Management of Protected Areas - Chair: Prof. Dr. Mohd Nordin b. Haji Hasan, President of ENSEARCH**

*iv. **Implementation of Multilateral Environment Agreements: Enhancing the Integration of Environment and Development (Conservation and Environmental Management Division, Ministry of Natural Resources and Environment)***

This paper was presented by the director of the division, Datin Huzaimah Mohd Yusoff. Her presentation was more focused on the International Multilateral

Agreements (MEAs) that are relevant to conservation and management of protected areas. She mentioned about a few international agreements related to this matter. The full script of her paper is attached as **ANNEX H**.

v. ***Forest Management for Conservation and Protection (Forestry Department)***

Mr. Thai See Kiam (Director) gave an overview of Forestry Management activities in Malaysia, the legislation related to forest conservation and explained on the Forest Management Practices in Malaysia. His presentation paper is attached as **ANNEX I**.

vi. ***Wildlife Conservation: Status, Obstacles and The Way Forward (PERHILITAN)***

Dr. Pan Khang Aun presented his paper focusing on issues raised through Convention of Biodiversity (CBD). According to him, the main key issues are reduction of poverty around protected areas and reduction in the loss biodiversity by 2010. He mentioned that the current status of wildlife issues in Malaysia have increased over the last 5-10 years, generally wildlife populations are improving with the exception on rhinoceros. Details on Dr. Pan Khang Aun's presentation are attached as **ANNEX J**.

vii. ***Marine Conservation: Status, Obstacles and The Way Forward (Marine Park Division)***

Tuan Haji Gulam Sarwar (Director) started his presentation by mentioning that presently, Malaysia has 40 marine parks surrounding islands, they are 11 off Terengganu, 9 off Pahang, 13 in Johor, 4 off Kedah, and 3 off Labuan. The marine park protects the sea for 2 nautical miles from the coast. There are different zones for different use – tourism, conservation, etc. Tourism has become a major management issue for the department.

Previously, the government had established marine protected areas, in which no fishing was allowed. In 1990's, government established Marine Parks, which gave greater protection for the seas, including no fishing, no anchoring, no destroying of objects such as coral within 2 nautical miles from the low tide line at the beach. In Malaysia, we have 1.2 million tones of fish landing every year, amounting about RM4billion. This is supported by ecosystems such as coral reefs. Tourism at coral reefs is also a growing source of income for many sectors of society in Malaysia.

Details of his presentation are attached as **ANNEX K**.

**Q & A Session:**

Puan Khadijah from YAWA asked for the CD on Pulau Paya as mentioned by Tuan Haji Gulam in his presentation. Tuan Haji Gulam agreed to make it available to her.

**Plenary 3: Pollution Management - Chair: Ms. Jenny Tan, Executive Director, CETEC**

viii. ***State of Malaysia's Environmental Quality: Status and actions needed (Department of Environment, Selangor)***

Encik Shafe'ee Yasin (Deputy Director General) gave a talk about pollution control. His presentation included water pollution, air pollution and noise pollution. He also mentioned about the Environmental Quality Act 1974 focused on pollution control through licensing, legislation, guideline and enforcement. Details of the presentation were attached as **ANNEX L**.

ix. ***The Role of Local Government in Improving Environmental Quality (Department of Local Government)***

Encik Engku Azman b. Tuan Mat (Director of Implementation Division) started his presentation by giving an overview on the Department of Local Government. He mentioned that local government is under the responsibility of State Government but autonomous. He stressed that according to the Local Government Act 1976, there was nothing mentioned about the environment. It's more on how to manage the local authorities. Federal Government actually tried to uniform the function of local authorities but they were bound by their own law. He also specifically mentioned that government intended to privatize / federalize solid waste management to improve situation. Local authorities have been given instruction to be more transparent and responsive to NGOs. He mentioned that on the recycling programme, the ministry has tried to initiate the programme but it was the local authorities who were responsible to implement it. Presentation paper is attached as **ANNEX M**.

- x. ***Malaysia's National Responses to Combat Climate Change: Issues and challenges (Malaysian Meteorological Services)***  
Dr Yap Kok Seng, Deputy Director General of gave a presentation as attached in **ANNEX N**.

**Q & A Session:**

No questions were asked.

**SESSION 2 – Group Discussion**

- 7. The afternoon session was divided into 2 groups - **Group 1 : Land Development Issues** and **Group 2 : Conservation and Management of Protected Areas**. Eight government representatives stayed back for the group discussion.. Details of the discussion for both groups are attached as **ANNEX O** and **ANNEX P**.

**DIALOGUE DISCUSSION**

- 8. The conclusions of the dialogue as attached in **ANNEX Q** will be submitted to the relevant Government Agencies.

**SUMMING UP**

- 9. In summing up, Dr. Loh Chi Leong, the Vice-Chair of MENGO Co-operating Committee (MCC) thanked all the participants, especially the government representatives for their presentations and participation in the discussion. He hoped that the dialogue between the Government and the NGOs would not end that day but serves as a propelling wheel for future NGOs – Government discussions. He also hoped that the governments would take into considerations the recommendations discussed during the dialogue. The dialogue was officially closed at 5.00 p.m.

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*11<sup>th</sup> October 2004 at The Legend Hotel*

*organized by the MENGO Support Unit*

**CONCLUSIONS OF THE 1<sup>ST</sup> GOVERNMENT- MENGO DIALOGUE**

**INTRODUCTION**

The 2nd Government–MENGO dialogue, organized by the Malaysian Environmental NGOs, (MENGO) was held on 11th October 2004 at The Legend Hotel, Kuala Lumpur. The objectives of the dialogue are as follows:

- Introducing the environmental-related governments; including their roles and responsibilities and their focus areas, to the NGOs.
- Obtain feedback from the Government Departments and the NGOs on the roles that NGOs can play in promoting environmental protection and sustainable development in Malaysia.
- Providing a platform for exchange of ideas and views on the cooperation and collaboration between NGO and the Government and to discuss the possibilities of joint projects between them.

Fifty participants, representing the 18 MENGO members and other environmental-related NGOs, and 18 government representatives attended the dialogue. Representatives from 10 government agencies were invited to speak in the panel presentation. They were from:

- i) Department of Drainage and Irrigation
- ii) Department of Minerals and Geosciences
- iii) Department of Town and Country Planning
- iv) Division of Conservation and Environmental Management
- v) Forestry Department of Peninsular Malaysia
- vi) Department of Wildlife Protection and National Park
- vii) Division of Marine Parks
- viii) Department of Environment, Selangor
- ix) Department of Local Government
- x) Malaysian Meteorological Services

The dialogue was opened by Puan Hajah Rosnani Ibarahim, Director General of Department of Environment of MONRE, representing Datuk S. Sothinathan, the Deputy Minister of MONRE.

The following are the conclusions of the dialogue.

## LAND DEVELOPMENT ISSUES

The participants in the dialogue have identified three (3) key consolidate issues in the land development in Malaysia. The 3 issues are as follows :-

1. Macro and Micro Planning
  - Poor integration in the planning by multi stakeholders
  - Most projects do not require EIA
  - The subject of economic gains versus protection of social and environment
  - Protection of sensitive areas
  - There are cases of contradiction in the planning versus exploitation of resources. e.g. watershed management
  - Waste control and management is not sufficiently addressed at the planning stage. e.g. construction waste (macro planning)
  - Lack of political will for sustainable development
  - Lack of public consultation
  
2. Legal
  - Intervention by politicians by pass the regulatory processes
  - No regulation for agricultural development – no agency responsible for enforcement (Land Conservation Act is “incomplete”)
  - Conflict in the federal and state approval process
  - Guidelines are not binding
  - Private ownership and inappropriate land conversion
  
3. Implementation gaps
  - Inadequate know-how in earthworks control at all levels – contractor, developer & authority
  - Lack of understanding among decision makers
  - Inadequate manpower, expertise, enforcement at local government level
  - Development before approval is received
  - Public and private sector apathy
  - Lack of professionalism
  - Lack of access to information and public consultation
  - Uncertainty over roles of different government agencies at local level
  - Inconsistency between planning and implementation
  - Lack of enforcement, auditing & monitoring

The following are the recommendations made in the group discussion on how to address issues through Government – MENGO cooperation.

### 1. Capacity building

With their extensive experience; particularly at the community level, the MENGOs can help to spread their know-how experience and transfer of technology through media & other means.

### 2. Access to government training centres for MENGOs

As MENGOs are also contributing to the ...The Government should hwlp to capacity built the MENGOs. include provide access to the MENGOs to the government training.

### 3. Institutional linkages – MENGO & public part of consultation process

4. MINGOs to be “eyes & ears” for government & public

**CONSERVATION AND MANAGEMENT OF PROTECTED AREAS**

1. Gaps in conservation and management of PAs
  - a. Fair and equitable – Access and benefit sharing (1)
  - b. Lack of policies and laws (9)
  - c. Lack of community involvement in governance, policy formulation, management of PAs (2)
  - d. Connectivity of protected area system (functioning, wildlife corridors) – lack of effort, policy – fragmentation (5)
  - e. Trans-boundary parks – not enough initiatives, supporting policies (9)
  - f. Lack of enforcement (7)
  - g. People responsible for PA don’t understand the PA objectives (4)
  - h. Multidisciplinary approach instead of sectoral way of management (6)
  - i. Levels of employment for this sector too low for effective management (4)
  - j. Land use management outside PA compromise or comes in conflict with PA objectives (5)
  - k. Challenge to put economic value against BioD vision (8)
  - l. Communication breakdown – between NGOs (grass root & knowledge based); not enough opportunities for grassroots NGOs to get funding for PA management (2)
  - m. Poaching in PAs compromising its resources and lack of enforcement (7)
  - n. Non-implementation of the PA management plan (5)
  - o. Too many acts applied in PAs. Current legislation does not allow multidisciplinary governance (6)
  - p. Not all PAs have management plans & resource databases (5)
  - q. The major economic gainers of PAs are not held accountable to the upkeep of PAs (8)
  - r. Outputs of R & D not translated well into prescriptions for management of PA (5)
  - s. No Federal incentives/compensation mechanism for set up and maintenance of PAs (8)
  - t. Lack of consideration for co-management opportunities (2)
  - u. Lack of interest of politicians (3)
  - v. Lack of understanding of values at state level. PA establishment not a priority (4)
  - w. Lack of knowledge and capacity in Managing PAs(4)
  - x. Not enough publicity for PAs (3)
  - y. No education process for stake holders to appreciate the PA objectives and participate (3)
  - z. PA don’t have the methodologies for alternative livelihoods (8)

***Major issue clusters***

1. Access Benefit Sharing
2. Communities participation (1)
3. Public education and awareness (4)
4. Capacity of agencies
5. Management plans (development, formulation & implementation) (2)
6. Streamline sectoral to multisectoral planning (3)
7. Enforcement

8. Economics of PA management
9. Trans-boundary issues

**Priority ISSUE**

1. Community participation
2. Management plans (development, formulation & implementation)
3. Streamline sectoral to multisectoral planning
4. Public education and awareness

**The Way Forward**

MENGO committee ->come up with concepts ---->proposals (when, why, how) ----  
->request to MNRE ----> 9<sup>th</sup> Malaysian Plan