

Worksheet G

I. Strategy, legal framework and institutions

Background: As with all good public policy, natural resource management has the best opportunity for success when it is rooted in an informed and comprehensive national strategy.

Political parties can play an important role in ensuring that a strong national strategy is in place for the sector. A policy position aimed at addressing cross-cutting issues of strategy ideally clarifies not only the overarching goals for the industry, but also how those goals will be implemented, including the legal framework and institutions that are needed. Ghana's National Democratic Congress, for example, included commitments to 'introduce appropriate institutional and legal arrangements to give effect to the provisions of [several key laws]' and to 'promote further enhancement and stricter enforcement of rules and regulations in the sector'.

Costs and trade-offs

*When developing policy stances related to the **national strategy, legal framework and institutions** it is particularly important to consider:*

- The financial, time, political and economic costs of developing a new or revising the existing national strategy
- Which aspects of the legal framework are most important to have in place and functioning effectively
- Which institutions are most important to have in place and functioning effectively

For more information on these policy issues, refer to Precept 1 in the Charter Benchmarking Framework and the NRGi primers on the resource curse, the natural resource charter decision chain and legal frameworks.¹⁴⁰

¹⁴⁰ The Resource Curse primer is available at <<http://www.resourcegovernance.org/analysis-tools/publications/primer-resource-curse>>; the Natural Resource Charter Decision Chain primer is available at <<http://www.resourcegovernance.org/analysis-tools/publications/primer-natural-resource-charter-decision-chain>>; and the Legal Framework primer is available at <<https://resourcegovernance.org/analysis-tools/publications/primer-legal-framework>>.

Guiding questions	Current orientation
<ul style="list-style-type: none"> Does the party already have a stance (formal or informal, public or internal) on what the national strategy for governing natural resources should be? If so, what is that stance? 	
<ul style="list-style-type: none"> Does the party already have a stance (formal or informal, public or internal) on the legal framework and institutions needed to govern natural resources? If so, what is that stance? 	
<ul style="list-style-type: none"> What do the party base and its core constituencies think about the strategy, legal framework and institutions needed to govern natural resources? What does the wider population think? 	
Guiding questions	Current framework
<ul style="list-style-type: none"> What is the current national strategy for governing natural resources (formal or informal)? If it exists, has it been generally followed? 	
<ul style="list-style-type: none"> What are the major policies, laws and regulations that govern natural resource management across the entire decision chain? 	
<ul style="list-style-type: none"> Which institutions are directly responsible for enforcing and monitoring the implementation of the legal framework? What are their roles and responsibilities? 	
Policy options	Stances
<p>What should the government do to more clearly identify the country's resource endowment, who owns it and the positive and negative impacts of extraction?</p> <ul style="list-style-type: none"> How should the government more clearly establish who owns extractive resources? How can the government gain a well-informed understanding of the country's resource endowment? How can the government gain a realistic and sound understanding of how dependent the country is on natural resources? How should the government more seriously consider the positive and negative impacts of exploitation in making the decision on whether to extract? 	<p><i>Example stance:</i> The party believes that in order to benefit fully from the extraction of natural resources, the country must have a well-informed understanding of its resource endowments. We therefore commit to collecting information on reserves, production volumes, price scenarios, costs and time horizons.</p>
<p>What should the government do to ensure that there is an inclusive and comprehensive national strategy in place for the management of resources?</p> <ul style="list-style-type: none"> How should the resource strategy reflect an understanding of the fundamentals of resource wealth? How should the resource strategy take a long-term approach? How should the resource strategy reflect consideration of the full range of issues in the management of resource wealth? How should the government engage all relevant actors in the development, implementation and oversight of the resource strategy? How should the government ensure that the resource strategy guides the relevant legal framework? How should the government ensure that the resource strategy guides the relevant institutional framework? 	<p><i>Example stance:</i> The party believes that the country must have a long-term natural resource strategy. We therefore commit to developing a comprehensive national strategy document through an open and consultative process.</p>