



STRATEGIC ENVIRONMENTAL ASSESSMENT SYSTEM IN VIETNAM



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1. HISTORY AND DEVELOPMENT of SEA IN VIETNAM



LEP 1993

SEA was not promulgated in Law on Environmental protection, 1993.

LEP 2005

Strategic Environmental Assessment (SEA), EIA, Environment Protection Commitment, Post-EIA

In force:

Decree 29/2011

Circular 26/2011

SEA was formally introduced in a regular revision of the Law on Environment Protection (LEP) (a set of simple provisions in the Article 14 that mandated SEA for national, provincial and inter-provincial strategies, planning and plans)

LEP 2014

SEA, EIA, EPP, Post-EIA, **Environmental Protection Planning**

In force on 01/01/2015

Currently in force:

Decree 18/2015

Circular 27/2015

Current legal framework is provided by the LEP 2015. Obligations related to SEA are defined in Chapter II, Article 8-17.

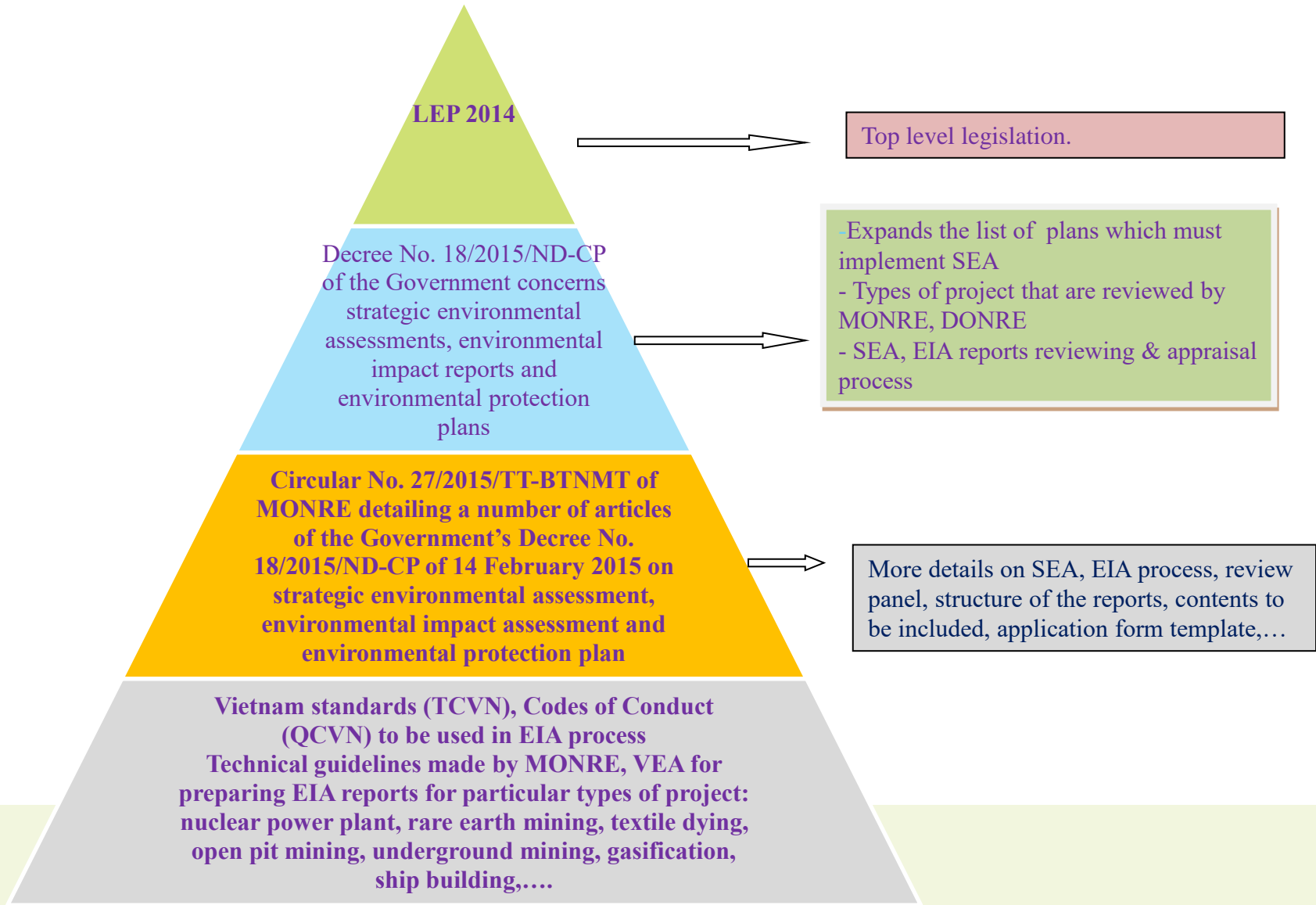
Further details are defined in the Decree No. 18/2015/NĐ-CP and Circular No. 27/2015/TT-BTNMT

1. HISTORY AND DEVELOPMENT of SEA IN VIETNAM

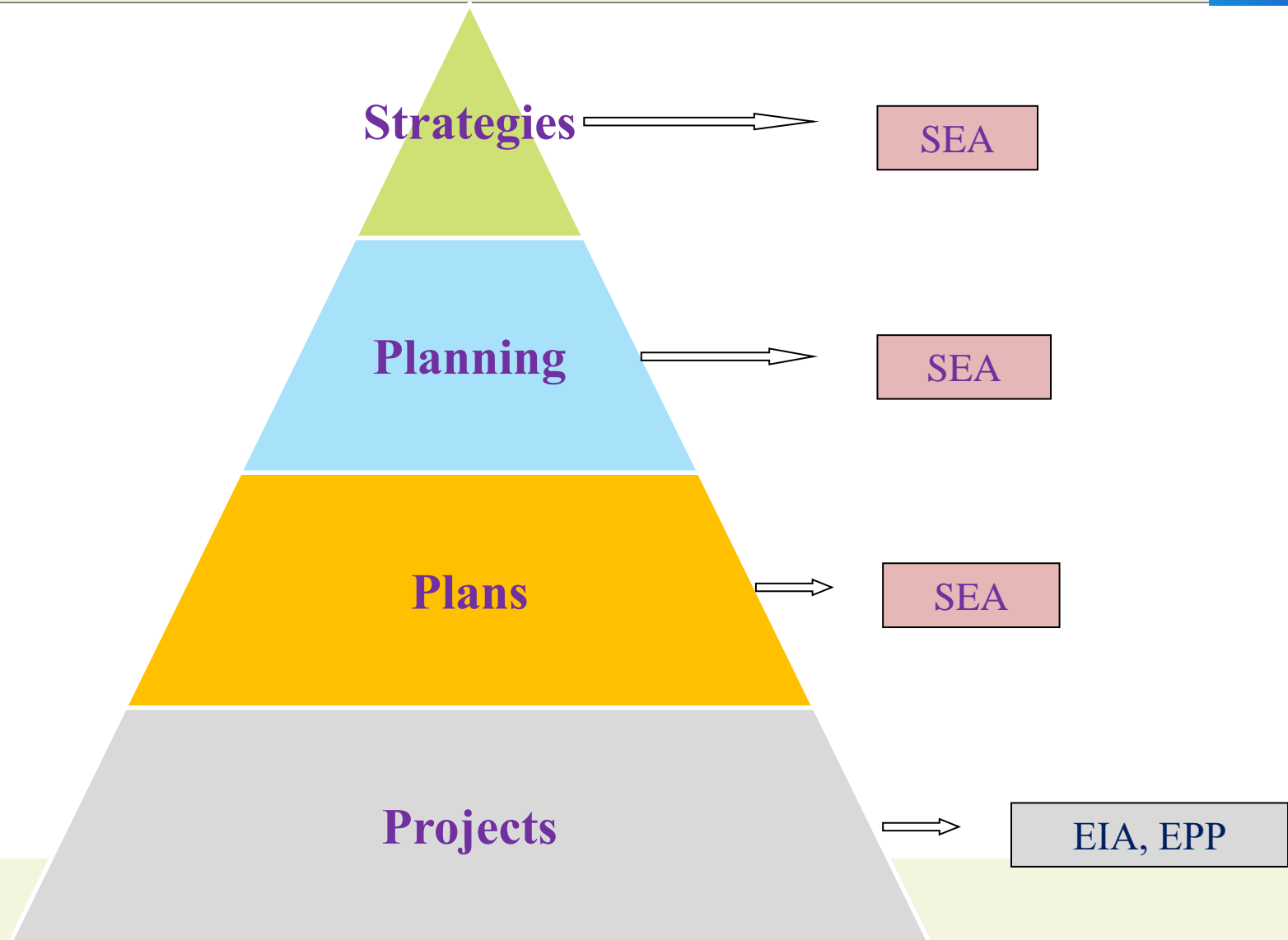


Note: LEP 1993 use EIA tool for Planning
(environmental impact assessment for planning)

2. Current legislation for SEA system in Vietnam



Current legislations for SEA system in Vietnam (cont')



Current legislations for SEA system in Vietnam (cont')



- ❖ **LEP 2014: under revision (planning)**
- ❖ **Decree 18/2015/ND-CP: under revision, focus on EIA**
- ❖ **Circular 27/2015/TT-BTNMT: under revision**
- ❖ **Planning law: is issued at the end of 2017, so the subjects performing SEA are changed due to the Planning law. This law mention the kind of planning (list name of planning), contents of Planning...**



3. Achievements



❖ 2012 – up to now: A project on capacity building for SEA

- 3 SEA guidelines:
 - Guidelines for Assessment of Impacts on Biodiversity in SEA
 - Guidelines for Assessment of Impacts on Health in SEA
 - Guidelines for Review of SEA
- 15 specific SEA guidelines for sectors and industries:
 - Road Development Plan
 - Provincial Social-economic Master Plan
 - Regional Social-economic Master Plan
 - Power Development Plan
 - Industrial Zone Development Plan
 - Urban Development Plan
 - Hydropower Development Plan



Achievements (cont')



- Steel Development Plan
- Land Use Master Plan
- Rubber Development Plan
- Textile Development Plan
- Seaport Development Plan
- Paper and pulp Development Plan
- Forestry Development Plan
- Fisheries Development Plan



Achievements (cont')



❖ 2013: A project on integrating Climate Change in Plan, Strategy and Program through the SEA

- 4 Guidelines for integrating Climate Change in Plan, Strategy and Program through the SEA
 - General guidelines for integrating Climate Change in SPP by SEA
 - Guidelines for integrating Climate Change in Provincial Social-economic Master Plan by SEA
 - Guidelines for integrating Climate Change in Road Development Plan by SEA
 - Guidelines for integrating Climate Change in Power Development Plan by SEA



4. Carry out SEA



4.1. The agency formulating of SPP

- a) Conduct themselves or hire an advisory organization to conduct SEA
- b) Send an application for assessment of SEA report to the SEA report assessment authority for appraisal

4.2. The advisory organization conducting SEA shall take responsibility to the formulating agency and take legal responsibility for results of SEA, information, figures in their SEA report.



Carry out SEA



4.3. The agency formulating of SPP (government have to carry out SPP)

4.4. The MONRE shall provide guidance on forms of application for Assessment of SEA report; formulation and issuance of SEA technical guidelines.





5. Contents of SEA report

Main contents of SEA report

- a) Necessity and legal bases of the elaboration of the SPP
- b) Method of SEA
- c) Summarized contents of the SPP
- d) Natural environment and socio-economic conditions of the region
- e) impacted by the SPP.
- f) Assessment of conformity of the SPP with environmental protection viewpoints and objectives.

Contents of SEA report



- g) Assessment and forecast of impact trends of climate change in the implementation of the SPP.
- h) Consultation in the course of SEA.
- i) Solutions to maintaining the positive trend, prevent and mitigate the negative trend of environmental issues in the course of implementation of the SPP.
- k. Issues to be further studied in the course of implementation of the SPP and proposed handling of such issues.



6. Appraisal of SEA report

6. Appraisal of SEA report (decentralization)

6.1. The responsibility to appraise SEA reports is prescribed as follows:

- a/ The MONRE appraise SEA reports for SPP decided by the National Assembly, Government or Prime Minister;
- b/ Ministries and ministerial-level agencies shall appraise SEA reports for SPP under their approval competence;
- c/ Provincial-level People's Committees shall appraise SEA reports for SPP under their approval competence and the approval competence of provincial-level People's Councils.



6.2. The appraisal of SEA Reports shall be conducted by appraisal councils formed by heads of agencies in charge of appraising strategic environmental assessment reports.

- Councils at least 09 members
- Members of SEA report assessment council shall consist of President, 01 Vice President where necessary, 01 Secretary member, 02 Opponent members and other members, which at least 30 percent of the Assessment council members having at least 05 years' experience in the SEA

6.3. Agencies in charge of appraising SEA reports shall verify and assess information in such reports and receive criticisms of related agencies, organizations and experts.



6.4. Time to appraisal of SEA Reports shall be 45 days after received SEA report.

6.5. The SEA report assessment authority may:

- a) Conduct a survey on areas or adjacent areas where the project is carried out;
- b) Verify and evaluate information, data, analysis results, evaluation, or forecast in the SEA report;
- c) Collect opinions of relevant socio-political organizations, social organizations, socio-professional organizations, or experts;
- d) Hold thematic meetings between experts.

7. Recommendations



- **Improving the system of legal documents on SEA.**
- **Improving the capacity of SEA for ministries, sectors and locals.**
- **Promote the cooperation of international organizations and non-governmental organizations in environmental protection and management.**
- **Developing publications, disseminating technical guidelines on SEA.**
- **Incorporating climate change issues in SPP and SEA.**



7. Recommendations



- **Promoting communication activities raising awareness on SEA for decision makers and community.**
- **Strengthening the cooperation of relevant agencies for SEA and promote community participation in the SEA process (Low on Planning - public consultation).**
- **Developing and implementing training courses on SEA.**
- **Establishing information and data base on SEA**





THANK YOU FOR YOUR ATTENTION!

