

Suggestions for Implementation of EPP in Vietnam

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WORKSHOP: SHARING INTERNATIONAL EXPERIENCES AND
ORIENTATIONS FOR IMPLEMENTATION OF ENVIRONMENTAL
PROTECTION PLANNING IN VIETNAM

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Outline

- * What does the law tell us about implementation of EPP in Vietnam?
- * What are some of the challenges associated with implementing Decree 18, and the new EPP Circular?
- * (These issues were discussed in a Position Paper produced for ISPoNRE and MoNRE in late May).

What does the law tell us (LEP 2014 and Decree 18)?

“Planning for environmental protection refers to the environmental zoning scheme to conserve, develop and establish technical infrastructural systems for environmental protection in line with a range of measures to be taken to protect the environment, which must be closely connected with the general planning for socio-economic development to aim for sustainable development.” (Article 3, clause 21 LEP)

EPP must “be harmonized with the general strategy and planning for socio-economic development, and the National Environment Protection Strategy with the aim of ensuring sustainable development”.

EPP is required at the national and provincial levels.

What does the law tell us (LEP 2014 and Decree 18)?

EPP at the national level should result in a free-standing National Environmental Protection Plan.

At the provincial level, EPP can either be free-standing, or integrated into a province's Socio-Economic Development Plan (SEDP).

National-level and provincial-level EPP should consist of “state of the environment” reporting, as well as “environmental zoning” for conservation, development of “environmental protection infrastructure”, planning maps, and resources for implementation.

What does the draft EPP Circular do?

- * Provides detailed direction on the main content of the national EPP, and provincial EPPs.
- * Defines how consultation should take place with “state agencies”.
- * Defines the content and steps associated with provincial EPP development when it is either “separate” or “integrated with” economic development planning.
- * Outlines the criteria for environmental zoning into “blue” or “brown” zones.

What does the draft EPP Circular not do?

- (i) Outline the relationship with the following types of plans:
- sectoral and product development planning;
 - development planning when the Min. of Construction is the focal point (eg urban planning);
 - land use, minerals and natural resources planning; and,
 - national level socio-economic master planning.

What does the draft EPP Circular not do?

(ii) Link with National level socio-economic planning:

It seems clear then that the national level EPP should be a “free-standing” product that is not integrated into the national SEDP process, unlike the situation at the provincial level where EPP can be “combined” with socio-economic development master planning. It is therefore somewhat uncertain as to how national level EPP should influence the design and content of national SEDPs.

What does the draft EPP Circular not do?

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Main content of the Planning Bill



What does the draft EPP Circular not do?

(iii) Link between SEA and EPP:

While the link between SEA and strategies, plans and programs (SPP) making seems clear in the LEP 2014, and in the Planning Bill, the neither Decree 18, nor the draft Circular specify how EPP should be timed/scheduled in relation to SEA.

What does the draft EPP Circular not do?

- (iii) Specify the detailed criteria for determination of environmental zone types:

There appear to be only 2 types of zones defined in the draft Circular. This may not be enough detail for useful national/provincial planning.

Possible Solutions?

- (i) The Circular could make it clear what the relationship should be between the National EPP and national socio-economic development plans, and between other planning types.
- (ii) The Circular should clarify the relationship between SEA and EPP.
- (iii) Detailed Technical Guidance should be developed to better direct the environmental zoning component of EPP.