



UNITED NATIONS  
INDUSTRIAL DEVELOPMENT ORGANIZATION



MINISTRY OF PLANNING AND  
INVESTMENT OF VIETNAM

# ECO-INDUSTRIAL PARKS VIET NAM

## VIETNAMESE POLICY DOCUMENTS FOR SUPPORTING COMMUNITIES TO MONITOR ENVIRONMENTAL IMPACTS FROM INDUSTRIAL ZONES



INCLUSIVE AND SUSTAINABLE INDUSTRIAL DEVELOPMENT

#### DISCLAIMER

This document has been produced without formal United Nations editing. The designations employed and the presentation of the material in this document do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations Industrial Development Organization (UNIDO) concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries, or its economic system or degree of development. Designations such as “developed”, “industrialized” and “developing” are intended for statistical convenience and do not necessarily express a judgment about the stage reached by a particular country or area in the development process. Mention of firm names or commercial products does not constitute an endorsement by UNIDO. Although great care has been taken to maintain the accuracy of information herein, neither UNIDO nor its Member States assume any responsibility for consequences which may arise from the use of the material.

This document may be freely quoted or reprinted, but acknowledgement is required.

Vienna, 2019.

Pictures: © 123rf.com

# CONTENTS

ACRONYMS	V
ACKNOWLEDGMENTS	VI
INTRODUCTION	1
1. THE MECHANISMS FOR COMMUNITY TO PARTICIPATE IN DECISIONS ON ENVIRONMENTAL PROTECTION IN INDUSTRIAL ZONES	2
1.1. Law on Chemicals (2007, integrated in 2018)	2
1.2. Law on Environmental Protection (2014)	2
1.3. Decree No. 18/2015/ND-CP dated 14 February 2015 regulating environmental protection planning, strategic environmental assessment, EIA and environmental protection planning	3
1.4. Decree No. 19/2015/NĐ-CP dated on 14 February 2015 detailing the implementation of a number of articles of the law on environmental protection.	3
2. THE ROLE OF COMMUNITY ON MONITORING ENVIRONMENTAL IMPACTS AND IN RESPONDING TO ACCIDENTS AND DISASTERS (INCLUDING THE ROLE OF STAKEHOLDERS)	5
2.1. The Law on Fire safety and firefighting (2001) and the Law on amendments to the Law on Fire safety and firefighting (2013)	5
2.2. Law on natural disaster prevention and control (2013)	5
2.3. Law on Environmental Protection (2014)	6
2.4. Decree No. 19/2015/ND-CP dated 14 February 2015 of the Government detailing the implementation of a number of articles of the Law on Environmental Protection (2014).	7
2.5. Decree No. 30/2017/ND-CP dated 21 March 2017 of the Government regulating the organization and operation of accident response, disaster and search and rescue.	7
2.6. Decree No. 83/2017/ND-CP dated 18 July 2017 of the Government stipulating the rescue and salvage work of the fire prevention and fighting forces	7
2.7. Decree No. 113/2017/ND-CP dated 9 October 2017 of the Government specifying and providing guidelines for implementation of certain articles of the Law on Chemicals	8
2.8. Decision No. 02/2013/QĐ-TTg of the Prime Minister promulgating the Regulation on oil spill accident response	8
2.9. Decision No. 26/2016/QĐ-TTg of 1 July 2016 of the Prime Minister promulgating the Regulation on activities to respond to toxic chemical accidents	9
2.10. Decision No. 15/2018/QĐ-TTg dated 12 March 2018 of the Prime Minister regulating the functions, missions, powers and organizational structure of Vietnam Environment Administration under the Ministry of Natural Resources and Environment.	9

2.11. Circular No. 35/2015/TT-BTNMT dated 30 June 2015 of the Ministry of Natural Resources and Environment on environmental protection in economic zones, industrial parks, export processing zones and hi-tech parks	9
2.12. Circular No. 32/2017/TT-BCT dated 28 December 2017 of the Ministry of Industry and Trade specifying and guiding the implementation of a number of articles of the Law on Chemicals. Decree No. 113/2017/ND-CP of 9 September and October 2017 of the Government detailing and guiding the implementation of a number of articles of the Law on Chemicals	10

### 3. THE ROLE OF THE COMMUNITY IN PREVENTION AND RESPONSE TO ENVIRONMENTAL AND NATURAL ACCIDENTS (INCLUDING THE ROLE OF THE PARTIES) 11

3.1. Law on Chemicals (2007), integrated 2018	11
3.2. Law on fire prevention and fighting (2001) and Law on amending and supplementing some articles of Law on fire prevention and fighting (2013)	13
3.3. Law on natural disaster prevention and control (2013)	15
3.4. Law on Environmental Protection (2014)	17
3.5. Law on occupational safety and hygiene (2015)	19
3.6. Decree No. 66/2014/ND-CP dated 4 July 2014 of the Government detailing and guiding the implementation of a number of articles of the Law on Natural Disaster Prevention and Control	20
3.7. Decree No. 79/2014/ND-CP of 31 July 2014 detailing the implementation of a number of articles of the Law on Fire Prevention and Fighting and the Law Amending and Supplementing a Number of Articles of the Law on Fire Prevention and Fighting	21
3.8. Decree No. 19/2015/ND-CP dated 14 February 2015 detailing the implementation of a number of articles of the Law on Environmental Protection (2014)	21
3.9. Decree No. 38/2015/ND-CP dated 24 April 2015 of the Government on the management of waste and discarded materials	21
3.10. Decree 30/2017/ND-CP dated 21 March 2017 stipulating the regulation on response to accident, natural disaster and search and rescue.	22
3.11. Decree No. 83/2017/ND-CP of 18 July 2017 of the Government stipulating the rescue and salvage work of the fire prevention and fighting forces	22
3.12. Decree No. 113/2017/ND-CP of 9 October 2017 detailing and guiding the implementation of a number of articles of the Chemical Law	24
3.13. Decree No. 82/2018/ND-CP dated 22 May 2018 regulating the management of industrial parks and economic zones	25

<b>3.14. Decision No. 02/2013/QĐ-TTg of the Prime Minister promulgating the Regulation on oil spill accident response</b>	<b>25</b>
<b>3.15. Decision No. 26/2016/QĐ-TTg dated July 1, 2016 of the Prime Minister promulgating the Regulation on operations to respond to toxic chemical accidents</b>	<b>28</b>
<b>3.16. Circular No. 35/2015/TT-BTNMT of 30 June 2015 of the Ministry of Natural Resources and Environment on environmental protection in economic zones, industrial parks, export processing zones and hi-tech parks</b>	<b>30</b>
<b>3.17. Circular No. 32/2017/TT-BCT dated 28 December 2017 specifying and guiding the implementation of a number of articles of the Law on Chemicals. Decree No. 113/2017/ND-CP of 9 October 2017 of the Government detailing and guiding the implementation of a number of articles of the Law on Chemicals</b>	<b>31</b>
<b>4. OTHER DOCUMENTATION GUIDELINES</b>	<b>33</b>
<b>4.1. Central Government</b>	<b>33</b>
<b>4.2. Cần Thơ</b>	<b>34</b>
<b>4.3. Đà Nẵng</b>	<b>35</b>
<b>4.4. Ninh Bình</b>	<b>35</b>
<b>5. GENERAL OBSERVATIONS</b>	<b>37</b>
<b>5.1. Central Government</b>	<b>33</b>
<b>5.2. Cần Thơ</b>	<b>34</b>

## ACRONYMS

CECoD	Center for Environment and Community Development
DoNRE	Department of Natural Resources and Environment of Viet Nam
EIA	Environmental Impact Assessment
IZ	Industrial zones
KH-UBND	Plan of the Peoples' Committee
ND-CP	Decree of the Government
QĐ-TTg	Decision of the Prime Minister
QĐ-UBND	Decision - Peoples' Committee
SAR	Search and Rescue
TT-BCT	Circular of the Ministry of Finance
UBND-VP3	Peoples' Committee - Office No. 3
UNIDO	United Nations Industrial Development Organization

# ACKNOWLEDGEMENTS

This report was prepared by the Center for Environment and Community Development (CECoD) within the framework of the UNIDO project “Implementation of Eco-industrial park initiative for sustainable industrial zones in Vietnam”, co-implemented by UNIDO and the Ministry of Planning and Investment of Viet Nam.

We would like to thank Nguyen Thi Thu for drafting this report, Nguyen Trinh Huong, assignment team leader. In addition, we would like to give deep thanks to Tran Duy Dong (Ministry of Planning and Investment), Tran Thanh Phuong and Nguyen Tram Anh (Project Management Unit in Viet Nam) and Alessandro Flammini (UNIDO Headquarters) for their detailed comments and guidance on the report. Additionally, we would like to thank Melanie Pisano for editing the report.



**CENTRE FOR ENVIRONMENT AND  
COMMUNITY DEVELOPMENT**

# INTRODUCTION

Capacity building is one of the pillar activities of the project “Implementation of Eco – industrial park initiative for sustainable industrial zone in Vietnam”. In August 2018, UNIDO signed a contract with the CECOD, to implement the assignment “Capacity building in communities to respond to environmental accidents or disasters from industrial zones” with focus on raising awareness and strengthening capacity of Vietnamese communities.

This assignment has three main components:

- 1) Review and analyze international and domestic experience on environmental accidents;
- 2) Assess capacity building needs and set-up trainings; and,
- 3) Knowledge dissemination.

In conjunction with component 1, this report’s general objective is to provide a comprehensive review of international and national experiences on prevention, preparedness and response to environmental accidents to ensure that all stakeholders are able to respond in a timely and effective manner.

The objective of this report is to review Vietnamese policy documents regarding the rights and tasks of communities in preventing and responding to environmental accidents/ disasters, as well as environmental protection. Relevant guidelines will be developed for training programs for selected target groups (under component 2).

This report will discuss:

- Mechanisms for communities to participate in decision-making regarding environmental protection in industrial zones (IZ);
- The role of communities to monitor environmental impacts and respond to accidents and disasters (including the roles of the different stakeholders); and,
- The role of communities in preventative activities to respond to accidents and disasters (including the roles of stakeholders).

The contents of this report are presented by the order from law- decree - Prime Minister Decision and circular, and data issued from the past to present.

# 1. THE MECHANISMS FOR COMMUNITY TO PARTICIPATE IN DECISIONS ON ENVIRONMENTAL PROTECTION IN INDUSTRIAL ZONES

## 1.1. Law on Chemicals (2007, integrated in 2018)

### **Article 57. Rights and obligations of organizations and individuals in the protection of the environment and safety for the community**

Clause 1: Organizations and individuals in localities where chemical facilities exist have the following rights:

d) To give opinions on environmental protection measures and chemical accident prevention and response plans of investment projects on the building of hazardous chemical production or storage establishments in their localities.

## 1.2. Law on Environmental Protection (2014)

### **Article 21. Consultation to be required in the process of the strategic environment assessment**

Clause 2: Project owners are obliged to consult with regulatory agencies, organizations and communities directly impacted by the project.

Clause 3: Projects that do not require the consultation include:

Those in conformity with the planning for concentrated manufacturing, trading and service provision areas under the approval of the report on environmental impact assessment (EIA) at the infrastructural construction stage for the project.

### **Article 44. Responsibilities and rights of Vietnam Fatherland Front**

预览已结束，完整报告链接和二维码如下：

[https://www.yunbaogao.cn/report/index/report?reportId=5\\_23138](https://www.yunbaogao.cn/report/index/report?reportId=5_23138)

