

## (6) Vietnam: Comparison with International EIA Procedures

The Vietnam's environmental impact assessment procedures mostly meet the international standards and stipulate many environmental standards and emission standards for air, noise, and water quality.

### Comparison with IFC Performance Standards

Main items of the IFC Performance Standards	Laws and regulations
Standard 1 Evaluation and management of environmental and social risks and impacts	SEAs for development planning at the policy planning phase, SEAs for sector plans at the planning phase, and EIAs for projects have all been legislated. Major laws and regulations include the Environmental Protection Law 55/2014/QH13, the Decree 19/2016/ND-CP, and the Circular 27/2015/TT-BTNMT.
Standard 2 Labor and working conditions	For workers' health and safety, the Law on Occupational Safety and Health (Law No. 84/2015/QH13) stipulates the principles for the protection of workers.
Standard 3 Effective use of natural resources and pollution prevention	Sustainable utilization of natural resources, emission standards, effluent standards, and hazardous waste management are specified in the Environmental Protection Law 55/2014/QH13.
Standard 4 Community health, safety and security	The ambient air environment standard is specified in the Ambient Air Quality Standard (QCVN 05 : 2013/BTNMT), the water quality standard for drinking water is specified in the Drinking Water Standard No.1329/2002/Vietnam Medical Ministry dated 18.4.2002, and the noise environment standard is specified in the QCVN 26:2010/BTNMT - National Technical Regulation on Noise.
Standard 5 Land acquisition and involuntary resettlement	For land acquisition and involuntary resettlement, the Law on Land 45/2013/QH13, the Decree No. 69/2009/ND-CP, and other laws and regulations stipulate the compensation procedures, the amount of compensation, etc.

Standard 6 Biodiversity conservation and sustainable natural resource management	For biodiversity conservation, the Law on Biodiversity 20/2008/QH12 stipulates necessary policies.
Standard 7 Indigenous peoples	For cropland and habitation areas for ethnic minorities in mountainous areas, the Decision No.132/2002/QD-TTg, the Decision No.134/2004/QD-TTg, and other laws and regulations have been stipulated.
Standard 8 Cultural heritage	For protection of cultural heritage, the Law on Cultural Heritage 28/2001/QH10, the Decree 70/2012/ND-CP, the Joint Circulars 19/2013/TTLT-BVHTTDL-BTNMT, the Circular 18/2012/TT-BVHTTDL, and other laws and regulations have been stipulated.

The Environmental Impact Assessment System in Vietnam is relatively well-developed and has no significant disparity with the requirements provided by international organizations; however, the following measures are required to be taken to fully meet the demand of international organizations:

- Scoping: There is no provision to dialogue with community residents during scoping. However, in some projects supported by donors, dialogues with residents are held at this stage to prevent conflict.
- Environment survey: It is difficult to secure marine life investigators with general ability of identifying marine life; in addition, biological data are sometimes fabricated or falsified. In case of the environment where rare species live, experts outside the country should be hired for accurate investigation.
- Environment approval and project approval: Under the system, a project approval is not granted unless an environment approval is obtained; however, some projects have been granted a project approval without obtaining an environment approval. It is necessary to confirm whether target projects have actually obtained an environment approval.
- Environmental conservation measures: Offset for net gain may not have been considered. If it is unable to avoid negative impact on the natural environment, it is necessary to confirm whether sufficient offset has been considered.
- Information disclosure: Information may not have been fully transmitted to people who are subject to the result of project planning and environmental impact assessment. It is necessary to confirm whether such information has been adequately transmitted to all people who are affected by the result.
- Resident dialogue: People to whom the People's Committee of the village does not send an

invitation may not be able to participate in resident dialogues. It is necessary to confirm whether the socially vulnerable and indigenous peoples have been able to participate in resident dialogues.

- Compensation for resettlement: A Resettlement Plan and an Indigenous Peoples Plan may not have been created at the same time as EIA.