

GOVERNMENT
No.658/TT

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Hanoi, 9 November 1994

DECISION OF PRIME MINISTER

(on location of oil refinery factory and focal central economic zone)

PRIME MINISTER

- Pursuant to the Organization Law of the Government dated 30th September 1994,
- At the proposal of the Ministry of Construction (Letter No.145/BXD-QH dated 28 October 1994 and Letter No.146/BXD-QH dated 29 October 1994) and the decision of the meeting among Prime Minister and concerned sectors and localities on 30 October 1994.

DECIDES

Article 1: On Location of Oil Refinery Factory

- There will be no oil refinery factory (including small capacity factory) in the area from Ho Chi Minh City to Ba Ria - Vung Tau and Van Phong Bay (Khanh Hoa Province)
- Petro Vietnam is assigned to coordinate with foreign partners for preparation of a detailed feasibility study on Oil Refinery Factory No.1 in Dung Quat (Quang Ngai Province) due to its advantages arising from port, infrastructure in outskirt areas as stated by Ministry of Construction.
- During the implementation, in case new location which is more advantageous than Dung Quat is found, Petro Vietnam and foreign partner will report in time to Prime Minister.

Article 2: On development planning of focal central economic zone

- State Planning Committee is assigned to execute the preparation of development master plan, Ministry of Construction to execute the general layout plan of focal central economic zone from Lien

Chieu port area (Quang Nam -Da Nang Province) to Dung Quat (Quang Ngai Province), which will be submitted for approval of Prime Minister in December 1994.

- Ministries of Energy, Heavy Industry, Light Industry, Transport, Water Resources, Trade, National Defense, People's Committees of Quang Nam - Da Nang Province, Quang Ngai Province, Vietnam Tourism will assign counterpart for the preparation of sectoral master plans within the frame work of general master plan.

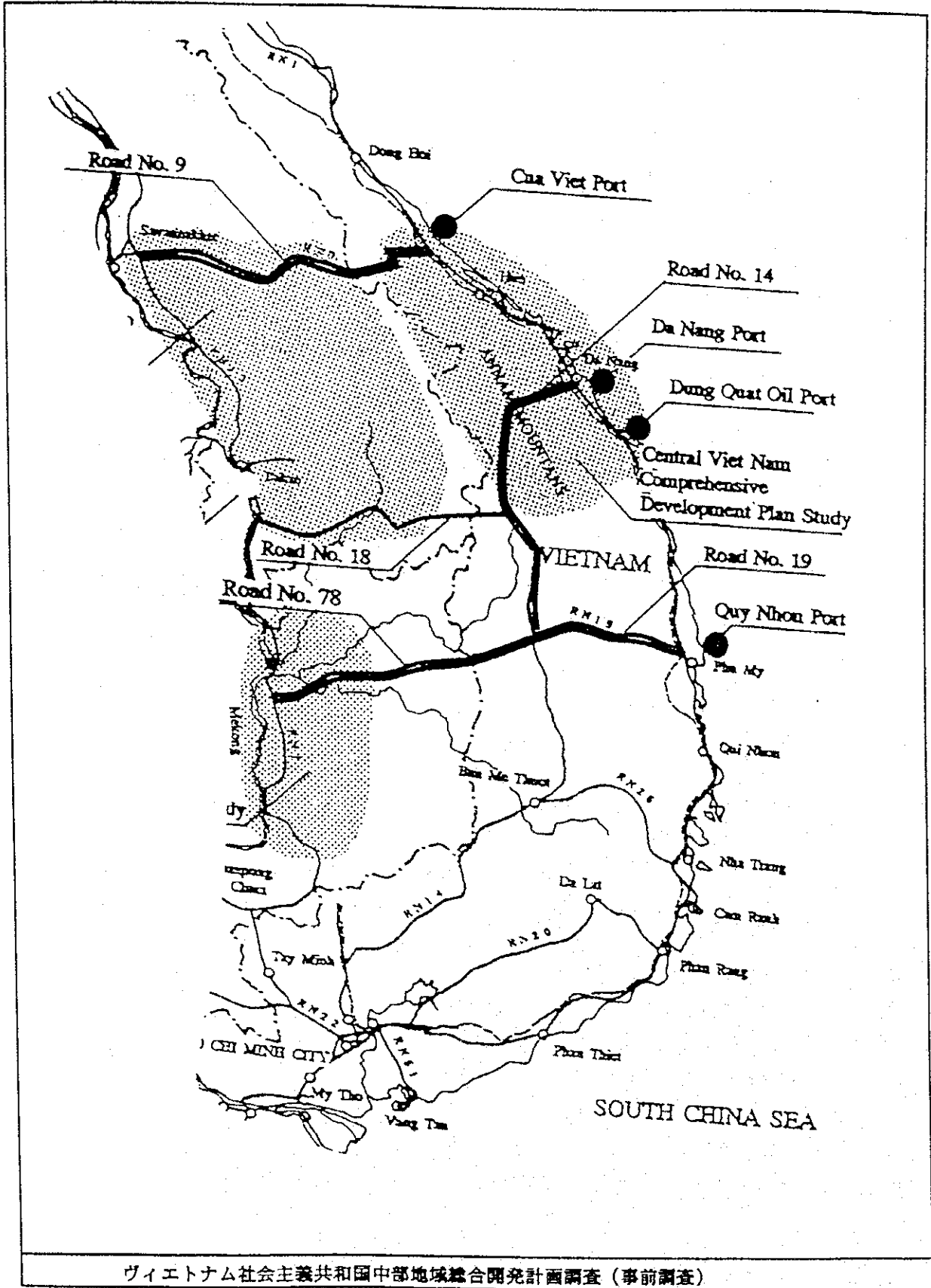
Article 3: Minister of Construction, head of related agencies, sectors, localities and general director of Petro Vietnam are responsible for the execution of the Decree.

Prime Minister
(signed)

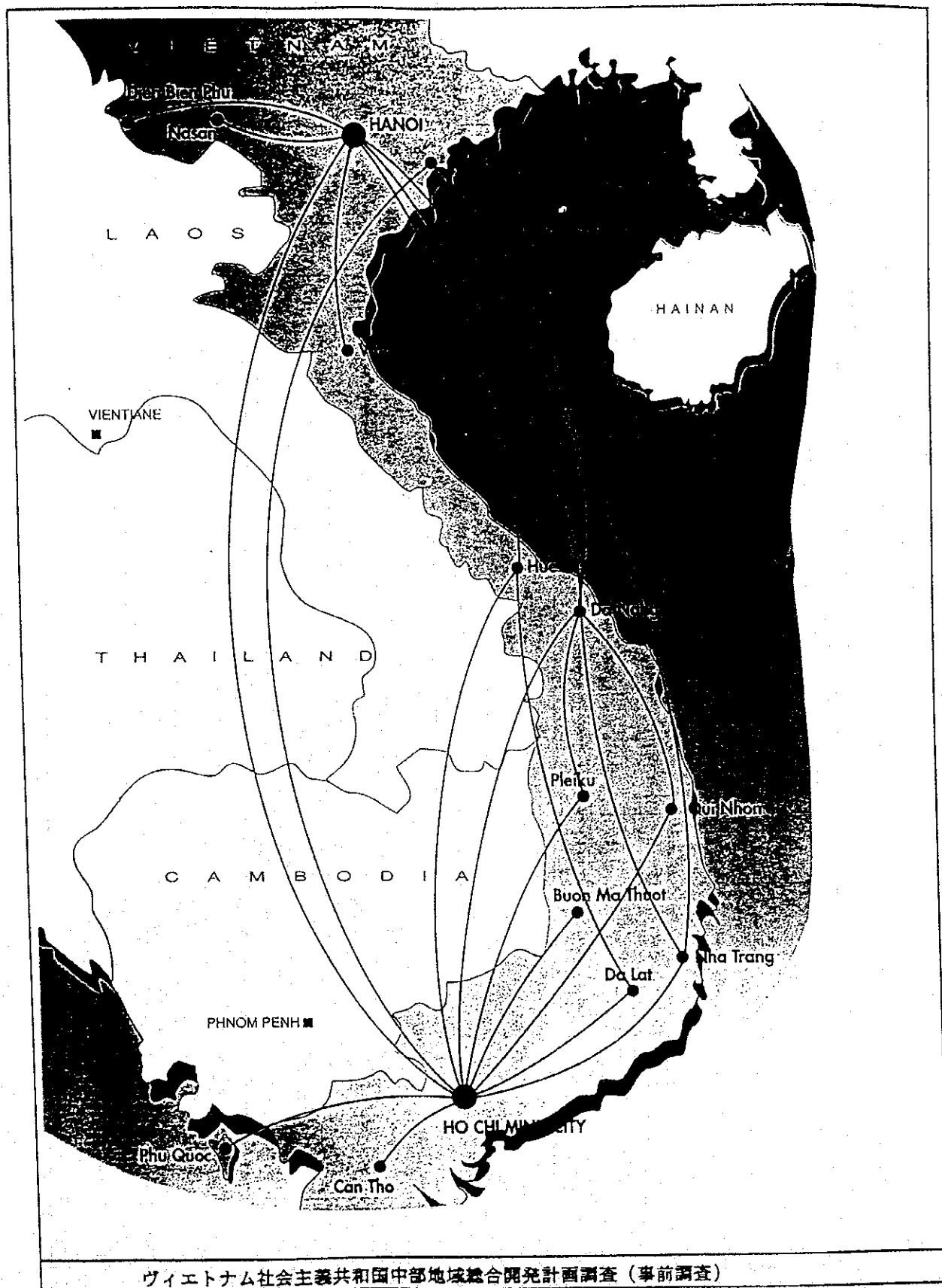
Vo Van Kiet

- c.c:
- Standing Politbureau (for report)
 - Standing Secretariat (for report)
 - Prime Minister and Deputy Prime Ministers
 - Ministries of Energy, Heavy Industry, Light Industry, Transport, Water Resources, Trade, National Defense, Finance, Water Products, Agriculture and Food Industry, Interior, Public Health, Education and Training, Labour and War Valid
 - State Committee for Cooperation and Investment
 - State Planning Committee
 - State Bank
 - People's Committees of Provinces: Quang Nam - Da Nang, Quang Ngai, Dong Nai, Ho Chi Minh City, Khanh Hoa, Ba Ria - Vung Tau
 - Vietnam Tourism
 - Petro Vietnam
 - Government Office: Chairman Minister, concerned departments
 - Filed

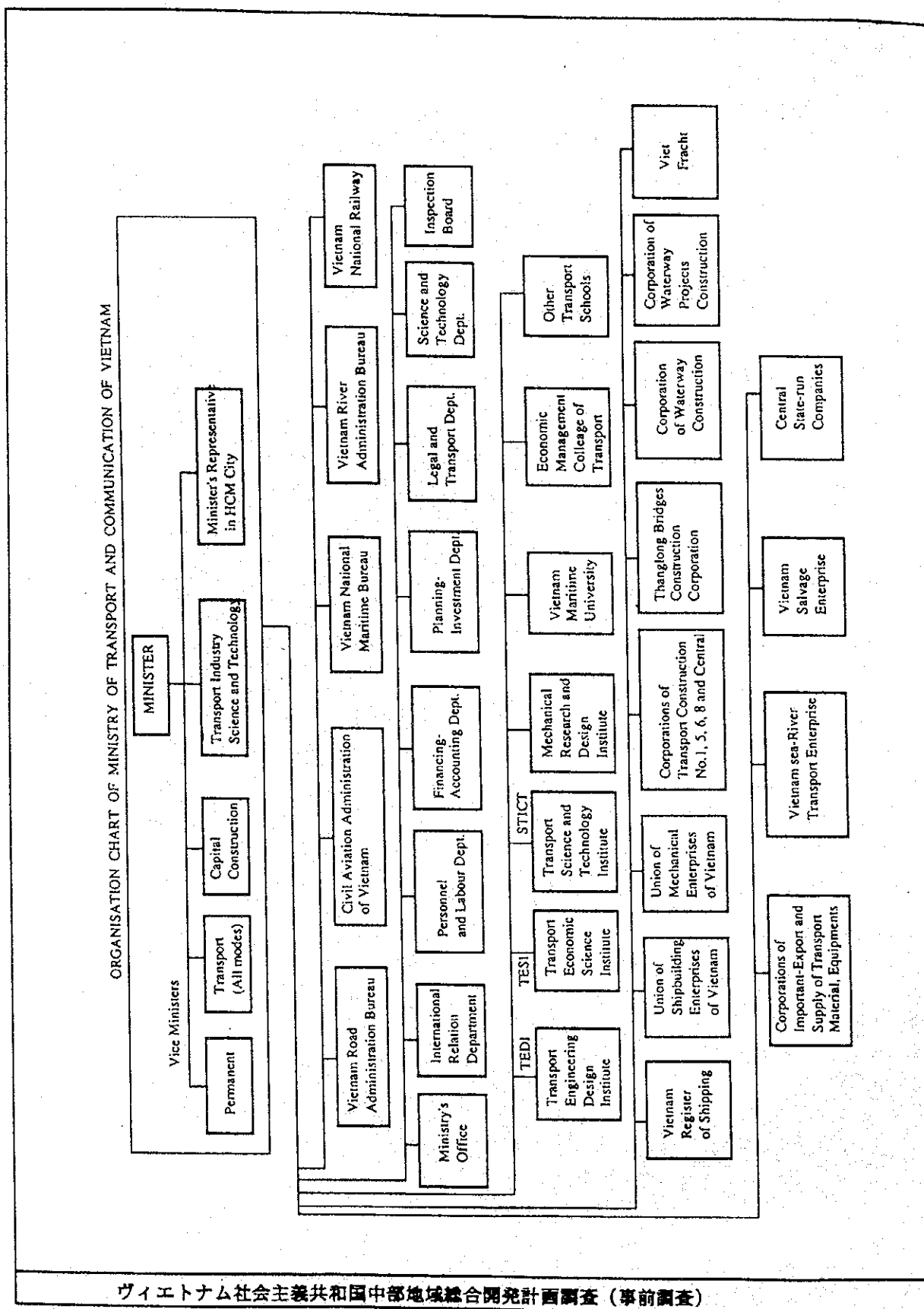
ANNEX 15. 中部ヴェトナム地域港湾位置図



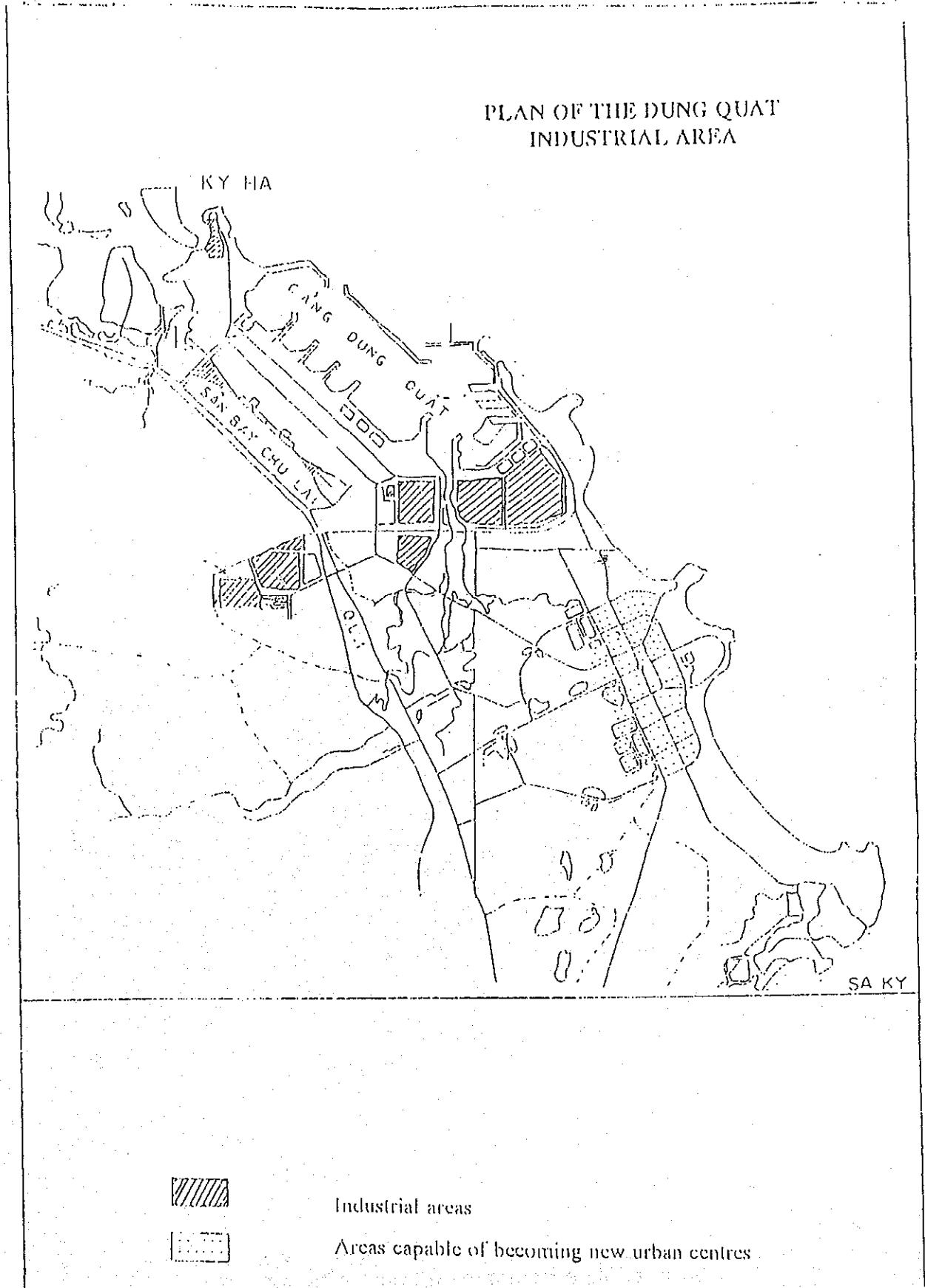
ANNEX 16. ヴィエトナム航空国内路線図



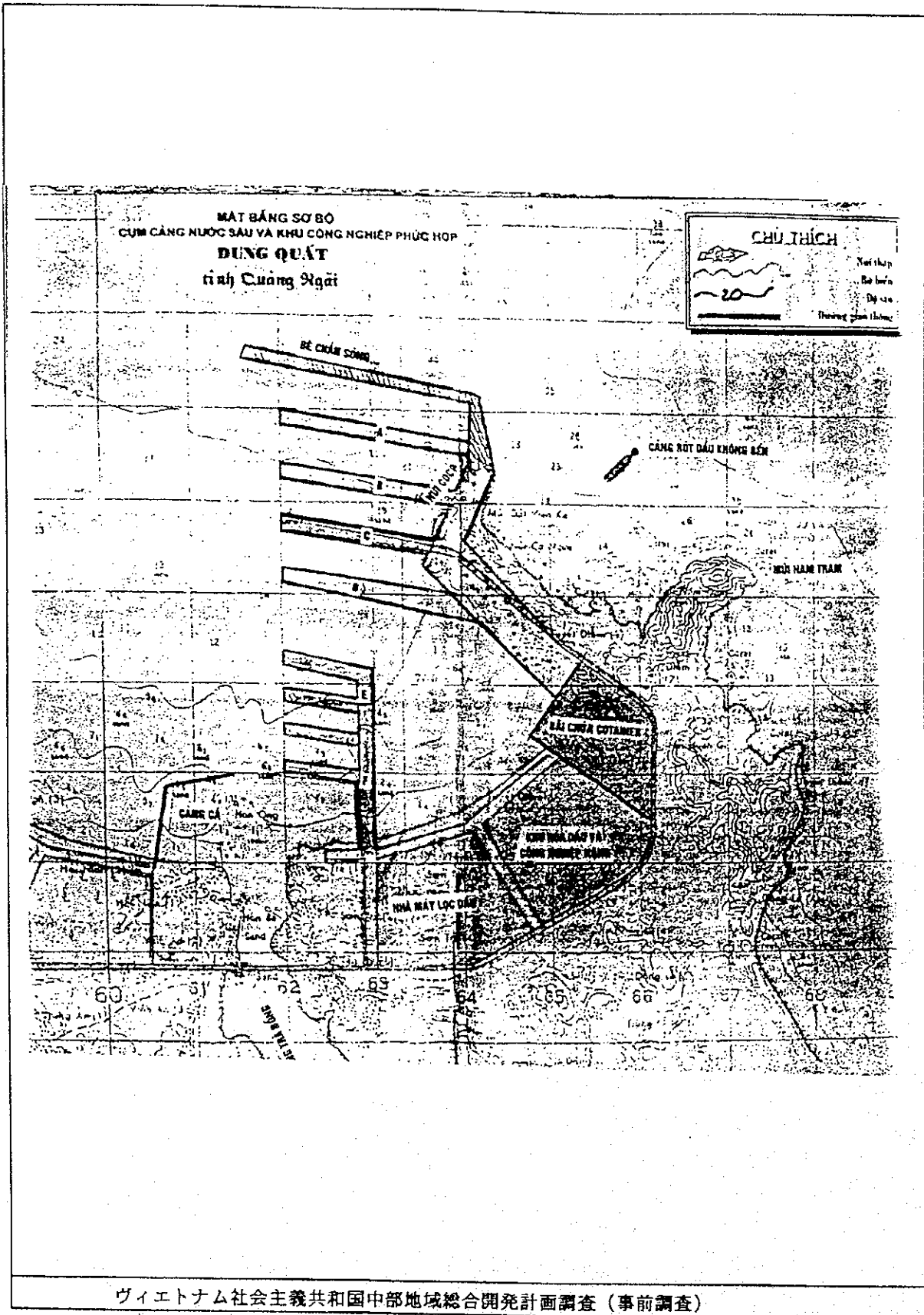
ヴィエトナム社会主義共和国中部地域総合開発計画調査（事前調査）



ヴェトナム社会主義共和国中部地域総合開発計画調査 (事前調査)

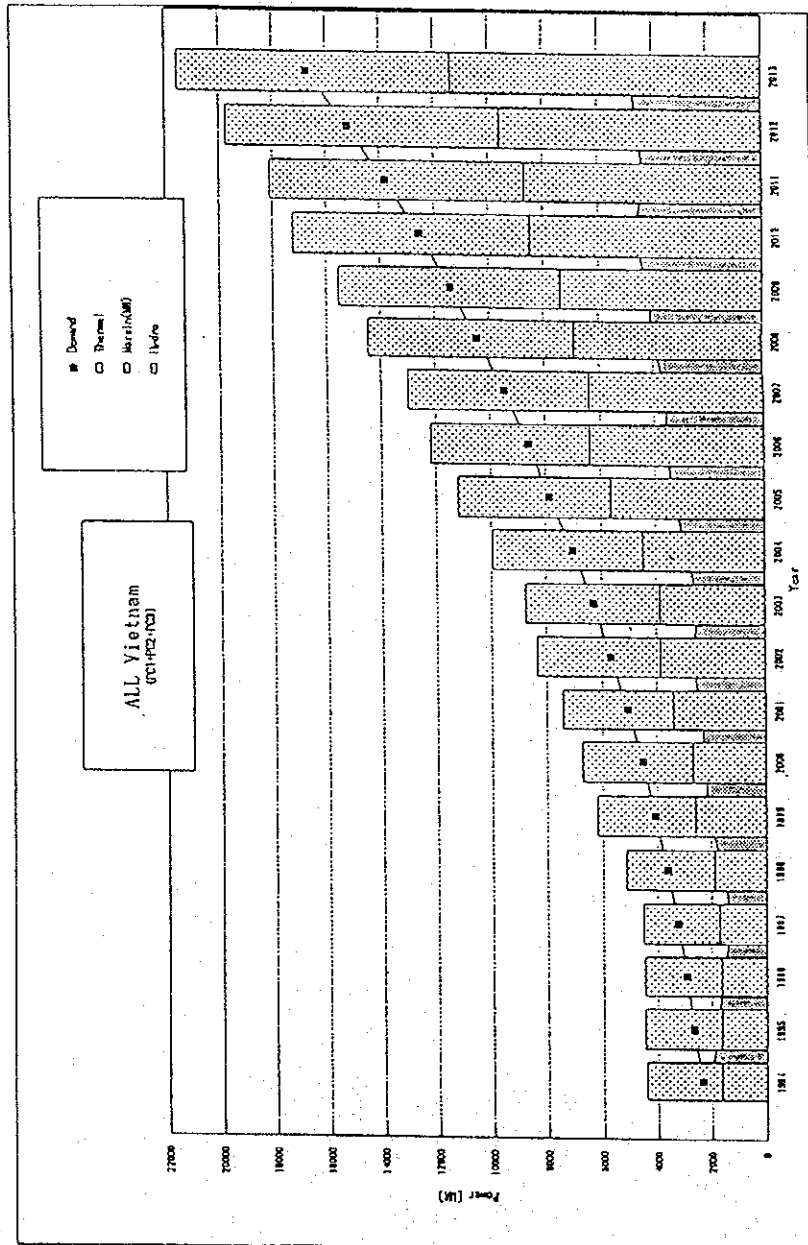


ANNEX 19. ツンクワット港開発計画平面図



ヴィエトナム社会主義共和国中部地域総合開発計画調査（事前調査）

KW Balance in all Vietnam (PC1, PC2, PC3)



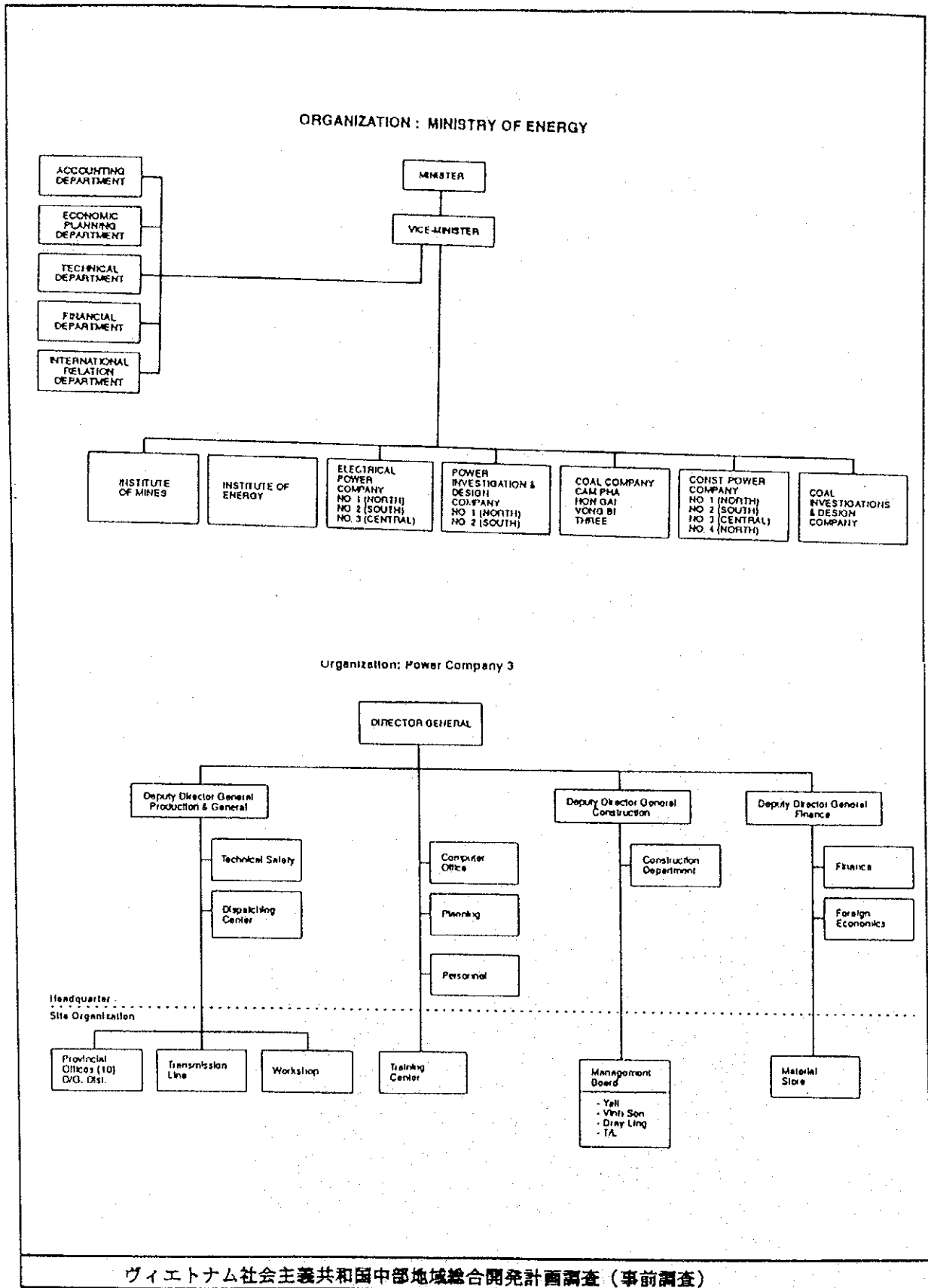
ヴェトナム社会主義共和国中部地域総合開発計画調査（事前調査）

Power Development Program in all Vietnam
Son La-Large, Average Year

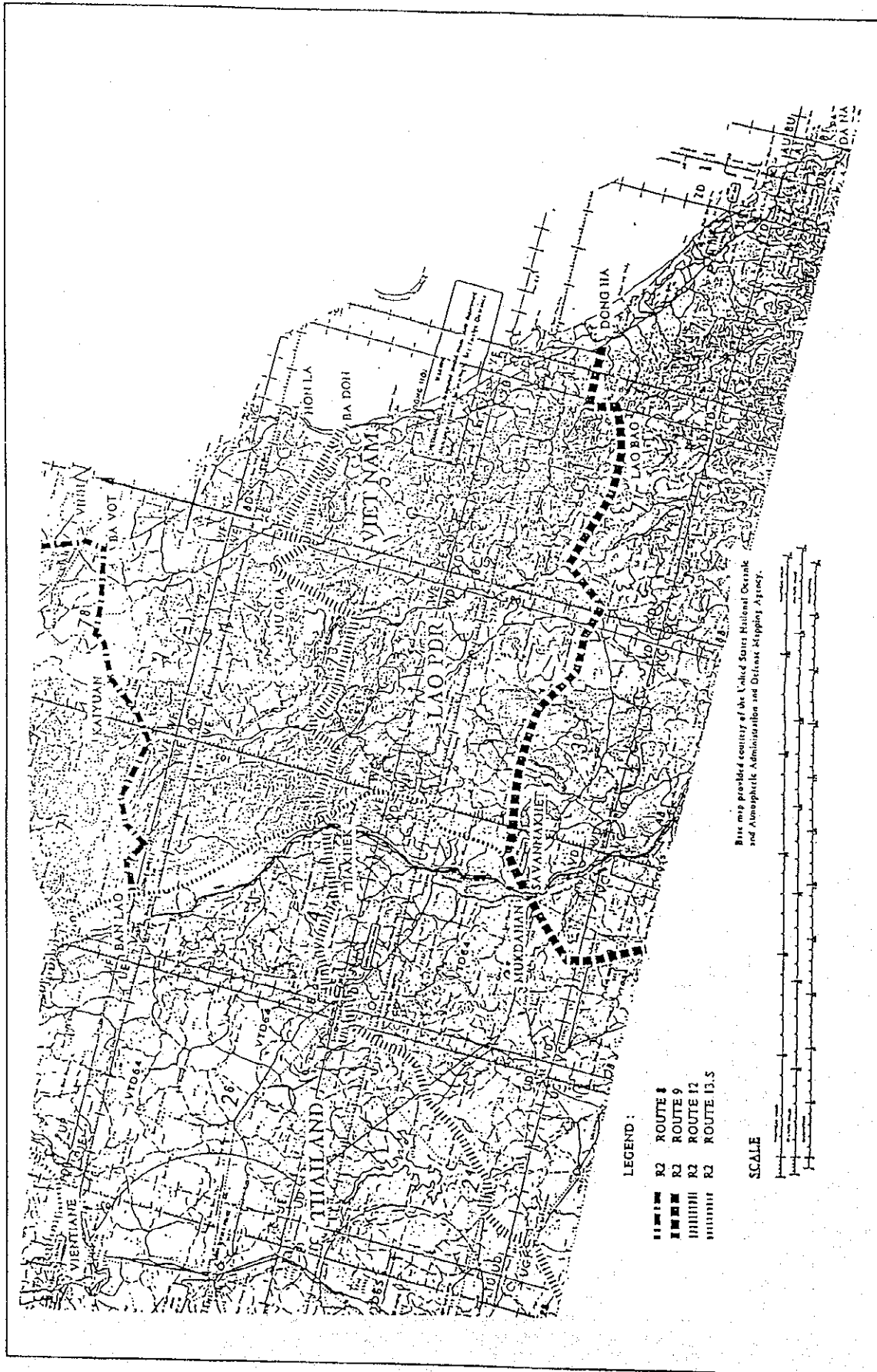
Year	Demand (Base)		Surplus (MW)	Hydro		Additional Hydro P. Pt		Thermal		Additional Thermal P. P.		Retirement		Power Margin	
	(MW)	(GWh)		Total (MW)	Name	(MW)	Name	Total (MW)	Name	(MW)	Name	(MW)	Name	(MW)	(%)
1994	2379	12267	4405	2761	390	Hoa Binh 8, Tac No	1644	112	Baria Gas	0		2025	85		
1995	2674	13698	4471	2827	66	Vinh Son	1644	0		0		1796	67		
1996	2911	15178	4471	2827	0		1644	56	Baria C/C	0		1560	54		
1997	3228	16829	4527	2827	0		1700	200	Phu My	0		1299	40		
1998	3628	18780	5143	3243	416	Yaly 12, Song Linh	1900	700	Phu My, Pa Lai B	0		1515	42		
1999	4064	20915	6193	3593	350	Yaly 34	2600	300	Phu My, Pa Lai B	0		2128	52		
2000	4526	23288	6727	4065	472	Han Thuan, Dak 1	2663	300	Phu My	237	Can. Bar. P	2201	49		
2001	5067	26195	7427	4065	0		3363	900	Quang Ninh, Phu My 2	200	NB, TDC, Da	2360	47		
2002	5690	29417	8353	4496	350	Ban Mai	3858	600	Phu My-2	105	Uong Bi	2663	47		
2003	6328	32795	8751	4894	363	Dai Ninh, Buon Cuop	3858	0		0		2423	38		
2004	7049	36528	9926	5469	471	Dai Thi, Cua Dat, An Kh	4458	600	Phu My-2	0		2877	41		
2005	7879	40915	11186	5529	220	Se San 3	5658	1200	Quang Ninh, O' noi	0		3307	42		
2006	8620	45631	12196	5789	60	Son Con 2	6408	900	Quang Ninh, O' noi	150	T Duc 2	3577	41		
2007	9481	50190	12996	6589	1060	Son Lai 2, Dai 4, T Kol	6408	0		0		3515	37		
2008	10422	55287	14452	7555	600	Son La 31	6898	600	Yung-tau	110	Phalal 1	4031	39		
2009	11408	60528	15542	8155	966	Son La 56, Se San 14	7388	600	Yung-tau	110	Phalal 2	4134	36		
2010	12550	66600	17232	8755	600	Son La 78	8478	1200	Yung-tau	110	Phalal 3	4682	37		
2011	13808	73285	18102	9435	600	Son La 9, 10	8668	300	Yung-tau	110	Phalal 4	4294	31		
2012	15194	80647	19722	10155	680	Son Lai 1, 12, Ra Quan	9568	900	Yung-tau	0		4529	30		
2013	16719	88755	21522	10155	120	Pleikrong	11368	1800	Yung-tau	0		4803	29		

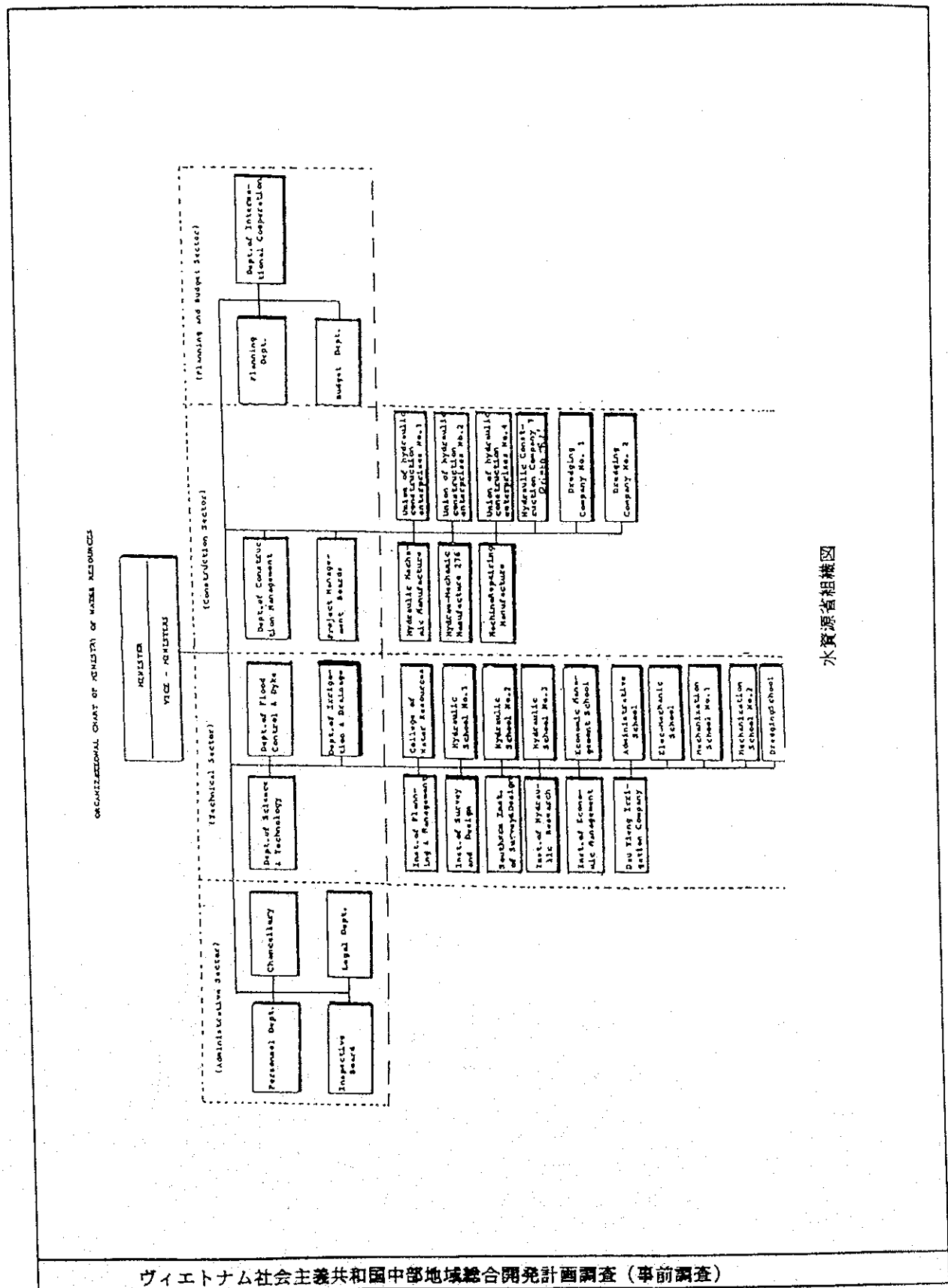
ヴィエトナム社会主義共和国中部地域総合開発計画調査（事前調査）

ANNEX 2 3. エネルギー省／第3電力公社組織機構図



ANNEX 2 5. インドシナ東西回廊（国道9号線）路線図

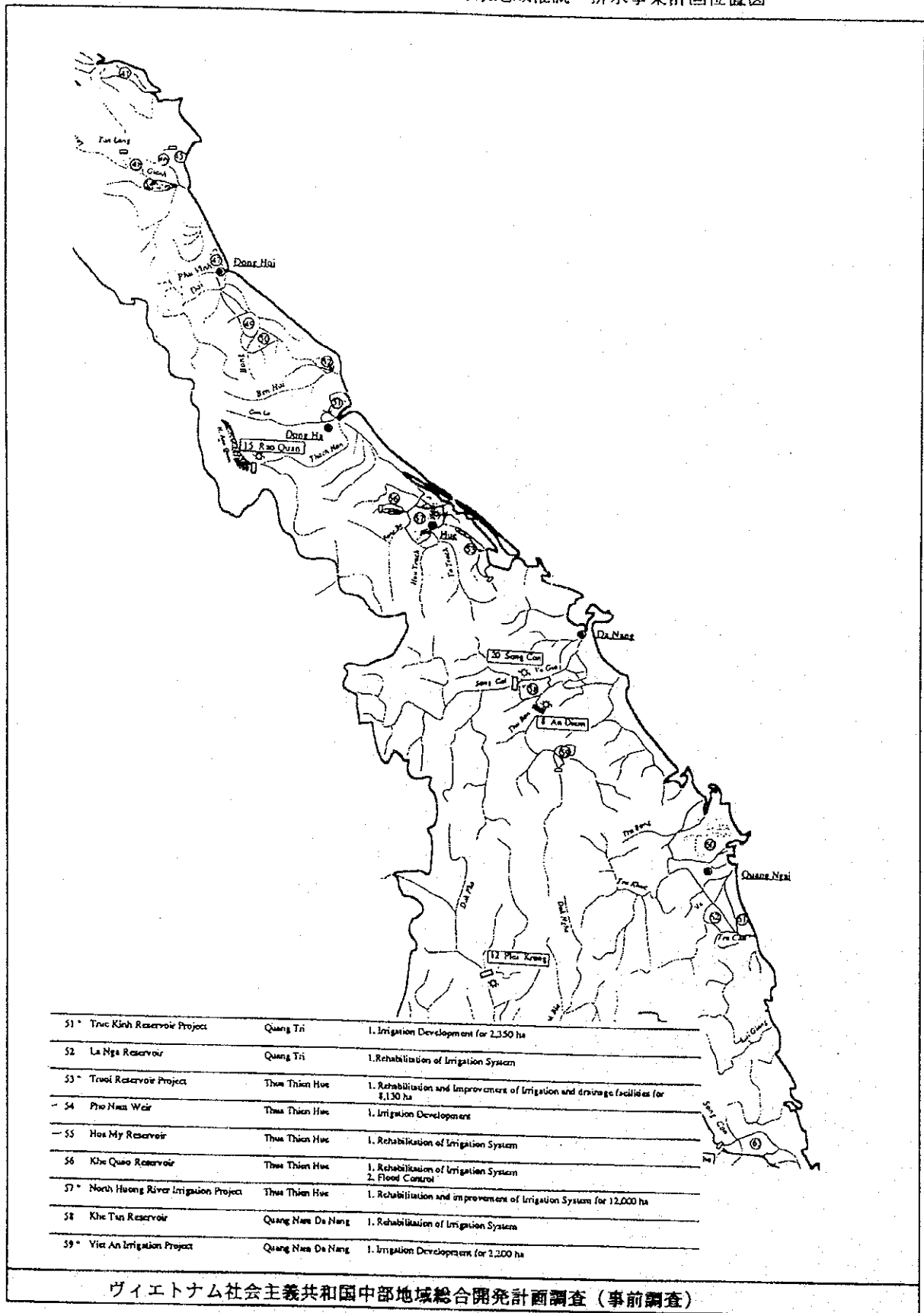




水資源省組織図

ヴェトナム社会主義共和国中部地域総合開発計画調査（事前調査）

ANNEX 2 7. 水利省／水資源計画管理研究所による対象地域灌漑・排水事業計画位置図



ヴェトナム社会主義共和国中部地域総合開発計画調査（事前調査）

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

NATIONAL ASSEMBLY
THE SOCIALIST REPUBLIC OF VIETNAM
Session IX, 4th meeting
(from 06 Dec 1993 to 30 Dec 1993)

LAW ON ENVIRONMENTAL PROTECTION

The environment is of special importance to the lives of human beings, living creatures and to the economic, cultural, social development of the nation, the people and human kind;

To raise the effectiveness of State management and the responsibilities of government at all levels, of State agencies, of economic organisations, of social organisations, of the people's armed forces and of all individuals with respect to environmental protection, in order to protect the health of the people, to safeguard the human right to live in a clean environment, to serve the long-term and sustainable development of the nation, to contribute to the protection of regional and global environment;

Pursuant to Articles 29 and 84 of the Constitution of the Socialist Republic of Vietnam in 1992;

This Law provides for the protection of the environment.

Chapter I
GENERAL PROVISIONS

Article 1

The environment consists of natural and man-made factors relating closely to each other, that surround men and affect life, production, existence, development of human beings and nature.

Protection of the environment as stipulated in this Law are activities aimed at keeping the environment pure and clean, improving it, ensuring ecological equilibrium, preventing, controlling adverse environmental influences caused by human beings and nature, exploiting, making reasonable and economical use of natural resources.

Article 2

In this Law the following terms shall have the following meanings:

1. Components of the environment means factors constituting the environment: air, water, soil, sound, light, sub-soil, mountains, forests, rivers, lakes, oceans, living creatures, ecological systems, residential areas, production areas, nature conservation areas, natural scenery, sights, historical vestiges and other physical forms.

2. Wastes means substances which are discharged in the course of everyday life, production process or other activities. Wastes may take the form of solid, gas, liquid or other forms.
3. Pollutants means substances that cause the environment to become harmful.
4. Environmental pollution means alteration of environmental characteristics in breach of environmental standards. 違反
5. Environmental degradation means alteration in the quality and quantity of components of the environment, adversely impacting on human life and on nature.
6. Environmental accident means an accident or a mishap in the course of human activities or abnormal natural changes, causing serious environmental degradation. Environmental accident may result from:
 - a) Storm, deluge, flood, drought, cracked earth, earthquake, landslide, land slippage, volcano eruption, acid rain, hail, other climate changes and natural disasters;
 - b) Fire, forest fire, accident occurring in production or business establishments, or in economic, scientific, technical, cultural, social, defence, security facilities;
 - c) Accident in the search for, exploration, exploitation and transportation of minerals or petroleum, collapse of underground mine, oil escape or spillage, bursting of oil or gas pipeline, shipwreck, accident in oil refineries and in other industrial establishments; 損壞
 - d) Accident in nuclear reactor, nuclear power plant, nuclear production and reprocessing plant, radioactive substances storage depot.
7. Environmental standards means standards, permissible limits, which are stipulated as the basis for environmental management. 計略
8. Clean technology means a technological process or technical solution which does not cause environmental pollution, or which discharges or emits minimum levels of pollutants. 最低
9. Biological system means a system of all living creatures, existing and developing together in certain surroundings, relating to each other and to such surroundings.
10. Ecological diversity means the natural abundance of genetic materials, strains, species and ecological systems. 種類, 系統
11. Environmental impact assessment means the process of analysing, evaluating, forecasting the environmental impact of projects, of socio-economic development plans, of production or business premises, of economic, scientific, technical, cultural, social, security, defence and other facilities, and proposing appropriate measures for environmental protection.

Article 3

The State ^{唯一}solely manages the protection of the environment throughout the nation, the establishment of environmental protection plans, the development of environmental protection capabilities at central and local government levels.

The State has the policy of investing, encouraging and protecting the ^{合法、正当}legitimate rights of domestic or foreign organisations, individuals investing capitals under various forms, which apply advanced science and technology to environmental protection.

Article 4

The State is responsible for organising the education, training, scientific and technological research, ^{普及、宣传}dissemination of scientific knowledge and laws on environmental protection.

Organisations, individuals are responsible for participating in the activities mentioned in this Article.

Article 5

The State shall protect the national interests with respect to natural resources and environment.

The State of Vietnam shall broaden its cooperation with other nations of the world, with foreign organisations and individuals in the field of environmental protection.

Article 6

Protection of the environment is the duty of all citizens.

Organisations, individuals are responsible for protecting the environment, implementing environmental protection laws, and have the right and responsibility to detect and denounce activities in breach of environmental protection laws. ^{识别、} ^{报告、}

Foreign organisations, individuals operating on Vietnamese territory must comply with Vietnamese environmental protection laws.

Article 7

Organisations, individuals utilising components of the environment for production or business purposes must, if necessary, contribute financially to the protection of the environment.

The Government shall regulate the circumstances, levels and forms of financial contribution mentioned in this Article.

Organisations, individuals whose activities damage the environment must compensate for the damages, in accordance with the laws.

Article 8

The National Assembly, People's Councils, the Vietnam Fatherland Front and its member organisations are, within their scope of responsibility and power, responsible for the control and supervision of the implementation of environmental protection laws.

The Government, People's Committees at all levels are responsible for implementing environmental protection laws.

Article 9

All activities which cause environmental degradation, environmental pollution, environmental accident are strictly prohibited.

Chapter II
PREVENTION OF, AND DEALING WITH
ENVIRONMENTAL DEGRADATION,
ENVIRONMENTAL POLLUTION
AND ENVIRONMENTAL ACCIDENT

Article 10

All State agencies are, within their scope of functional power and responsibility, responsible for carrying out investigation, study, evaluation of existing environmental conditions, are periodically reporting to the National Assembly on the state of the environment; for identifying polluted areas and informing the people; for establishing plans for the prevention of or dealing with environmental degradation, environmental pollution, environmental accident.

Organisations, individuals are responsible for preventing or dealing with environmental degradation, environmental pollution, environmental accident.

Article 11

The State encourages and creates favourable conditions for organisations, individuals in the reasonable use and exploitation of components of the environment, the application of modern technology, clean technology, the exhaustive use of wastes, the economical use of raw materials, the use of recyclable energy, biological products in scientific research, production and consumption.

Article 12

Organisations, individuals are responsible for the protection of all strains, species of plants, wild animals, the protection of ecological diversity, the protection of forests, oceans and all ecological systems.

Exploitation of biological resources must observe their life cycles, habitats, employing the right methods and permitted equipment, means to ensure the restoration of density and strains of the species, and not to destroy ecological equilibrium.

Exploitation of forests must comply with planning schemes and provisions of the Law on the protection and development of forest. The State shall make plans for organisations, individuals to afforest bare land and mountains to quickly expand the forested areas, to protect the upstream areas of rivers and streams.

Article 13

The use, exploitation of nature conservation areas, natural scenery must be with the approval of the agency managing the relevant branch, the State management agency for environmental protection and must be registered with the local People's Committee which has been delegated the administrative responsibility for the above mentioned natural conservation areas, natural scenery.

Article 14

The exploitation of agricultural land, silvicultural land, land used for aquaculture must comply with land use planning schemes, plans for land rehabilitation, to ensure ecological equilibrium. The use of chemicals, chemical fertilisers, plant protection pesticides, or other biological products must comply with the provisions of the laws.

In carrying out production, business, or construction activities, measures must be taken to restrict, prevent, deal with soil erosion, landslide, land slippage, salination, uncontrolled desalination, land becoming aluminous, lateritic, marshy or desert.

Article 15

Organisations, individuals must protect water sources, water supply and drainage systems, green vegetation, sanitation works, and must comply with all regulations on public hygiene in the cities, countryside, residential areas, tourism areas, production areas.

Article 16

Organisations, individuals in carrying out production, business or other activities must implement measures for environmental hygiene, must install technical equipment for waste processing, to ensure compliance with environmental standards, to prevent, deal with environmental degradation, environmental pollution, environmental accident.

The Government shall stipulate environmental standards, and delegate the authority for promulgating and monitoring the implementation of such standards.

Article 17

Organisations, individuals managing economical, scientific, technical, health, cultural, social, security, defence establishments operating before the promulgation of this Law must submit environmental impact assessment reports on their establishments for appraisal by the State management agency for environmental protection.

Those organisations, individuals failing to meet environmental standards must take corrective measures within a period stipulated by the State management agency for environmental protection. If they still fail to meet requirements after the stipulated period,

the State management agency for environmental protection shall report to the State agency at the next level to consider, determine on the cessation of operation or other penalising measures.

停止

Article 18

Organisations, individuals constructing, renovating production zones, residential areas, economical, scientific, technical, health, cultural, social, security, defence facilities; owners of foreign investment or joint-venture projects, owners of other economic and social development projects must submit environmental impact assessment reports for the State management agency for environmental protection to appraise.

The outcome of the appraisal of environmental impact assessment reports is one of the factors to be taken into account by the competent authorities in deciding whether to approve or authorise the implementation of projects.

The Government shall regulate in details the preparation and appraisal of environmental impact assessment reports and shall develop specific regulations applicable to the security and defence establishments mentioned in Article 17 and in this Article.

The National Assembly shall consider, determine projects which have major environmental impact. A schedule of such projects shall be stipulated by the Standing Committee of the National Assembly.

Article 19

The import, export of technology, machineries, equipment, biological or chemical products, toxic substances, radioactive substances, various species of animals, plants, genetic materials, micro-organisms affecting the protection of the environment must be with the approval of the agency managing the relevant branch and of the State management agency for environmental protection.

The Government shall stipulate a schedule for each domain, category mentioned in this Article.

Article 20

Organisations, individuals searching, exploring, exploiting, transporting, processing, storing various kinds of minerals and mineral products, including underground water, must apply appropriate technology, and implement environmental protection measures to ensure that environmental standards are met.

Article 21

Organisations, individuals searching, exploring, exploiting, transporting, processing, storing oil and gas must apply appropriate technology, implement environmental protection measures, develop contingency plans to prevent oil leakage, oil spill accidents, oil fires and explosions and develop measures to timely deal with those accidents.

The use of toxic chemicals in the search, exploration, exploitation and processing of oil and gas must accord with technical certificates and be subject to the control, supervision of the State management agency for environmental protection.

Article 22

Organisations, individuals operating sea, air, road, rail transport means must comply with environmental standards and be subject to the periodic supervision and checking for compliance with environmental standards by the agency managing the relevant branch and by the State management agency for environmental protection; the use of transport means failing to meet specified environmental standards shall not be permitted.

Article 23

Organisations, individuals producing, transporting, trading, using, storing toxic substances, inflammable or explosive substances must comply with regulations on safety for human beings, living creatures, and must avoid causing environmental degradation, environmental pollution, environmental accident.

The Government shall stipulate a schedule of toxic substances, inflammable or explosive substances mentioned in this Article.

Article 24

The siting, designing, construction and operation of plants in the nuclear industry, nuclear reactors, establishments for nuclear research, for the production, transportation, use or storage of radioactive substances, for the dumping or burial of radioactive wastes must comply with regulations on radiative and nuclear safety and regulations made by the State management agency for environmental protection.

Article 25

Organisations, individuals making use of machineries, equipment, materials emitting harmful electro-magnetic or ionised radiation must comply with regulations on radiative safety and must carry out regular check and assessment of the environmental impact of their establishments and report periodically to the State management agency for environmental protection.

Article 26

The establishment of collection, holding, processing sites for and transportation of rubbish and pollutants must comply with regulations of the State management agency for environmental protection and of the local authority.

Liquid wastes, rubbish containing toxic substances, sources of disease, inflammable or explosive substances, non-degradable wastes, must be processed before disposal. The State management agency for environmental protection shall stipulate a schedule of liquid wastes, rubbish mentioned in this Article and supervise their processing before disposal.

Article 27

The burial, lying in state, embalment, interring, cremation, transport of corpses and bones must utilise modern means and comply with provisions of the Law on protection of public health to ensure environmental hygiene.

Government at all levels must plan for burial, cremation sites and guide people to gradually abandon backward practices.

Cemeteries, crematoria must be located far away from residential areas and sources of water.

Article 28

Organisations, individuals in the course of their activities must not cause noises or vibrations exceeding permissible limits harming the health of and adversely impact on the life of surrounding people.

People's Committees at all levels shall be responsible for the implementation of noise abatement measures in zones of hospitals, schools, public offices, and residential areas.

The Government shall promulgate regulations to restrict, and to proceed towards the strict prohibition of the manufacturing and firing of fireworks.

Article 29

The following activities are strictly prohibited:

1. Destruction of forests by fire, or uncontrolled exploitation of minerals leading to environmental damage, destroying ecological equilibrium;
2. Discharge of smoke, dust, poisonous gas, bad odours causing harm to the atmosphere; emission of radiation, radioactivity exceeding permissible limits into the surrounding environment;
3. Discharge of oils or lubricants, toxic chemicals, radioactive substances exceeding permissible limits, wastes, dead animals or plants, virus, harmful and infectious ultra-virus into water sources;
4. Burial, discharge of toxic substances exceeding permissible limits into the soil;
5. Exploitation, trading in precious or rare plants, animals identified in the schedule stipulated by the Government;
6. Importation of technology and equipment not meeting environmental standards; importation, exportation of wastes;
7. Use of methods, means, instruments which indiscriminatorily destroy all species in harvesting or capture of plants or animals.

Chapter III
CONTROL OF ENVIRONMENTAL DEGRADATION,
ENVIRONMENTAL POLLUTION, ENVIRONMENTAL ACCIDENT

Article 30

Organisations, individuals engaged in production, business and other activities that cause environmental degradation, environmental pollution, environmental accident must implement control measures specified by the local People's Committees and by the State management agency for environmental protection, and shall be liable for damage compensation according to laws.

Article 31

Organisations, individuals allowing radioactivity, electro-magnetic radiation, ionised radiation to exceed permissible limits must promptly implement measures to control and correct adverse environmental impact, timely report to the agency managing the relevant branch and to the State management agency for environmental protection, as well as to the local People's Committee to resolve the problem.

Article 32

Control of environmental accident includes: eliminating the cause of the accident; rescuing people and property; assisting, stabilising the life of the people; repairing works; restoring production; sanitising the environment, preventing diseases; investigating, collecting statistics on damages, monitoring changes to the environment; rehabilitating the environment of the affected area.

Article 33

Persons who detect signs of environmental accident must immediately report to the local People's Committee, the nearest agency or organisation for timely action.

Organisations, individuals at the site of the environmental accident must implement appropriate measures to control the accident and immediately report to the superior administrative agency, the nearest People's Committee and the State management agency for environmental protection.

Article 34

The chairman of the People's Committee of the locality where the environmental accident occurs is empowered to urgently mobilise human resources, materials, and other means to control the accident.

If the environmental accident affects several localities, then the Chairmen of People's Committees of those localities shall cooperate to control the accident.

In case the accident is beyond local control capability, the Minister of Science, Technology and Environment together with the heads of relevant agencies shall determine control measures and report to the Prime Minister.

Article 35

In case the environmental accident is of special significance, the Prime Minister shall determine the application of urgent control measures.

When such accident is under control, the Prime Minister shall determine the revocation of urgent control measures.

Article 36

The agencies which are empowered to mobilise human resources, materials, and other means to control environmental accident must reimburse the mobilised organisations, individuals for their expenses according to laws.

**Chapter IV
STATE MANAGEMENT OF
ENVIRONMENTAL PROTECTION**

Article 37

The scope of State management of environmental protection includes:

1. Promulgating and organising the implementation of legal instruments on environmental protection, promulgating systems of environmental standards;
2. Developing and guiding the implementation of strategies and policies of environmental protection, plans to prevent and control environmental degradation, environmental pollution, environmental accident;
3. Developing and managing environmental protection facilities, and facilities relating to environmental protection;
4. Organising, developing and managing monitoring systems, periodically assessing the state of the environment, forecasting environmental changes;
5. Appraising environmental impact assessment reports on projects, and on production, business establishments;
6. Issuing, revoking certificates of compliance with environmental standards;
7. Supervising, inspecting, verifying the compliance with environmental protection laws; settling disputes, appeals or complaints concerning environmental protection; dealing with breaches of environmental protection laws;
8. Training environmental science or management cadres; educating, propagandising, disseminating knowledge and laws on environmental protection;
9. Organising for the research, application of advanced science and technology in the field of environmental protection;

10. Developing international relations in the field of environmental protection.

Article 38

The Government shall, pursuant to its power and responsibility, be solely in charge of State management of environmental protection throughout the country.

The Ministry of Science, Technology and Environment shall be responsible to the Government for the management of the State environmental protection functions.

All Ministries, ministerial-ranked agencies and other Government agencies shall, according to their functions, powers and responsibilities, cooperate with the Ministry of Science, Technology and Environment in carrying out environmental protection within their branches and in establishments under their direct supervision.

People's Committees of provinces and cities reporting to the central government shall manage the State environmental protection functions locally;

The Directorates of Science, Technology and Environment shall be responsible for the protection of the local environment to the People's Committees of provinces and cities reporting to the central government.

Article 39

The system of organisation, function, responsibilities and powers of the State management agency for environmental protection shall be determined by the Government.

Article 40

The State management agency for environmental protection shall carry out its function of specialist inspection for environmental protection and be responsible to coordinate with specialist inspectors of relevant Ministries and branches in the protection of the environment.

Organisation, obligations, powers, activities and coordination of specialist inspectors in the protection of the environment shall be determined by the Government.

Article 41

In carrying out inspection, the Inspection Team or Inspector is empowered to:

1. Require the relevant organisations, individuals to provide documents and answer questions on matters necessary for inspection;
2. Implement technical checks on site;

3. Decide to temporarily suspend, in case of emergency, activities which threaten to cause serious environmental accident and shall be responsible for such decision before the law, and at the same time immediately report to the competent State agency or to propose to the competent State agency to suspend activities which may cause environmental accident;
4. Deal within their competence or propose to the competent State agency to deal with breaches of the law.

Article 42

Organisations, individuals shall facilitate the Inspection Team or the Inspector carrying out their functions and shall comply with decisions of the Inspection Team or the Inspector.

Article 43

Organisations, individuals may appeal to the Head of the agency which decides on the inspection against the conclusion and measures decided by the Inspection Team or the Inspector applicable to their establishments.

Organisations, individuals have the right to complain, denounce to the State management agency for environmental protection or other State agencies about activities in breach of environmental protection laws.

Agencies receiving complaints, denunciations shall be responsible for their examination and resolution according to laws.

Article 44

Where there are several organisations, individuals operating within the region affected by environmental accident, environmental pollution, or environmental degradation, the power to determine allocation of responsibility for control to those organisations, individuals is provided as follows:

1. Environmental accident, environmental pollution or environmental degradation occurring within a province, a city reporting to central government shall be determined or reported, proposed by the specialist environmental protection inspector of that province, city to the Chairman of the People's Committee of that province, city for examination and determination. If one or all parties disagree with such determination, they may appeal to the Minister of Science, Technology and Environment. The decision of the Minister of Science, Technology and Environment must be implemented.
2. Environmental accident, environmental pollution or environmental degradation occurring in two or more provinces, cities reporting to central government shall be determined or reported, proposed by the specialist environmental protection inspector of the Ministry of Science, Technology and Environment to the Minister of Science, Technology and Environment for examination and determination. If one or all parties disagree with the determination of the Minister of Science, Technology and Environment, they may appeal to the Prime Minister for decision.

Chapter V
INTERNATIONAL RELATIONS
WITH RESPECT TO ENVIRONMENTAL PROTECTION

Article 45

The State of Vietnam shall implement all international treaties relating to the environment which it has signed or participated in, respect all international treaties on environmental protection on the basis of mutual regard for each other's independence, sovereignty, integrity of territory and rights.

Article 46

The State of Vietnam has the policy of according priority to countries, international organisations, foreign organisations and individuals which train cadres, carry out environmental scientific research, apply clean technology, develop and implement projects to rehabilitate the environment, to control environmental accident, environmental pollution, environmental degradation, implement projects on the treatment of wastes in Vietnam.

Article 47

Organisations, individuals and owners of transportation means which transit through Vietnam territory and which carry potential sources of environmental accident, or environmental pollution must apply for permission, declare and undergo verification, supervision of the State management agency for environmental protection of Vietnam. Breach of Vietnamese environmental protection laws shall, depending on the extent of the breach, be dealt with according to Vietnamese laws.

Article 48

Dispute concerning environmental protection on Vietnam territory in which one or all parties are foreigners shall be settled according to Vietnamese law, taking into account international laws and practices.

Dispute between Vietnam and other countries in the field of environmental protection shall be settled on the basis of negotiation, taking into account international laws and practices.

Chapter VI
REWARDS AND DEALING WITH BREACHES

Article 49

Organisations, individuals which have accomplished in their environmental protection activities, in the early detection and timely report of signs of environmental accident, in the control of environmental accident, environmental pollution, environmental degradation, in the prevention of acts which damage the environment shall be rewarded.

Persons who, while participating in the protection of the environment, control of environmental accident, environmental pollution, environmental degradation and combatting activities in breach of environmental protection laws, suffer damage to their property, health or life shall be compensated according to laws.

Article 50

Persons whose activities destroy, damage the environment, who disregard the mobilisation of the competent State agency when environment accident occurs, who do not comply with regulations on environmental impact assessment, who infringe other legal provisions for environmental protection shall be dealt with administratively or be criminally prosecuted depending on the nature and extent of the infringement and the consequences.

Article 51

Persons, who take advantage of their positions and powers to infringe environmental protection laws, to protect persons infringing environmental protection laws, whose lack of responsibility allows environmental accident, environmental pollution to occur shall be disciplined or be criminally prosecuted depending on the nature and extent of the infringement and the consequences.

Article 52

Organisations, individuals whose activities breach environmental protection laws causing damage to the State, organisations, individuals shall, in addition to the penalties specified in Articles 50 and 51 of this Law, compensate for the damages and costs of controlling the consequences, according to laws.

Chapter VII IMPLEMENTATION PROVISIONS

Article 53

Domestic or foreign organisations, individuals which have caused serious damages to the environment prior the promulgation of this Law, with long term adverse impact on the environment and the health of the people shall, depending on the extent of the damages, compensate for the damages and the costs of rehabilitating environment according to Government's regulations of the Government.

Article 54

This Law shall take effect from the date of its proclamation.

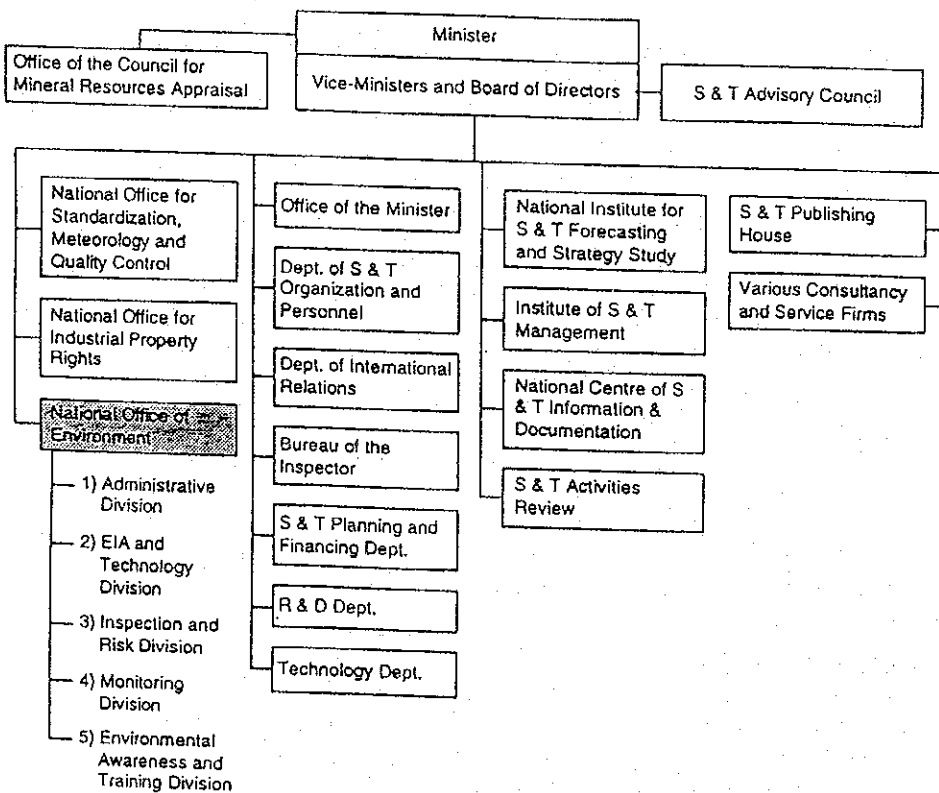
All previous stipulations which contradict this Law are revoked.

Article 55

The Government shall regulate in details the implementation of this Law.

1. Maximum permissible concentration for toxic chemicals in ambient air at work-place..... Ministry of Health
2. Maximum permissible concentration for toxic chemicals in ambient air at populated areas..... Hanoi Environmental Committee
3. Maximum permissible concentration for toxic chemicals in surface water.....Ministry of Health
4. Drinking and domestic water quality Physical and chemical aspects.....Ministry of Health
5. Drinking and domestic water quality Microbiological and biological aspects.....Ministry of Health
6. Maximum permissible concentration of wastewater's constituent discharging into water sources.....Heugiang People's Committee
7. Surface water quality inflowing to water plant before treatment.....Heugiang People's Committee
8. Ground water quality using for water supply.....Heugiang People's Committee
9. Coastal sea water quality..... Heugiang People's Committee
10. Microclimate at workplace.....Ministry of Health
11. Lighting in industrial construction...Vietnamese Standard and Constructive Standard
12. Noise Allowable levels at workplace...Ministry of Health
13. Noise Allowable levels at populated areas.....Hanoi Environmental Committee
14. Vibration criteria.....Ministry of Health
15. Maximum allowable concentration of silic dust in ambient air at workplace.....Ministry of Health
16. Requirement of the chimney height for places of fuel combustion.....Haugiang People's Committee
17. Sanitary protective distance requirement for the fuel incinerators.....Haugiang People's Committee
18. Sanitary protective distance requirement for thermoelectric power plants and boilers.....Ministry of Health
19. Classification of minimum sanitary protective distance for enterprises and plants.....Ministry of Health
20. Safety regulation for ionizing radiations.....Vietnamese Standard

科学技術環境省 (Ministry of Science, Technology and Environment)
組織図



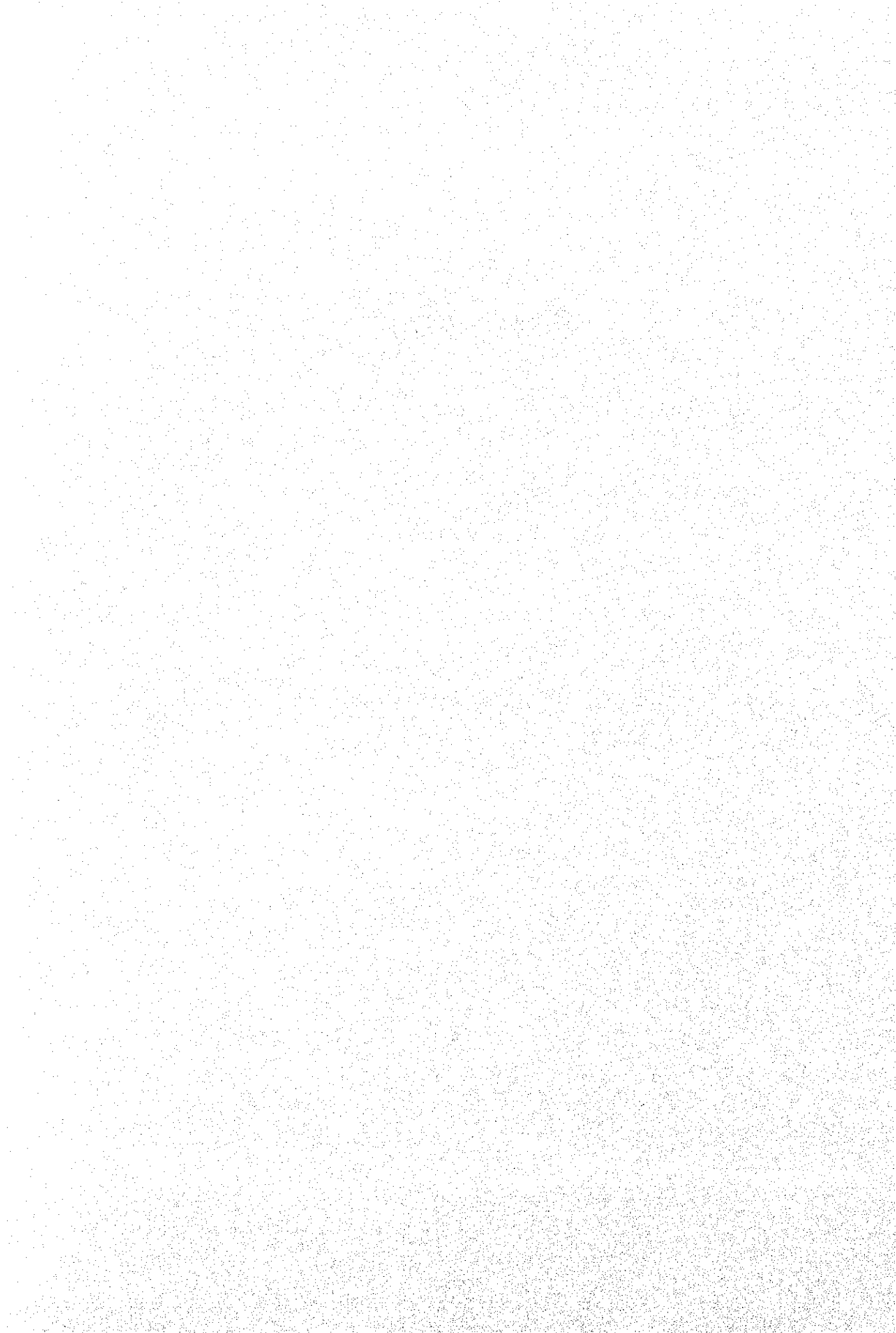
ANNEX 3 1. ヴィエトナムの自然保護区

ベトナムの主要自然保護区リスト (50km²以上について)

保護区名	面積 (km ²)	保護区名	面積 (km ²)
(国立公園)		Nui Pia Hoac	100
Ba Be	50	Nui Yen Tu	50
Bach Ma Hai Van	400	Sop Cop	50
Cat Ba	277	Suoi Trai	190
Con Dao	60	Tay Bai Cai Tien	100
Cuc Phuong	250	Thanh Thuy	70
Nam Bai Cat Tien	365	Thuong Da Nhim	70
(自然保護区)		Vu Quang	160
Bana-Nui Chua	52	Xuan Nha	600
Ben En	120	Yoc Don	575
Binh Chan Phouc Buu	55	(史跡保護区)	
Bu Gia Map	160	Dea Ca Hon Ron	100
Bu Huong	50	Dong Phong Nha	50
Chu Yang Sinh	200	Duong Minh Chau	50
Dao Phu Quoc	50	Ho Lac	100
Kon Kai Kinh	280	Nui Tam Dao	190
Kong Cha Rang	160	(未分類)	
Lo Go Sa Mat	100	Ho Nui Coc	60
Mom Ray	450	Khu Dao Thac Ba	50
Muong Cha	1,820	小 計	8,204
Nam Dun	180	その他の地域	2,741
Nam Lung	200		
Ngoc Linh	200	総 計	10,945
Nui Ba	60		
Nui Dai Binh	50		
Nui Hoang Lien	50		

資料: United Nations List of National Parks and Protected Areas, ICUN, 1990

その他の添付資料



SCOPE OF WORK
FOR
THE STUDY
ON
THE INTEGRATED REGIONAL SOCIO-ECONOMIC DEVELOPMENT MASTER PLAN
FOR
THE KEY AREA OF THE CENTRAL REGION
OF
THE SOCIALIST REPUBLIC OF VIET NAM

AGREED UPON BETWEEN

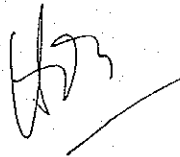
STATE PLANNING COMMITTEE
DEVELOPMENT STRATEGY INSTITUTE

AND

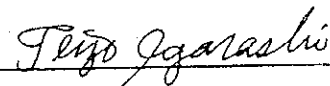
JAPAN INTERNATIONAL COOPERATION AGENCY

HANOI, VIET NAM

14 APRIL 1995



Dr. Luu Bich Ho
President,
Development Strategy Institute
State Planning Committee



Mr. Teizo Igarashi
Leader,
Preparatory Study Team
Japan International Cooperation Agency

I. INTRODUCTION

In response to the request of the Government of the Socialist Republic of Viet Nam, (hereinafter referred to as 'GOVN') the Government of Japan has decided to conduct the Study on the Integrated Regional Socio-Economic Development Master Plan for the Key Area of the Central Region of the Socialist Republic of Viet Nam (hereinafter referred to as "the Study") in accordance with the relevant laws and regulations in force in Japan.

Accordingly, the Japan International Cooperation Agency (hereinafter referred to as "JICA"), the official agency responsible for the implementation of the technical cooperation programs of the Government of Japan, will undertake the Study in close cooperation with the authorities concerned of GOVN.

The present document sets forth the scope of work with regard to the Study.

II. OBJECTIVES OF THE STUDY

The objectives of the Study are as follows ;

1. To prepare an integrated regional socio-economic development master plan with the target year of 2010 for the target area defined hereunder ;
2. To identify core projects and to conduct pre-feasibility studies on selected priority / emergency projects ;
3. To conduct initial environmental examination (IEE) on selected priority / emergency projects ;
4. To formulate recommendations on institutional and regulatory measures necessary for effective implementation of the master plan prepared; and
5. To conduct technology transfer to the Viet Nam counterpart personnel in the course of the Study

III. TARGET AREA

The target area shall cover the whole 4 provinces in the Central Region of Viet Nam, namely, Quang Tri Province, Thua Thien - Hue Province, Quang Nam - Da Nang Province, and Quang Ngai Province (approximately 27,445 square kilometers in total).

IV. SCOPE OF THE STUDY

In order to achieve the objectives mentioned above, the Study shall cover the following items ;

1. Analysis of Present Situation in the Target Area
 - (1) Core issues for the regional development shall be probed

- (2) Present policy / plan / projects shall be reviewed
- (3) Present status of economic / social / sectorial development of the study area shall be analyzed
- (4) Geographical status of the study area shall be analyzed
- (5) Present status of the economic / social infrastructure in the study area shall be analyzed
- (6) Inter-regional and international economic relations of the study area shall be analyzed
- (7) Core issues shall be categorized and interrelation of the categorized issues shall be analyzed
- (8) Comparative advantages of the target area shall be analyzed with a view to natural /socio-economic/ institutional conditions

2. Identification of Potentials and Constraints for Development

- (1) Leading sector for the regional development shall be probed and identified
- (2) Present policies for the promotion of development in study area shall be analyzed
- (3) Future market and potential demand for major products of the study area shall be analyzed
- (4) Field study on major development issues shall be conducted
- (5) Present situation of land use in the study area shall be analyzed
- (6) Socio-economic sub-regions shall be identified
- (7) Evaluation of demand and supply for the economic / social infrastructure in the study area shall be conducted
- (8) Ideas of the core project shall be formulated
- (9) External conditions which may seriously affect the regional development shall be probed and identified
- (10) Major institutional / budgetary constraints shall be probed and identified

3. Formulation of Development Scenario

- (1) Socio-economic framework for the regional development shall be formulated
- (2) Development target and strategy for each production sectors shall be formulated
- (3) Spatial framework for the regional development shall be formulated
- (4) Development target and strategy for each economic / social infrastructures shall be formulated
- (5) Alternatives of development scenario shall be formulated, out of which the most appropriate one shall be selected
- (6) Development issues for each socio-economic sub-regions shall be identified

4. Preparation of an Integrated Regional Development Master Plan

- (1) Market demand for each sectors shall be forecasted
- (2) Development programs shall be established, emphasizing the fields such as ;

Tourism development, Industry and manufacturing development, Economic and social infrastructure development, Institutional development, Rural development, Social development, Environment conservation, Others

(3) Location of core projects shall be determined

(4) Principles, objectives and strategies for the regional development shall be systematized

5. Examination of Investment Promotion Measures and Institutional / Budgetary Arrangement for the Implementation of the Master Plan

6. Identification of Core Projects, Including Priority / Emergency Projects, and Preparation of Profiles of the Projects Identified

(1) Demand analysis shall be conducted

(2) Inter-relation and coherence of the candidate projects shall be analyzed

(3) Description of candidate projects shall be formulated

(4) Core projects shall be identified

(5) Implementation schedule of the core projects shall be prepared

7. Conduct of Initial Environmental Examination (IEE) for the Selected Projects

8. Conduct of Pre-feasibility Studies for the Selected Projects

(1) Priority / emergency projects shall be selected

(2) Conceptual design of the selected projects shall be analyzed

(3) Project evaluation (institutional / economic) of the selected projects shall be conducted

(4) Recommendation on implementation program of the selected projects shall be prepared

V. STUDY SCHEDULE

The Study shall be carried out in accordance with the tentative work schedule attached herewith.

VI. REPORTS

JICA shall prepare and submit the following reports in English to GOVN.

1. Inception Report

Fifty (50) copies at the commencement of the Study.

2. Progress Report I

Fifty (50) copies within two (2) months after the commencement of the Study.

3. Progress Report II

Fifty (50) copies within four (4) months after the commencement of the Study.

4. Interim Report

Fifty (50) copies within six (6) months after the commencement of the Study.

5. Draft Final Report

One hundred (100) copies within eleven (11) months after the commencement of the Study.

SPC shall send comments to JICA within one (1) month after the receipt of the Draft Final Report.

6. Final Report

One hundred (100) copies within two (2) months after the receipt of the comments on the Draft Final Report.

VII. UNDERTAKING OF GOVN

1. To facilitate smooth conduct of the Study, GOVN shall take necessary measures ;

(1) To secure the safety of the Japanese Study Team (hereinafter referred to as " the Team"),

(2) To permit the members of the Team to enter, leave and sojourn in Viet Nam for the duration of their assignment therein, and exempt them from foreign registration requirements and consular fees,

(3) To exempt the members of the Team from taxes, duties and any other charges on vehicles, equipment, machinery and other materials brought into and out of Viet Nam for the conduct of the Study,

(4) To exempt the members of the Team from income tax and charges of any kind imposed on or in connection with any emoluments or allowances paid to the members of the Team for their services in connection with the implementation of the Study,

(5) To provide necessary facilities to the Team for remittances as well as utilization of the funds introduced into Viet Nam from Japan in connection with the implementation of the Study,

(6) To secure permission for entry into private properties or restricted areas for the conduct of the Study within the laws and regulations in force in Viet Nam,

(7) To secure permission for the Team to take all data and documents (including photographs and maps) related to the Study out of Viet Nam to Japan within the laws and regulations in force in Viet Nam,

(8) To provide medical services as needed. Its expenses will be chargeable on members of the Team.

2. GOVN shall bear claims, if any arises, against the members of the Team resulting from, occurring in the course of, or otherwise connected with, discharge of their duties in the implementation of the Study, except when such claims arise from gross negligence or willful misconduct on the part of the members of the Team.

3. State Planning Committee / Development Strategy Institute (hereinafter referred to as "SPC / DSI") shall act as the counterpart agency to the Team and also as the coordinating body in relation with other governmental and non-governmental organizations concerned for the smooth implementation of the Study.

4. SPC / DSI shall, at its own expense, provide the Team with the followings, in cooperation with other organization concerned:

- (1) available data and information related to the Study ;
- (2) counterpart personnel ;
- (3) suitable office space with necessary equipment in Hanoi and provinces in the target area ; and
- (4) credentials or identification cards

VIII. UNDERTAKING OF JICA

For the implementation of the Study, JICA shall take the following measures ;

1. To dispatch, at its own expense, the Team to Viet Nam ; and
2. To pursue technology transfer to the Viet Nam counterpart personnel in the course of the Study

IX. OTHERS

JICA and SPC / DSI shall consult with each other in respect of any matter that may arise from or in connection with the Study.

Tentative Study Schedule

Month	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
Work in Viet Nam	[shaded]		[shaded]		[shaded]		[shaded]		[shaded]		[shaded]		[shaded]		[shaded]	
Work in Japan													[]			
Report Presentation	△ IC/R	△ PR/R I	△ PR/R II		△ IT/R						△ DF/R	△ F/R				

Note :

- IC/R : Inception Report
- PR/R I : Progress Report I
- PR/R II : Progress Report II
- IT/R : Interim Report
- DF/R : Draft Final Report
- F/R : Final Report

MINUTES OF MEETING
ON
THE SCOPE OF WORK
FOR
THE STUDY
ON
THE INTEGRATED REGIONAL SOCIO-ECONOMIC DEVELOPMENT MASTER PLAN
FOR
THE KEY AREA OF THE CENTRAL REGION
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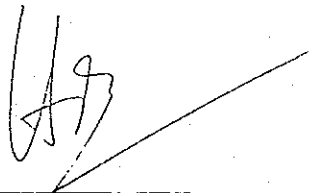
STATE PLANNING COMMITTEE
DEVELOPMENT STRATEGY INSTITUTE

AND

JAPAN INTERNATIONAL COOPERATION AGENCY

HANOI, VIET NAM

14 APRIL 1995



Dr. Luu Bich Ho
President,
Development Strategy Institute
State Planning Committee



Mr. Teizo Igarashi
Leader,
Preparatory Study Team
Japan International Cooperation Agency

The Preparatory Study Team (hereinafter referred to as "the Team") for the Study on the Integrated Regional Socio-Economic Development Master Plan for the Key Area of the Central Region of the Socialist Republic of Viet Nam (hereinafter referred to as "the Study") organized by the Japan International Cooperation Agency (hereinafter referred to as "JICA") headed by Mr. Teizo Igarashi visited the Socialist Republic of Viet Nam from April 4 to 18, 1995, and had a series of discussions with the Viet Nam side, represented by the State Planning Committee / Development Strategy Institute (hereinafter referred to as "SPC / DST") (attendants are shown in Appendix A).

As a result of the said discussions, both sides have come to an agreement on the Scope of Work (hereinafter referred to as "S/W") for the Study, and signed it on April 14, 1995.

This document summarizes major items discussed between both sides and is meant to supplement the S/W for the smooth conduct of the Study.

1. TITLE OF THE STUDY

Both sides agreed to use "the Study on the Integrated Regional Socio-Economic Development Master Plan for the Key Area of the Central Region of the Socialist Republic of Viet Nam" as the name of the study.

2. TARGET AREA FOR THE STUDY

Both sides agreed that the target area for the Study shall cover the four provinces in the central region, namely, Quang Tri Province, Thua Thien - Hue Province, Quang Nam - Da Nang Province, and Quang Ngai Province, which are considered to constitute the key area for the socio-economic development of the central region, and the field studies will be conducted in those provinces.

Both sides also agreed that inter-regional / international socio-economic relations of the target area have to be analyzed carefully in studying present situation and identifying potentials and constraints for the development of the target area, but field studies beyond the boundary of the target area will not be conducted.

3. COOPERATION BETWEEN VIETNAMESE SIDE AND JAPANESE SIDE

Both sides agreed that close cooperation between Vietnamese side and Japanese side is an important prerequisite for effective formulation and implementation of the integrated regional social and economic development master plan.

In such respect, both sides agreed that the major tasks for the Study including preparation of the reports will be conducted in Viet Nam with a continuous discussion between both sides, and also to

have small workshops in accordance with the progress of the Study.

4. ORGANIZATIONAL ARRANGEMENT FOR THE STUDY

Japanese side requested Vietnamese side to formulate the Steering Committee and the Technical Committee before the commencement of the Study. Vietnamese side agreed to formulate the Steering Committee headed by vice president of SPC/DSI with membership of vice presidents of people's committees or chairmen of planning committees of each provinces in target area, and the Technical Committee composed of SPC experts and SPC representatives in each provinces in target area. Vietnamese side also agreed to add members from other agencies to those committees, if necessity arises.

Japanese side requested that SPC/DSI to take responsibility on coordination among related provinces and ministries. Vietnamese side agreed on that point.

Vietnamese side recommended that Japanese side (Embassy of Japan, JICA office, Leader of the Study team) also join the Steering Committee.

5. SCOPE OF PRE-FEASIBILITY STUDIES

Considering the required tasks and schedule of the Study, both sides agreed that pre-feasibility studies will be conducted on at maximum of 5 to 6 priority / emergency projects. Vietnamese side stressed the importance of regional balance in the selection of priority / emergency projects.

6. TRAINING OF VIETNAMESE EXPERTS IN JAPAN

Both sides agreed that transfer of Japan's experience in this field in the course of the Study is desirable. Japanese side announced that there is a room for this training in Japan.

7. PARTICULAR REQUESTS FROM VIETNAMESE SIDE

Vietnamese side requested that the equipments which would be used for the implementation of the Study to be provided to Vietnamese side. Japanese side promised to convey the request to JICA Headquarters in Tokyo.

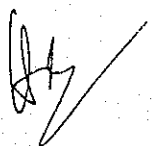
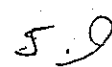
ATTENDANCE

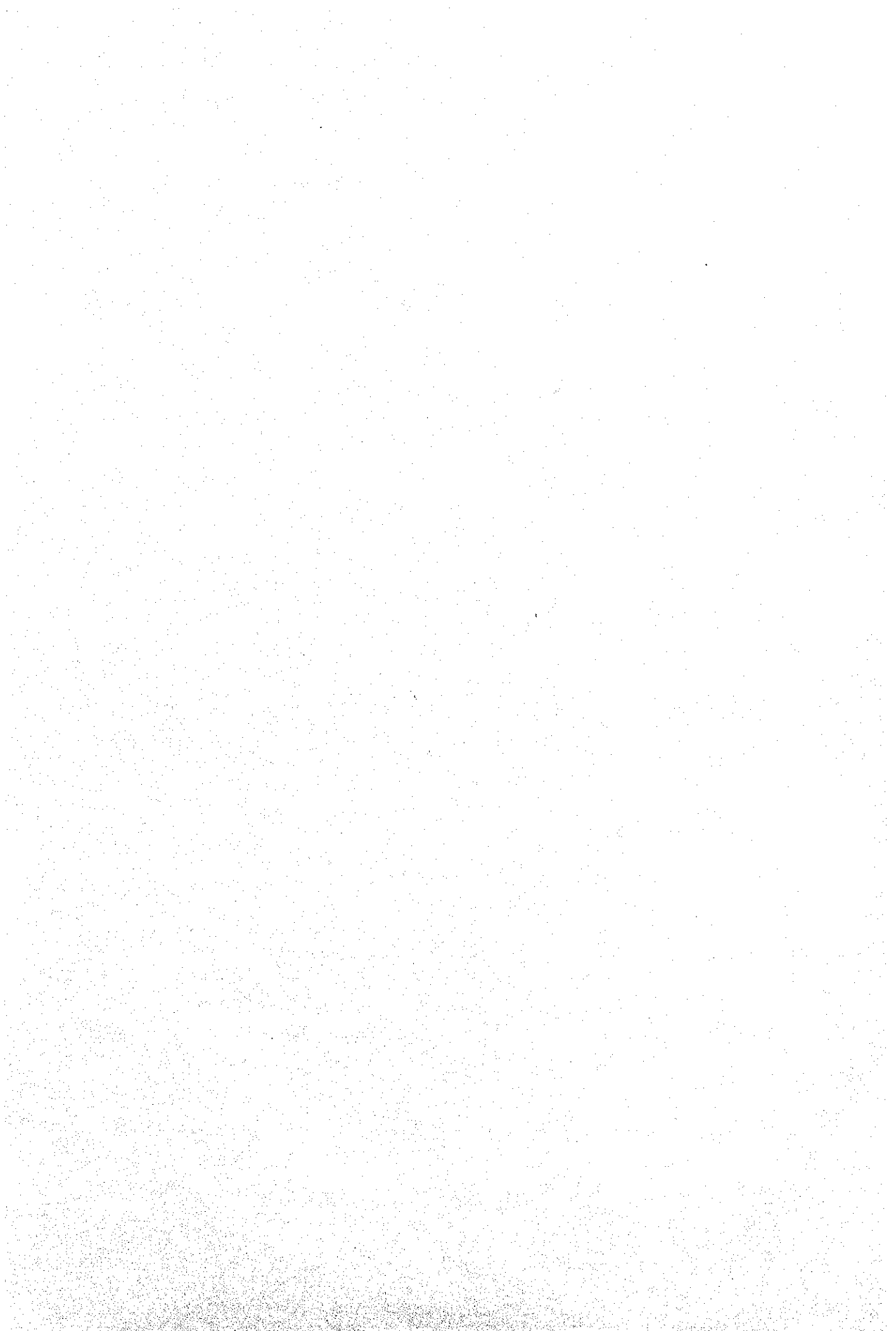
VIET NAM SIDE

1. Dr. Luu Bich Ho	President	SPC / DSI
2. Dr. Luu Duc Hong	Vice President	SPC / DSI
3. Dr. Nguyen Ba An	Senior Expert	SPC / DSI
4. Dr. Hoang Ngoc Phong	Expert	SPC / DSI
5. Mr. Dinh Cong Ton	Expert	SPC / DSI
6. Ms. Nguyen Thu Thien	Expert	SPC / DSI

JAPANESE SIDE

1. Mr. Teizo Igarashi	Team Leader, Managing Director, Project Formulation Study Dept.	JICA
2. Mr. Atsuyoshi Toda	Deputy Team Leader, Regional Development Planner, Development Specialist	JICA
3. Mr. Ikuo Takizawa	Task Coordinator, First Project Formulation Study Div., Project Formulation Study Dept.	JICA
4. Mr. Isamu Koike	Tourism Development Planner (consultant)	JICA
5. Mr. Tsutomu Kameyama	Infrastructure Development Planner (consultant)	JICA
6. Ms. Ran Nagai	Interpreter (Japan International Cooperation Center)	JICA
7. Mr. Takahiro Sasaki	Second Secretary	Embassy of Japan
8. Mr. Naota Ikeda	Second Secretary	Embassy of Japan
9. Mr. Hiroshi Tsujino	Staff	JICA Viet Nam Office



JICA