

**Regional workshop on 15-16-17 October 2014  
Vientiane, Lao PDR**

**ANSWER THE QUESTION TO COUNTRY**

Prepared by Vietnamese delegation

# 1. Question on legal and Institutional framework to be prepare

Question 1: Where do the countries stand in terms of integration of IWRM principles in their water laws?

Answer:

- Establishment of the Ministry of Natural Resources and Environment (**MONRE**) in 2002 was an important part in the process of water sector reforms, promoted the separation of regulation/management (MONRE) from water services delivery; revision of the LWR 1998
- The revised Law on Water Resources has focused on handling the shortcomings and weaknesses revealed by the **LWR1998** after its more 12 years implementation; moreover it has also institutionalized the Party's views and path and the country's development strategy related to water resources as well as reflected the world's modern views on integrated water resources management
- Article 3 LWR: Principles of the management, protection, extraction and use of water resources, and prevention, combat against and overcoming of harmful effects caused by water, of which item 1 regulates that "IWRM must be executed in a unified manner on river basin and water source basis in combination with management following administrative borders?"

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Question 2: Which organization did the countries set up to prepare the plans?

Answer:

**Item 1, Article 21**, *Law on Water Resources* regulates responsibility to prepare and approve water resources planning as follows:

- MONRE should take the lead and coordinate with MARD, MoIT, MoC and relevant ministries and ministerial-agencies in preparation of the national water resources planning and submit to Prime Minister for approval
- MONRE should take the lead and coordinate with MARD, MoIT, MoC and relevant ministries, ministerial-agencies and localities to prepare and approve the water resources planning for interprovincial river basins and interprovincial water sources.
- The Provincial People's Committee shall prepare the water resources planning of their provinces and centrally-run-cities and submit to the People's Council at the same level for endorsement upon written comment of MONRE.

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Question 3: What has been done for the involvement of the different actors in the preparation of the plan?

Answer:

Prior to submission to the responsible authorities for approval, the water resources planning must be commented in writing by ministries, ministerial-agencies, river basin organization and relevant organizations.

**( item 2, Article 21, Law on Water Resources )**

One of the principles of water resources planning is to make it public to get participation of all stakeholders and communities concerned in the plans preparation. So **(point d Item 1 Art. 16)** regulates that "To ensure publicity and participation of the relevant communities and stakeholders in the preparation of plans"

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Question 4: Is the preparation of River Basin management Plans included in the National Water Management Strategy?

Answer:

- There is no so-called the national water management strategy.
- There is only so-called national water resources strategy towards 2020
- The River Basin Management Plans is not included in the national water resources strategy towards 2020

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Question 5: What is the situation in terms of River Basin Management Plan already developed (Where, What are the main example and characteristics)?

Answer:

**LWR** was approved in 2012, and has been in force since 1<sup>st</sup> Jan 2013, thus all legal documents guiding for implementation of LWR have been formulated

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Question 5: What is the situation in terms of River Basin Management Plan already developed (Where, What are the main example and characteristics)?

Answer:

**Establishment of 3 Sub-Departments of Water Resources Management**, the responsibility of which are to implement WRM functions in provinces and to be representatives of DWRM in RBM (if have):

- + Northern Central Sub-Department of Water Resources Management in Vinh, Nghe An (Provinces: Thanh Hóa, Nghệ An, Hà Tĩnh, Quảng Bình, Quảng Trị, Thừa Thiên Huế)
- + Central Part and Highland Sub-Department of Water Resources Management in Nha Trang (Provinces: Đà Nẵng, Quảng Nam, Quảng Ngãi, Bình Định, Phú Yên, Khánh Hòa, Kon Tum, Gia Lai, Đắk Lắk, Đắk Nông, Lâm Đồng)
- + Southern part Sub-Department of Water Resources Management in Ho Chi Minh city (Provinces: Ninh Thuận, Bình Thuận, Bình Phước, Bình Dương, Bà Rịa – Vũng Tàu, TP. Hồ Chí Minh, Đồng Nai, Tây Ninh, Long An, Bến Tre, Trà Vinh, Tiền Giang, Vĩnh Long, TP. Cần Thơ, Sóc Trăng, Bạc Liêu, Cà Mau, Kiên Giang, An Giang, Đồng Tháp)

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Question 5: What is the situation in terms of River Basin Management Plan already developed (Where, What are the main example and characteristics)?

Answer:

Article 5 Decree 201 regulates about River basin Organization:

- River basin organization is organized and operated in accordance with the regulations of an inter-sectors coordination organization.
- River basin organization is responsible for proposing, recommending to competent state agencies which are in charge of regulation, distribution of water sources, supervision of activities on water resources exploitation, use, protection and prevention, combat and remediation of adverse impacts caused by water in one or several inter-provincial river basins.
- The Prime Minister decides the establishment of river basin organizations of Hong (red) – Thai Binh river, Mekong river at the proposal of the Minister of the MONRE.
- The Minister of the MONRE establishes river basin organizations of inter-provincial river basins other than the ones stipulated in Item 2 of this Article, at proposal of Head of specialized state management bodies on water resources.

**Thank you for your attention!**