

**THE OFFICE OF THE
NATIONAL ASSEMBLY**

No: 73/VBHN-VPQH

THE SOCIALIST REPUBLIC OF VIETNAM
Independence – Freedom – Happiness

Hanoi, March 25, 2026

LAW

BIODIVERSITY

Pursuant to the Law on Biodiversity No. 20/2008/QH12 of the National Assembly dated November 13, 2008, effective from July 1, 2009, amended by:

1. Law No. 35/2018/QH14 dated November 20, 2018, of the National Assembly amending 37 laws related to planning, effective from January 1, 2019;
2. Law No. 146/2025/QH15 dated December 11, 2025, of the National Assembly amending 15 laws related to agriculture and environment, effective from January 1, 2026.

Pursuant to the Constitution of the Socialist Republic of Vietnam of 1992, amended by Resolution No. 51/2001/QH10;

The National Assembly hereby issues the Law on Biodiversity.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

This Law provides for the conservation and sustainable development of biodiversity; rights and obligations of organizations, households, and individuals in the conservation and sustainable development of biodiversity.

Article 2. Regulated entities

This Law applies to domestic organizations, households and individuals, overseas Vietnamese people, foreign organizations and individuals carrying out activities of or related to the conservation and sustainable development of biodiversity in Vietnam.

Article 3. Interpretation of terms

For the purpose of this Law, the terms below are constructed as follows:

1. *Conservation of biodiversity* means the protection of the abundance of important, specific or representative natural ecosystems; the protection of permanent or seasonal habitats of wild species, environmental landscape and the unique beauty of nature: the rearing, planting and care of species on the list of endangered, precious and rare species prioritized for protection; and the long-term preservation and storage of genetic specimens.
2. *In-situ conservation* means the conservation of wild species in their natural habitats; the conservation of valuable and endemic crop plants and domestic animals in the environment where they live, form, and develop their typical characteristics.
3. *Ex-situ conservation* means the conservation of wild species outside their permanent or seasonal natural habitats: the conservation of valuable and endemic crop plants and domestic animals outside the environment where they live and form and develop their typical characteristics: the preservation and storage of gene sources and genetic specimens in scientific and technological institutions or facilities that store and preserve gene sources and genetic specimens.
4. *Biodiversity conservation facility* means an establishment that takes care of, brings up, rescues and propagates wild species, crop plants, domestic animals, microorganisms and fungi that are valuable and endemic; stores and preserves gene sources and genetic specimens for biodiversity conservation and development purposes.
5. *Biodiversity* means the abundance of genes, organisms and ecosystems in the nature.
6. *Assessment of risks posed to biodiversity by genetically modified organisms or genetic specimens of genetically modified organisms* means the determination of the latent harmfulness and damage level that may occur in activities related to genetically modified organisms or genetic specimens of genetically modified organisms, especially the use and release of genetically modified organisms or genetic specimens of genetically modified organisms.
7. *Gene* means a unit of heredity or a segment of genetic material that defines physical traits of an organism.
8. *Biodiversity corridor* means an area connecting natural ecological regions in which organisms living within these regions can interact
9. *Ecosystem* means a community of organisms and non-living components interacting and metabolizing in a certain geographical area.
10. *Natural ecosystem* means an ecosystem that forms and develops in line with natural rules while retaining its wild features.

11. *New natural ecosystem* means an ecosystem that newly forms and develops on alluvial grounds at coastal river mouths, alluvial plains and other areas.
12. *Nature conservation zone* (below referred to as conservation zone) means a geographical area that has fixed boundaries and functional subdivisions for biodiversity conservation.
13. *Wild species* means species of animals, plants, microorganisms and fungi that live and grow in line with natural rules.
14. *Threatened species* means a species that faces the danger of decline of all of its individuals.
15. *Species that is extinct in the wild (EW)* means a species that exists only in artificial-rearing or growing conditions outside its historic range.
16. *Endemic species* means a species that exists and grows only in a singular defined geographic location in Vietnam and its existence is not found elsewhere in the world.
17. *Migratory species* means a species of animal that has the whole or a part of its population travel between different habitats in a regular, periodic or seasonal pattern.
18. *Introduced species* means a species that appears and grows in an area that is not its natural habitat.
19. *Invasive species* means an introduced species that that invades the habitat of or causes harms to native species, causing ecological imbalance in the area where it appears and grows.
20. *Priority endangered, precious and rare species for protection* means wild species, plant varieties or animal breeds, microorganisms or fungi that are endemic and of special scientific, medical, economic, ecological, scenic, environmental or cultural-historical value, exist in few numbers or are in danger of extinction.
21. *Genetic specimen* means any specimen of plant, animal, microorganism or fungus that possesses functional units of heredity which can regenerate.
22. *Gene source* includes all species and genetic specimens in nature, conservation subdivisions, biodiversity conservation establishments and scientific research and technological development institutions and in nature
23. *Sustainable development of biodiversity* means the rational utilization and use of natural ecosystems, development of gene sources and species and assurance of ecological balance in service of socio-economic development.
24. *Release of genetically modified organisms* means the intentional introduction of genetically modified organisms into a natural habitat.

25. *Risk management* means the taking of safety measures to prevent, handle and remedy risks to biodiversity in activities related to genetically modified organisms and genetic specimens of genetically modified organisms.

26. Population means a group of individuals of the same species living and growing within a certain area.

27. *Genetically modified organism* means an organism whose genetic structure has been modified by the gene transfer technology and contain new genetic structure of other species or of artificial synthesis but not similar in composition or structure to that species' genes..

28. Traditional knowledge of gene sources means knowledge, experience and initiatives of native people on the conservation and use of gene sources.

29. *Access to gene sources* means activities of investigating and collecting gene sources for research and development and production of commercial products.

30. *Buffer zone* means the area surrounding and adjacent to a conservation zone, having the function of preventing and reducing adverse impacts from outside on the conservation zone.

31. *Master plan for biodiversity conservation* means the national sectoral planning, spatial arrangement and distribution of high-biodiversity areas, important ecological landscapes, biodiversity corridors, nature reserves, and biodiversity conservation establishments within a specific territory in order to conserve nature and biodiversity in service of sustainable development for a definite period.

32. Gene-edited organism means an organism that carries genetic structure that has been altered by gene transfer technology and does not contain new genetic structure of other species or of artificial synthesis that is not similar in composition or structure to that species' genes.

Article 4. Principles for the conservation and sustainable development of biodiversity

1. Conserving biodiversity is the responsibility of the State and all organizations and individuals.

2. Harmoniously combining conservation with rational utilization and use of biodiversity; and conservation and rational utilization and use of biodiversity with hunger eradication and poverty alleviation.

3. Regarding in-situ conservation as a keystone measure, combining in-situ conservation with ex-situ conservation

4. Organizations and individuals that benefit from biodiversity utilization and use shall share their benefits with concerned parties: ensuring harmony between the interests of the State, organizations and individuals.

5. Ensuring management of risks caused to biodiversity by genetically modified organisms and specimens of genetically modified organisms.

Article 5. State policies on the conservation and sustainable development of biodiversity

1. Giving priority to the conservation of natural ecosystems which are important, specific or representative for an ecological region and the conservation of species on the list of endangered, precious and rare species prioritized for protection; ensuring control of access to gene sources.

2. Ensuring funds for basic survey, monitoring, statistics and development of databases on biodiversity and planning of biodiversity conservation; investing physical- technical foundations for conservation zone and biodiversity conservation establishments set up by the State; and ensuring local people's participation in the process of formulating and implementing biodiversity conservation planning.

3. Encouraging organizations and individuals to invest in and apply scientific and technological advances and traditional knowledge to the conservation and sustainable development of biodiversity, and ensuring their lawful rights and interests.

4. Developing ecotourism in association with hunger eradication and poverty alleviation, ensuring stable livelihood for households and individuals lawfully living in conservation zones; sustainably developing buffer zones of conservation zones.

5. Promoting domestic and foreign resources for the conservation and sustainable development of biodiversity.

Article 6. Responsibilities for State management of biodiversity

1. The Government performs the unified state management of biodiversity.

2. The Ministry of Agriculture and Environment shall be accountable to the Government for performing the state management of biodiversity.

3. Ministries and ministerial agencies shall, within their jurisdiction, perform state management of biodiversity as assigned by the Government.

4. People's Committees at all levels shall, within their jurisdiction, perform the state management of biodiversity as delegated by the Government.

Article 7. Prohibited acts

1. Hunting, fishing and exploiting wild species in strictly protected subdivisions of conservation zones, except for scientific research purposes; encroaching upon land, destroying landscape, deteriorating ecosystems and rearing or planting invasive species in conservation zones.

2. Building structures or houses in strictly protected subdivisions of conservation zones, except works for defense and security purposes; illegally building works and housing in ecological restoration subdivisions of conservation zones.
3. Investigating, surveying, exploring and extracting minerals; raising cattle and poultry on a farm scale, conducting aquaculture on an industrial scale; illegally residing and polluting the environment in strictly protected subdivisions and ecological restoration subdivisions of conservation zones.
4. Hunting, fishing, exploiting bodily parts of, illegally killing, consuming, transporting, purchasing, and selling species on the list of endangered, precious, and rare species prioritized for protection; illegally advertising, marketing, and consuming products originated from species on the list of endangered, precious, and rare species prioritized for protection.
5. Illegally breeding or raising and artificially cultivating wild fauna and flora species on the list of endangered, precious, and rare species prioritized for protection.
6. Illegally importing or releasing genetically modified organisms and genetic specimens of genetically modified species.
7. Importing and developing invasive species, except for imports intended for scientific research purposes as specified by law.
8. Illegally accessing gene sources of species on the list of endangered, precious, and rare species prioritized for protection.
9. Illegally repurposing land in conservation zones.

Chapter II

BIODIVERSITY CONSERVATION PLANNING

Article 8. ^[8] *(This article is annulled)*

Article 9. ^[9] *(This article is annulled)*

Article 10. Biodiversity conservation planning

The content, authority, procedures for formulating, appraising, approving, publishing, and amending biodiversity conservation planning shall be carried out in accordance with the laws on planning.

Article 11. ^[11] *(This article is annulled)*

Section 2 *(this section is annulled)*

Chapter III

CONSERVATION AND SUSTAINABLE DEVELOPMENT OF NATURAL ECOSYSTEMS

Section 1. CONSERVATION ZONES

Article 16. Conservation zones and classification of conservation zones

1. Conservation zones include:

- a) National parks;
- b) Nature reserves;
- c) Species and habitat conservation zones;
- d) Landscape protection area.

2. Based on their biodiversity levels, values and sizes, conservation zones shall be classified as national- and provincial ones to which suitable management and investment policies will apply.

3. Conservation zones shall be inventoried in number and area; and have their locations determined on land use maps or their coordinates at sea level identified.

4. The Government shall specify conservation zone classification criteria.

Article 17. National parks

A national park must meet the following major criteria:

- 1. Possessing a natural ecosystem which is nationally and internationally important, specific to or representative of a natural eco-region;
- 2. Being a permanent or seasonal natural habitat of at least one species on the list of endangered, precious, and rare species prioritized for protection;
- 3. Having special scientific and educational values;
- 4. Having beautiful environment, unique natural features, and ecotourism value.

Article 18. Nature reserves

1. Nature reserves include:

- a) National nature reserves;
- b) Provincial nature reserves.

2. A national nature reserve must meet the following major criteria:

- a) Possessing a natural ecosystem which is nationally and internationally important, specific to or representative of a natural eco-region;

- b) Having special scientific and educational values or ecotourism and recreational values.
- 3. Provincial nature reserves are those set up under provincial biodiversity conservation planning for conserving the local natural ecosystems.

Article 19. Species and habitat conservation zones

- 1. Species and habitat conservation zones include:
 - a) National species and habitat conservation zones;
 - b) Provincial species and habitat conservation zones.
- 2. A national species and habitat conservation zone must meet the following major criteria:
 - a) Being a permanent or seasonal natural habitat of at least one species on the list of endangered, precious and rare species prioritized for protection;
 - b) Having special scientific and educational values.
- 3. Provincial national species and habitat conservation zones are those set up under provincial biodiversity conservation planning for conserving the local wildlife.

Article 20. Landscape protection areas

- 1. Landscape protection areas include:
 - a) National landscape protection areas;
 - b) Provincial landscape protection areas.
- 2. A national landscape protection area must meet the following major criteria:
 - a) Having a particular ecosystem;
 - b) Having landscape and unique natural beauty;
 - c) Having special scientific, educational or ecotourism and recreational values.
- 3. Provincial landscape protection areas are those set up under provincial biodiversity conservation planning for protecting local landscape.

Article 21. Contents of a conservation zone establishment project

- 1. Biodiversity conservation purposes; satisfaction of major criteria for the establishment of conservation zones.
- 2. Current conditions of natural ecosystems, species on the list of endangered, precious, and rare species prioritized for protection, other wild species, landscape, and unique natural beauty.

3. Areas of land and water surface; current conditions of use of land and water surface; number of inhabitants in the planned place of the conservation zone; scheme for land repurposing.
4. Extracts of maps, geographical location, and area of the planned conservation zone.
5. Geographical locations and areas of the strictly protected, ecological restoration and service-administrative subdivisions: boundaries of each subdivision; scheme for settlement or relocation of households and individuals from the planned place of the conservation zone.
6. Conservation zone management plan.
7. Organization of the management of the conservation zone.
8. Geographical location, area and boundaries of the buffer zone of the planned place of the conservation zone.
9. Organization of the implementation of the conservation zone establishment project.

Article 22. Formulation and appraisal of national conservation zone establishment projects

1. National conservation zone establishment projects shall be formulated and appraised as assigned and delegated by the Government.
2. The procedures for formulating a national conservation zone establishment project are prescribed as follows:
 - a) Investigate and assess the biodiversity situation of the planned place of the conservation zone according to the criteria for conservation zones specified in Articles 17, 18, 19 and 20 of this Law and formulate the conservation zone establishment project;
 - b) Collect opinions from concerned ministries and ministerial agencies, People's Committees of all levels and local communities lawfully living in the planned place of the conservation zone and its adjacent area;
 - c) Appraise the national conservation zone establishment project and submit it to the Prime Minister for decision.
3. A dossier on national conservation zone establishment project comprises:
 - a) An application for the establishment of a conservation zone, prepared by the project-formulating agency;
 - b) The project with the contents specified in Article 21 of this Law;
 - c) Opinions of the state authority competent to manage conservation zones specified in Clause 1 of Article 27 of this Law and the related parties specified at Point b of Clause 2 of this Article;
 - d) Results of appraisal of the project.

Article 23. Decisions to establish national conservation zones

1. [the Minister of Agriculture and Environment shall issue decisions to establish national conservation zone located in the territory of two or more provinces or centrally affiliated cities. The President of the Provincial People's Committee shall issue decisions to establish national conservation zones located within an area under their management.
2. A decision to establish a national conservation zone must include:
 - a) Geographical location, boundaries, and areas of the conservation zone and its buffer zone;
 - b) Geographical locations, boundaries, and areas of strictly protected, ecological restoration and service-administrative zones;
 - c} The conservation zone's biodiversity conservation purposes;
 - d} A plan to restore natural ecosystems in the conservation zone;
 - dd) A scheme to settle or relocate households and individuals living in the conservation zone; a scheme or land repurposing in the conservation zone;
 - e) Functions, duties, and organizational structure of the Conservation zone Management Board.
3. The decision to establish a national conservation zone shall be sent to People's Committee of the administrative division where the conservation zone is located, the conservation zone establishment project-formulating agency specified in Clause 1 of Article 22 of this Law, and state authority competent to manage conservation zones specified in Clause 1 of Article 27 of this Law.

Article 24. Formulation and appraisal of provincial conservation zone establishment projects and decisions to establish provincial conservation zones

1. Bases on provincial biodiversity conservation planning, the provincial People's Committee shall issue a decision to establish a provincial conservation zone after consulting concerned People's Committees of all levels, local communities lawfully living in the planned conservation zones and their adjacent areas and obtaining the approval of state authority competent to manage conservation zones specified in Clause 1 of Article 27 of this Law.
2. The State authority competent to manage conservation zones specified in Clause 1 off Article 27 of this Law shall take charge and cooperate with concerned ministries and ministerial agencies in prescribing the procedures for formulating and appraising provincial conservation zone establishment projects; and contents of decisions to establish provincial conservation zones.

Article 25. Use of land in conservation zones

1. Based on decisions on establishment of conservation zones, authorities competent to allocate land under the Land Law shall allocate land to conservation zone management boards or other organizations assigned to manage conservation zones.

2. The use and change of use purposes of land in conservation zones comply with the land law, this Law and other relevant laws.

Article 26. Functional subdivisions and conservation zone boundaries

1. A conservation zone has the following functional subdivisions:

- a) The strictly protected subdivision;
- b) The ecological restoration subdivision;
- c) The service-administrative subdivision.

2. A conservation zone must have boundary markers placed to determine its boundaries; the strictly protected subdivision of a conservation zone must have its area and position determined on the field or its coordinates at sea level identified.

3. The conservation zone management board or the organization assigned to manage a conservation zone shall take charge and cooperate with the People's Committees of administrative divisions where the conservation zone is located in placing boundary markers to distinguish the conservation zone's boundaries.

Article 27. Conservation zone management responsibilities

1. Ministries, ministerial agencies and provincial People's Committees shall organize the management of conservation zones as assigned and delegated by the Government.

2. Regulation on management of conservation zones

- a) The Minister of Agriculture and Environment shall prescribe the content of the Regulations on the management of conservation zones;
- b) The authority competent to establish the protected area shall issue the Regulations on management of conservation zones under its jurisdiction.

Article 28. Organization of management of conservation zones

1. A national conservation zone shall have a Management Board that operates as a public service provider with or without financial autonomy.

2. Based on local practical conditions, a provincial conservation zone may be managed by a Management Board that is a public service unit with or without financial autonomy or an organization assigned to manage the conservation zone according to law.

Article 29. Rights and responsibilities of Conservation Zone Management Boards and organizations assigned to manage conservation zones

A Conservation Zone Management Board or an organization assigned to manage a conservation zone has the following rights and responsibilities:

1. Conserve biodiversity under this Law and the Regulation on management of conservation zones;
2. Formulate, submit to state regulatory authority for approval, and organize the implementation of plans, programs and projects on investment in restoration of natural ecosystems in the conservation zone;
3. Manage scientific research activities and collect gene sources and genetic specimens; monitor and collect information and data on and develop a database and report on the current condition of the conservation zone's biodiversity; take measures to prevent and eliminate epidemics in the conservation zone;
4. Do business or enter into joint ventures in ecotourism, scientific research, resort and other services in the conservation zone according to law;
5. Cooperate with ranger force, environmental police, fire fighting police and local government in conserving the conservation zone's biodiversity;
6. Be entitled to benefits from the access to gene sources within the conservation zone;
7. Have other rights and responsibilities as prescribed by law.

Article 30. Responsibilities and obligations of households and individuals lawfully living in conservation zones

1. Households and individuals lawfully living in conservation zones have the following rights and obligations:

- a) Lawfully extract resources in conservation zones under this Law, the Regulation on management of conservation zones and other relevant laws;
 - b) Participate in and benefit from business and service activities in conservation zones;
 - c) Be entitled to policies on incentives, supports, compensation and resettlement under law;
 - d) Comply with Regulation on management of conservation zones;
 - dd) Have other rights and obligations as prescribed by law.
2. The Government shall elaborate this Article.

Article 31. Rights and obligations of organizations and individuals engaging in lawful activities in conservation zones

Organizations and individuals engaging in lawful activities in conservation zones shall have the following rights and obligations:

1. Lawfully extract resources in conservation zones under this Law, the Regulation on management of conservation zones and other relevant laws;
2. Gain access gene sources and receive benefits from such access and other lawful activities in conservation zones according to law;
3. Comply with Regulation on management of conservation zones;
4. Engage in other activities under law;
5. Have other rights and obligations as prescribed by law.

Article 32. Management of buffer zones of conservation zones

1. Locations and areas of buffer zones shall be specified in decisions on the establishment of conservation zones and determined on land use maps or have their coordinates at sea level identified.
2. Contents regarding management of buffer zones are included in the Regulations on management of conservation zones
3. The owner of project on investment in buffer zone of the conservation zone shall make an environmental impact assessment report and submit it to an Appraisal council under the environmental protection law. The Appraisal council must be composed of a representative of the conservation zone management board. When a project on investment in buffer zone of the conservation zone poses latent-risks of environmental incidents or dispersion of hazardous waste, the decision to approve the project's environmental impact assessment report must specify a safe distance to prevent adverse impacts on the conservation zone and the organization assigned to manage the conservation zone.

Article 33. Report on the current conditions of conservation zones' biodiversity

1. Every three years, the Conservation zone management boards or organization assigned to manage conservation zones shall report on the current condition of their conservation zones' biodiversity to state authority competent to manage conservation zones specified in Clause 1 of Article 27 of this Law.
2. A report on the current condition of a conservation zone's biodiversity must contain the following major contents:

- a) The actual condition, restoration progress and plan to restore the conservation zone's natural ecosystems;
- b) The actual condition of and plan for conservation of the conservation zone's species under the list of endangered, precious, and rare species prioritized for protection;
- c) Requirements for biodiversity conservation in the conservation zone;
- d) Current status of land use in the conservation zone.

Section 2. SUSTAINABLE DEVELOPMENT OF NATURAL ECOSYSTEMS

Article 34. Survey, assessment, and establishment of sustainable development policies for natural ecosystems

1. Natural ecosystems shall be surveyed and assessed and have their sustainable development policies established.
2. Natural forest ecosystems shall be surveyed and assessed and have their sustainable development policies established according to laws on forest protection and development and other relevant laws.
3. Natural marine ecosystems shall be surveyed and assessed and have their sustainable development policies established according to laws on fisheries and other relevant laws.
4. Natural ecosystems of natural wetlands, limestone mountain areas, and unused land areas other than those specified in Clauses 2 and 3 of this Article shall be surveyed and assessed and have their sustainable development policies established according to Articles 35 and 36 of this Law and other relevant laws.

Article 35. Sustainable development of natural wetlands' natural ecosystems

1. Natural wetlands are marsh, peaty or permanently or temporarily wet areas, including sea areas of a depth not exceeding 6 meters at the lowest tide level.
2. Statistics and inventory reviews on natural wetlands shall be conducted according to the land laws.
3. Provincial-level People's Committees shall conduct survey, statistics, inventory, and assessment of the current condition of biodiversity and establish sustainable development policies for natural ecosystems and locations and areas of natural wetlands on land use maps or their coordinates at sea level.

Article 36. Sustainable development of natural ecosystems in limestone mountain areas and unused land not belonging to the forest ecosystem

1. The current condition of biodiversity of limestone mountain areas and unused land areas not belonging to the forest ecosystem having natural ecosystems specific to or representative of a region must be surveyed and assessed and have their sustainable development mechanisms established.
2. Provincial-level People's Committees shall conduct surveys, statistics, inventory and assessment of the current condition of biodiversity and established sustainable development policies for natural ecosystems in limestone mountain areas and unused land areas not belonging to the forest ecosystem.

Chapter IV

CONSERVATION AND SUSTAINABLE DEVELOPMENT OF SPECIES

Section 1. PROTECTION OF SPECIES ON THE LIST OF ENDANGERED, PRECIOUS AND RARE SPECIES PRIORITIZED FOR PROTECTION

Article 37. Species to be included in the list of endangered, precious, and rare species prioritized for protection

1. Species to be included in the list of endangered, precious and rare species prioritized for protection:
 - a) Endangered, precious, and rare wild fauna and flora species;
 - b) Endangered, precious, and rare plant varieties, animal breeds, microorganisms, and fungi.
2. The Minister of Agriculture and Environment shall elaborate specific criteria for definition and regulations on management and protection of species on the list of endangered, precious, and rare species prioritized for protection.

Article 38. Requests for inclusion of species in or exclusion of species from the list of endangered, precious, and rare species prioritized for protection

1. Pursuant to Article 37 of this Law, the following organizations or individuals may request for inclusion of a species in or exclusion of a species from the list of endangered, precious, and rare species prioritized for protection:
 - a) Organizations or individuals that conduct surveys or researches on species in Vietnam;
 - b) Organizations or individuals that are assigned to manage forests, conservation zones, wetlands, sea, and other natural ecosystems;
 - c) Societies, associations and other organizations involved in science and technology or environment.

2. Requests for inclusion of species in or exclusion of species from the list of endangered, precious, and rare species prioritized for protection must be compiled into applications to be submitted to concerned ministries or ministerial agencies for appraisal under Clause 1 of Article 39 of this Law.

3. Application for inclusion of a species in or exclusion of a species from the list of endangered, precious, and rare species prioritized for protection comprises:

- a) Popular name, indigenous name and scientific name of the proposed species;
- b) Areas of distribution, estimated number of individuals, living conditions and current condition of permanent or seasonal natural habitats of the proposed species;
- c) Basic traits, endemism and special scientific, medical, economic, ecological, landscape, environmental or cultural and historical values of the proposed species;
- d) Extent of danger of extinction of the proposed species;
- dd) Regulations on management and protection, and other particular requirements;
- e) Results of self-assessment and request for inclusion in or exclusion from the list of endangered, precious and rare species prioritized for protection.

Article 39. Appraisal of applications for inclusion of species in or exclusion of species from the list of endangered, precious, and rare species prioritized for protection

1. The Ministry of Agriculture and Environment Appraisal shall establish a Council for appraisal of applications for inclusion of species in or exclusion of species from the list of endangered, precious, and rare species prioritized for protection.

2. The Minister of Agriculture and Environment Appraisal shall provide for procedures for appraisal of applications for inclusion of species in or exclusion of species from the list of endangered, precious, and rare species prioritized for protection.

Article 40. Decisions on inclusion of species in or exclusion of species from the list of endangered, precious, and rare species prioritized for protection

1. The Ministry of Agriculture and Environment Appraisal shall issue decision on inclusion of species in or exclusion of species from the list of endangered, precious, and rare species prioritized for protection.

2. The list of endangered, precious, and rare species prioritized for protection must be publicized on the mass media

3. Every three years or when necessary, the populations of species on the list of endangered, precious, and rare species prioritized for protection must be surveyed and assessed for amendment to the list.

Article 41. Conservation of species on the list of endangered, precious, and rare species prioritized for protection

1. Areas that exist permanent or seasonal natural habitats of species on the list of endangered, precious and rare species prioritized for protection specified at Point a of Clause 1 of Article 37 of this Law must be surveyed and assessed in order to formulate conservation zone establishment projects.

2. The State shall establish or assign organizations or individuals to establish biodiversity conservation facilities to conserve species on the list of endangered, precious, and rare species prioritized for protection.

3. The introduction of species on the list of endangered precious and rare species prioritized for protection into biodiversity conservation facilities for rearing or planting and the release of those species from rescue centers into their natural habitats are subject to written approval of competent state authorities.

4. The Minister of Agriculture and Environment shall elaborate this Article.

Section 2. SUSTAINABLE DEVELOPMENT OF SPECIES

Article 42. Establishment of biodiversity conservation facilities

1. Biodiversity conservation facilities are established for conserving biodiversity, conducting scientific research, and organizing ecotourism, and include:

a) Facilities rearing or planting species on the list of endangered precious and rare species prioritized for protection;

b) Wildlife rescue centers;

c) Facilities storing endemic, endangered precious and rare plant varieties, animal breeds, microorganisms and fungi which have special scientific, medical, economic, ecological, landscape, environmental or cultural and historical values; and facilities storing and preserving gene sources and genetic specimens.

2. Facilities fully satisfying the following conditions will be granted biodiversity conservation facility certificates:

a) Having adequate land areas, cages, and physical facilities meeting requirements for rearing, planting, or breeding species on the list of endangered, precious, and rare species prioritized for protection; wildlife rescue; or storing and preserving gene sources and genetic specimens:

b) Having technicians with appropriate professional qualifications;

c) Being financially and managerially capable.

3. Application for establishment of a biodiversity conservation facility comprises:

a) An application for establishment of a biodiversity conservation facility;

b) The establishment project;

c) Documents proving the satisfaction of the conditions specified in Clause 2 of this Article.

4. Provincial-level People's Committees shall grant biodiversity conservation facility certificates.

5. The Minister of Agriculture and Environment shall elaborate this Article.

Article 43. Rights and obligations of organizations and individuals managing biodiversity conservation facilities

1. Organizations and individuals that manage biodiversity conservation facilities have the following rights:

a) Be entitled to preferential policies, mechanisms, and support from the State as prescribed by law;

b) Receive assistance projects from domestic or foreign organizations and individuals and implementing them;

c) Receive revenue from tourism activities and other activities of the biodiversity conservation facility as prescribed by law;

d) Conclude contract for access to gene sources and sharing of benefits arising from the gene sources under their management;

dd) Rear, plant, breed and rescue species on the list of endangered, precious and rare species prioritized for protection; store endemic plant varieties, animal breeds, microorganisms and fungi; and store and preserve gene sources and genetic specimens;

e) Exchange or donate species on the list of endangered, precious and rare species prioritized for protection for the purpose of biodiversity conservation, scientific research or ecotourism according to law;

g) Have other rights as prescribed by law.

2. Organizations and individuals that manage biodiversity conservation facilities have the following obligations:

- a) Protect, nurture, and take care of species on the list of endangered, precious, and rare species prioritized for protection; store and preserve gene sources and genetic specimens;
- b) Register and declare origin of species on the list of endangered, precious, and rare species prioritized for protection to specialized authorities of provincial-level People's Committees;
- c) Apply measures to prevent epidemics and adopt policies for nurturing species in their facilities and treating their diseases;
- d) In December every year, report to provincial-level People's Committees on the condition of species on the list of endangered, precious and rare species prioritized for protection in their facilities;
- e) Seek for permission of competent state authorities specified in Clause 4 of Article 41 of this Law for introducing species on the list of endangered, precious and rare species prioritized for protection into their biodiversity conservation facilities for rearing or planting or for releasing species on the list of endangered precious and rare species prioritized for protection from their rescue centers into these species' natural habitats;
- e) Have other obligations as prescribed by law.

Article 44. Wild species banned from exploitation and wild species permitted for conditional exploitation in nature

- 1. The conditional exploitation of wild species in nature must comply with laws on forest protection and development, laws on fisheries and other relevant laws.
- 2. The Ministry of Agriculture and Rural Development shall elaborate regulations on the protection of wild species banned from exploitation in nature and the exploitation of wild species permitted for conditional exploitation in nature; and periodically publicizing the list of wild species banned from exploitation in nature and the list of wild species permitted for conditional exploitation in nature.

Article 45. Rearing or planting of species on the list of endangered, precious and rare species prioritized for protection

- 1. Species on the list of endangered, precious, and rare species prioritized for protection may be reared or planted in biodiversity conservation facilities for the purpose of biodiversity conservation, scientific research, or ecotourism under this Law.

2. The rearing, growing and artificial cultivation of some species on the list of endangered, precious or rare species prioritized for protection in rearing, growing and artificial cultivation facilities for commercial purposes must comply with law.

Article 46. Exchange, export, import, purchase, sale, donation, storage and transport of species on the list of endangered, precious, and rare species prioritized for protection and their genetic specimens and products

The exchange, export, import, purchase, sale, donation, storage and transport of species on the list of endangered precious and rare species prioritized for protection and their genetic specimens for the purpose of biodiversity conservation, scientific research or ecotourism; the exchange, export, import, purchase, sale, donation and transport of some species on the list of endangered, precious and rare species prioritized for protection and their products for commercial purposes shall comply with the Minister of Agriculture and Environment's specific regulations.

Article 47. Rescue of species on the list of endangered, precious, and rare species prioritized for protection

1. Individuals of species on the list of endangered, precious, and rare species prioritized for protection, which lose their natural habitats, stray or are injured or diseased must be brought into rescue centers for treatment, nurture, care, and release into their natural habitats.

2. Organizations and individuals that discover individuals of species on the list of endangered, precious and rare species prioritized for protection which lose their natural habitats, stray or are injured or diseased must immediately inform the nearest commune-level Peoples Committee or rescue centers thereof. Upon receiving such information, the commune-level People's Committee shall promptly report it to the specialized authority of the provincial-level People's Committee or the nearest rescue center.

3. After being rescued and fully recovering their health, individuals of species on the list of endangered, precious and rare species prioritized for protection may be considered for release into their natural habitats. Individuals of species on the list of endangered precious and rare species prioritized for protection, which have lost their natural habitats, shall be considered for introduction into appropriate biodiversity conservation facilities for rearing or planting.

4. The Minister of Agriculture and Environment shall elaborate this Article.

Article 48. Protection of endemic or valuable plant varieties or animal breeds in danger of extinction

1. The Ministry of Agriculture and Rural Development shall take charge and cooperate with ministries and ministerial agencies in organizing surveys and assessments of endemic or valuable

plant varieties or animal breeds that are in danger of extinction to request inclusion of such species in the list of endangered, precious, and rare species prioritized for protection.

2. Access to gene sources of endemic or valuable plant varieties and animal breeds that are in danger of extinction must comply with Sections 1 and 2 of Chapter V of this Law and other relevant laws.

Article 49. Protection for endemic or valuable microorganisms and fungi in danger of extinction

1. The Ministry of Agriculture and Rural Development shall take charge and cooperate with relevant ministries and ministerial agencies in organizing survey, assessment, collection, and preservation of endemic or valuable microorganisms and fungi that are in danger of extinction to request inclusion of such species in the list of endangered, precious, and rare species prioritized for protection.

2. Access to gene sources of endemic or valuable microorganisms and fungi that are in danger of extinction must comply with Sections 1 and 2 of Chapter V of this Law and other relevant laws.

Section 3. CONTROL OF INVASIVE SPECIES

Article 50. Survey and preparation of List of invasive species

1. *(This clause is annulled)*

2. Provincial-level People's Committees shall organize surveys for preparation of lists of invasive species in their provinces/cities and report them to the Ministry of Natural Resources and Environment and the Ministry of Agriculture and Rural Development.

3. The Ministry of Agriculture and Environment, other ministries and ministerial agencies, and provincial People's Committees shall organize surveys, identify invasive species, appraise, and issue the List of invasive species.

Article 51. Control of import of invasive species and invasion of introduced species

1. Customs authorities shall take charge and cooperate with competent authorities at checkpoints in inspecting, detecting, and take against violations in importing species on the list of invasive species.

2. Provincial-level People's Committees shall cooperate with competent authorities in organizing the inspection and assessment of the potential invasion of introduced species before applying measures to prevent and control invasive species.

Article 52. ^[37] *(This article is annulled)*

Article 53. Control of the spread and development of invasive species

1. The State shall invest and encourage organizations and individuals to invest in implementing programs to isolate and eradicate invasive species.
2. Provincial-level People's Committees shall organize surveys to identify areas of distribution of species on the lists of invasive species in their provinces/cities, and work out plans to isolate and eradicate these species.
3. Organizations and individuals that discover invasive alien species shall immediately inform the nearest commune-level People's Committee thereof. After receiving such information, the commune-level People's Committee shall promptly report it to immediate superior authorities or the specialized agency of the provincial-level People's Committee for application of control measures.

Article 54. Publication of information on invasive species

1. The Ministry of Agriculture and Environment and provincial-level People's Committees shall post the list of invasive species and information about areas of distribution and levels of invasion on their websites.
2. Customs offices and competent authorities at checkpoints shall post up the list of invasive species at their checkpoints.
3. Mass media agencies shall disseminate information on invasive species and measures to control, isolate, and eradicate these species.

Chapter V

CONSERVATION AND SUSTAINABLE DEVELOPMENT OF GENE SOURCES

Section 1. MANAGEMENT OF AND ACCESS TO GENE SOURCES AND SHARING OF BENEFITS FROM GENE SOURCES

Article 55. Management of gene sources

1. The State shall uniformly manage all gene sources in the Vietnamese territory.
2. The State shall assign organizations and individuals to manage gene sources according to the following provisions:
 - a) Conservation zone management units and organizations assigned to manage conservation zones shall manage gene sources in conservation zones;
 - b) Heads of biodiversity conservation facilities, scientific research and technological development institutions, and gene source storage and preservation establishments shall manage their own gene sources;

- c) Organizations, households and individuals assigned to manage or use land, forests or water surface shall manage gene sources assigned to them for management or use;
- d) Commune-level People's Committees shall manage gene sources in their areas, except cases specified at Points a, b and c of this Clause.

Article 56. Rights and obligations of organizations, households, and individuals assigned to manage gene sources

1. Organizations and individuals assigned to manage gene sources have the following rights:

- a) Survey and collect gene sources assigned to them for management;
- b) Exchange, transfer, and supply gene sources assigned to them for management to other organizations or individuals in accordance with law;
- c) Be entitled to benefits shared by organizations or individuals having access to gene sources under Article 61 of this Law.

2. Organizations and individuals assigned to manage gene sources shall have the following obligations:

- a) Notify competent state regulatory authorities of the exchange, transfer, or supply of gene sources to other organizations or individuals for purposes of research and development and production of commercial products;
- b) Conclude contracts for access to gene resources and share benefits with organizations or individuals that are granted permits to access gene sources under Article 59 of this Law;
- c) Control the investigation and collection of gene sources by organizations and individuals that are granted permits for access to gene sources;
- d) Be accountable to the law and competent state regulatory authorities for the management of gene sources.

Article 57. Access to gene sources

1. Subjects that must apply for permits for access to gene sources:

- a) Foreign organizations and individuals wanting to access Vietnamese gene sources;
- b) Domestic organizations and individuals wanting to access gene sources for commercial purposes;
- c) Domestic organizations and individuals wanting to bring gene sources abroad for educational and research purposes, not for commercial purposes.

2. Cases ineligible for issuance of permits for access to gene sources:

- a) Gene sources of species in the list of prohibited exports as prescribed;
 - b) The use of gene sources posing a risk to human health, the environment, national security, defense, and national interests.
3. The government shall elaborate regulations on access to gene sources.

Article 58. ^[42] *(This article is annulled)*

Article 59. ^[43] *(This article is annulled)*

Article 60. Rights and obligations of organizations and individuals granted permits for access to gene sources

1. Organizations and individuals granted permit to access gene sources have the following rights:

- a) Conduct survey and collection of gene sources and other activities as specified in the genetic resource access permit;
- b) Bring gene sources not included in the List of gene sources prohibited from export outside the territory of Vietnam in accordance with the law;
- c) Trading in products manufactured from permitted gene sources;
- d) Have other rights as specified in their permits to access gene sources and contracts for access to gene sources and benefit sharing.

2. Organizations and individuals granted permits to access gene sources have the following obligations:

- a) Comply with regulations in their permits to access gene sources;
- b) Submit reports to authorities competent to grant permits to access gene sources on the results of research and development or production of commercial products according to the time limit prescribed in the permits;
- c) Share benefits with related parties, including the distribution of intellectual property rights over invention results from their access to gene sources and traditional knowledge copyrights on gene sources;
- d) Have other obligations as specified in their permits to access gene sources and contracts for access to gene sources and benefit sharing.

Article 61. Sharing of benefits from access to gene sources

1. Benefits obtained from access to gene sources must be shared to the following parties:

- a) The State;

- b) Organizations, households and individuals assigned to manage gene sources;
 - c) Organizations and individuals granted permits to access gene sources and related parties as prescribed in the permits.
2. Benefits obtained from access to gene source must be shared based on contracts for access to gene sources and benefit sharing and in accordance with relevant laws.
 3. The Government shall elaborate the management and sharing of benefits obtained from access to gene sources.

Section 2. STORAGE AND PRESERVATION OF GENETIC SPECIMENS; ASSESSMENT OF GENE SOURCES; MANAGEMENT OF INFORMATION ABOUT GENE SOURCES; TRADITIONAL KNOWLEDGE COPYRIGHTS ON GENE SOURCES

Article 62. Storage and preservation of genetic specimens

1. Ministries and ministerial agencies shall, within their jurisdiction, organize the permanent storage and preservation of genetic specimens of species on the list of endangered, precious, and rare species prioritized for protection and species imported for research, breeding, hybridization, application, and development of gene sources.
2. Organizations and individuals that discovers and store genetic specimens of extinct species in nature on the list of endangered, precious, and rare species prioritized for protection shall report them to commune-level People's Committees. After receiving the information, the commune-level People's Committees shall immediately report to the agricultural and environmental authorities on of the provincial People's Committee to take action.
3. The State encourages organizations and individuals to invest in the long-term preservation and storage of genetic specimens to form gene banks for the purpose of biodiversity conservation and socio-economic development.

Article 63. Investigation, collection, assessment, provision, and management of information on gene sources

1. Ministries and ministerial agencies shall organize the implementation of programs on investigation, collection, assessment, and development of databases on gene sources under their management and provide information on databases on gene sources to the Ministry of Agriculture and Environment.

The Ministry of Agriculture and Environment shall uniformly manage a national database on genetic resources.

2. The State encourages organizations and individuals to investigate, collect, assess and provide information on gene sources for developing databases on gene sources and ensures the right to access databases on gene sources.

3. The Minister of Agriculture and Environment shall elaborate the provision of gene source information.

Article 64. Traditional knowledge copyrights on gene sources

1. The State protects traditional knowledge copyrights on gene source and encourages and supports organizations and individuals to register traditional knowledge copyrights on gene sources.

2. The Ministry of Science and Technology shall take charge and cooperate with relevant ministries and ministerial agencies in providing guidance on procedures for registration of traditional knowledge copyrights on gene sources.

Section 3. MANAGEMENT OF RISKS POSED TO BIODIVERSITY BY GENETICALLY MODIFIED ORGANISMS AND GENETIC SPECIMENS THEREOF

Article 65. Responsibilities for managing risks posed to biodiversity by genetically modified organisms and genetic specimens thereof

1. Responsibilities for managing risks posed to biodiversity by genetically modified organisms and genetic specimens thereof include:

a) Organizations and individuals that research and create genetically modified organisms or genetic specimens thereof shall register with the Ministry of Science and Technology and satisfy requirements for physical and technical facilities, technology, and professional staff as prescribed by the Ministry of Science and Technology;

b) Organizations and individuals that import genetically modified organisms or genetic specimens thereof shall obtain permission of competent state authorities;

c) Organizations and individuals that research, import, purchase, sell, or release genetically modified organisms or genetic specimens thereof shall publicize information on the risk level and risk management measures under Article 67 of this Law.

2. The government shall provide for the identification and management of genetically modified organisms, genetic specimens thereof and gene-edited organisms.

Article 66. Preparation and appraisal of reports on assessment of risks posed to biodiversity by genetically modified organisms or genetic specimens thereof; grant of certificates of biodiversity safety of genetically modified organisms or genetic specimens thereof

1. Organizations and individuals that research and create, import or release genetically modified organisms or genetic specimens thereof shall make reports on assessment of risks posed to biodiversity by genetically modified organisms.

2. A report on assessment of risks posed to biodiversity by genetically modified organisms or genetic specimens thereof must contain:

a) Description of risk assessment measures;

b) Risk level caused to biodiversity;

c) Risk management measures.

3. Reports on assessment of risks posed to biodiversity by genetically modified organisms or genetic specimens hereof must be appraised by competent state regulatory authorities.

4. The Government shall elaborate the preparation and appraisal of reports on assessment of risks posed to biodiversity by genetically modified organisms or genetic specimens thereof and the grant of certificates of biodiversity safety of genetically modified organisms or genetic specimens thereof.

Article 67. Publicity of information on the risk level and measures to manage risks posed to biodiversity by genetically modified organisms or genetic specimens thereof

1. Organizations and individuals that research and create, import, purchase, sell or release genetically modified organisms or genetic specimens hereof shall publicize information on the risk level and measures to manage risks posed to biodiversity.

2. The Minister of Agriculture and Environment shall elaborate the publicity of information and risk management measures.

Article 68. Management of databases on genetically modified organisms and genetic specimens thereof related to biodiversity

1. The Ministry of Agriculture and Environment shall uniformly manage databases on genetically modified organisms and genetic specimens thereof related to biodiversity; and develop a website on genetically modified organisms and genetic specimens thereof related to biodiversity.

2. Organizations and individuals that research and create, import, purchase, sell or release genetically modified organisms and genetic specimens thereof related to biodiversity shall supply information to the Ministry of Agriculture and Environment.

3. Organizations and individuals that research and create, or release genetically modified organisms and genetic specimens thereof related to biodiversity shall provide information to

People's Committees of provinces/cities where they research and create, or release genetically modified organisms and genetic specimens thereof related to biodiversity.

4. Organizations and individuals that provide information genetically modified organisms and genetic specimens thereof related to biodiversity shall be accountable for the accuracy of information provided.

Chapter VI

INTERNATIONAL COOPERATION ON BIODIVERSITY

Article 69. International cooperation and implementation of treaties on biodiversity

1. The State of the Socialist Republic of Vietnam commits to implementing treaties on biodiversity to which the Socialist Republic of Vietnam is a signatory and expanding cooperation on conservation and sustainable development of biodiversity with other countries, territories and foreign organizations and individuals.

2. International cooperation on conservation and sustainable development of biodiversity shall be carried out on the principle of equality, mutual benefit, and non-interference into internal affairs for the purpose of conserving and sustainably developing biodiversity, ensuring ecological balance in Vietnam and on Earth.

3. The Ministry of Agriculture and Environment shall take charge and cooperate with relevant ministries and ministerial agencies in researching and proposing the negotiation, conclusion, and accession to international treaties on biodiversity.

4. The State encourages and facilitates Vietnamese organizations and individuals, Vietnamese people residing abroad, and foreign organizations and individuals to implement international cooperation programs and projects on biodiversity.

Article 70. Cooperation with bordering countries

The State prioritizes cooperation with bordering countries through the following activities

1. Exchanging information and forecasts about the biodiversity condition and change;
2. Cooperating in managing biodiversity corridors and transnational migration routes of various species; protecting migratory species;
3. Participating in programs on conservation and sustainable development of biodiversity and programs and projects on protection of migratory species and biodiversity corridors.

Chapter VII

MECHANISMS AND RESOURCES FOR BIODIVERSITY CONSERVATION AND SUSTAINABLE DEVELOPMENT

Article 71. Basic surveys, scientific research, and management of information and data on biodiversity

1. The State shall invest in basic surveys on natural ecosystems, wild species, plant varieties, animal breeds, microorganisms, fungi, and gene sources that are valuable for conservation and sustainable development of biodiversity.
2. The State invests in and encourages organizations and individuals to invest in scientific research for conservation and sustainable development of biodiversity and socio-economic development.
3. Basic survey information and data and scientific research outcomes on biodiversity shall be collected and uniformly managed in the national database on biodiversity.
4. Organizations and individuals engaged in biodiversity-related activities shall supply basic survey information, data, and scientific research outcomes at the request of the Ministry of Agriculture and Environment and may share biodiversity information in accordance with law.
5. The Ministry of Agriculture and Environment shall provide for basic survey, the provision, exchange, and management of information on biodiversity; and uniformly manage the national database on biodiversity.

Article 72. Biodiversity reports

1. Biodiversity report is part of the national environmental report.
2. A biodiversity report must contain:
 - a) The current condition and change of major natural ecosystems;
 - b) The current condition, distribution region, estimated number of individuals and traits of species on the list of endangered, precious and rare species prioritized for protection, genetically modified organisms and invasive species;
 - c) Practical situation of biodiversity conservation; pressures on and challenges to biodiversity;
 - d) Requirements for biodiversity;
 - dd) Assessment of socio-economic development benefits from conservation and sustainable development of biodiversity;
 - e) Biodiversity conservation solutions and plans.

3. The Ministry of Agriculture and Environment shall take charge and cooperate with relevant ministries and ministerial agencies in preparing reports on biodiversity.

Article 73. Finances for conservation and sustainable development of biodiversity

1. Funds for conservation and sustainable development of biodiversity come from the following sources:

- a) The state budget;
- b) Investments and contributions of domestic and foreign organizations and individuals;
- c) Proceeds from environmental services related to biodiversity and other sources in accordance with law.

2. Development investment funds allocated from the state budget for conservation and sustainable development of biodiversity shall be used for the following purposes:

- a) (This Point is annulled)
- b) Restoring natural ecosystems;
- c) Conserving species on the list of endangered, precious, and rare species prioritized for protection;
- d) Investing in the construction, upgrading, and renovation of state-owned biodiversity conservation facilities;
- dd) (This Point is annulled)
- e) Making other investments related to conservation and sustainable development of biodiversity in accordance with law.

3. Recurrent expenditures from the state budget for conservation and sustainable development of biodiversity shall be used for the following purposes:

- a) Basic survey, inventory, monitoring, statistics, management of information and data on biodiversity; development of a biodiversity database; control and elimination of invasive species; rescuing and releasing species belonging to the List of endangered, rare and precious species prioritized for protection back to their natural habitat;
- b) Preparation of biodiversity reports and conversion area condition reports; preparation and appraisal of biodiversity conservation plans, programs, and projects;
- c) Preparation and appraisal of the list of endangered, precious and rare species prioritized for protection, the list of invasive species, the list of wild species banned from exploitation from the nature, a list of wild species subject to conditional exploitation from the nature, a list of gene

sources banned from export; and conducting population survey and assessment in order to amend the list of endangered, precious and rare species prioritized for protection;

d) Management of conservation zones and state-owned biodiversity conservation facilities;

dd) Development and testing of biodiversity conservation and sustainable development models;

e) Law dissemination and education, and raising awareness about the conservation and sustainable development of biodiversity;

g) Training and refresher training to improve expertise in biodiversity;

h) International cooperation on the conservation and sustainable development of biodiversity.

Article 74. Environmental services related to biodiversity

1. Organizations and individuals using environmental services related to biodiversity shall pay charges to service providers.

2. The Government shall provide for environmental services related to biodiversity.

Article 75. Compensation for biodiversity-related damage

1. Organizations or individuals that infringe upon conservation zones or biodiversity conservation facilities, endemic and valuable plant varieties, animal breeds, microorganisms and fungi, species on the list of endangered, precious and rare species prioritized for protection or biodiversity corridors shall pay damages in accordance with law.

2. Compensation for damage caused by pollution and environmental degradation to biodiversity is carried out in accordance with the law.

3. Biodiversity-related damages paid to the State shall be reinvested in conservation and sustainable development of biodiversity under this Law and other relevant laws.

Chapter VIII

IMPLEMENTATION CLAUSES

Article 76. Transitional provisions

1. For national parks, nature reserves, species/habitat conservation zones, landscape conservation zones, sea conservation zones, inland water conservation zones, aquatic natural resource reserves set up under the Law on Forest Protection and Development and the Fisheries Law before the effective date of this Law which satisfy the criteria for establishment of conservation zones prescribed in this Law, decisions on their re-establishment are not required.

2. Licenses and certificates that have been granted to biodiversity conservation facilities and establishments rearing, growing, and artificially cultivating endangered, precious and rare wild

fauna and flora species before the effective date of this Law and conform to this Law shall remain valid.

Article 77. Effect

This Law comes into force from July 01, 2009.

Article 78. Elaboration and implementation guidance

The Government shall elaborate and provide guidance on the implementation of the assigned articles and clauses in the Law; and provide guidance on other necessary contents of this Law to meet the requirements for state management.

**CERTIFIED BY
CHAIRPERSON**

Le Quang Manh

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