

submerged areas;

Pursuant to the Prime Minister's Decision No. 845/TTg of December 22, 1995 approving "Vietnam's action plan on bio-diversity";

At the proposals of the director of the Environmental Protection Department and the director of the Legal Department,

DECIDES:

Article 1.- To approve the Action Plan on the Conservation and Sustainable Development of Submerged Areas in the 2004-2010 period with the following principal contents:

1. Objectives

a/ Overall objectives

The conservation and sustainable development of submerged areas in Vietnam aim to meet the requirements on socio-economic development, hunger elimination and poverty alleviation, and protection of natural resources, environment and bio-diversity.

b/ Specific objectives towards 2006

To perfect a mechanism for inter-branch coordination in the conservation and sustainable development of submerged areas.

- To integrate the issue of conservation and sustainable development of submerged areas into legal documents, which are being elaborated, amended or supplemented, especially the Law on Environmental Protection, the Law on Forest Protection and Development, the Law on Minerals, the Law on Water Resources and the Law on Bio-Diversity.

To work out policies to encourage local inhabitants to participate in the conservation and

**THE MINISTRY OF NATURAL RESOURCES
AND ENVIRONMENT**

**DECISION No. 04/2004/QĐ-BTNMT OF APRIL
5, 2004 APPROVING THE ACTION PLAN ON
THE CONSERVATION AND SUSTAINABLE
DEVELOPMENT OF SUBMERGED AREAS IN
THE 2004-2010 PERIOD**

**THE MINISTER OF NATURAL RESOURCES
AND ENVIRONMENT**

*Pursuant to the Law on Environmental
Protection of December 27, 1993,*

*Pursuant to the Government's Decree No. 91/
2002/ND-CP of November 11, 2002 defining the
functions, tasks, powers and organizational
structure of the Ministry of Natural Resources and
Environment;*

*Pursuant to the Government's Decree No. 109/
2003/ND-CP of September 23, 2003 on the
conservation and sustainable development of*

sustainable development of submerged areas.

- To elaborate and apply guidances on conservation and sustainable development of submerged land in particular submerged areas.

- To build a database on important submerged areas.

- To build up models of smart use and sustainable development in specific submerged areas for different ecological systems.

- To work out and implement programs on raising the awareness of submerged land:

of Specific objectives towards 2010

- To perfect the system of policies and laws and the system of agencies performing the State management over submerged land.

- To draw up a planning on submerged areas for conservation and socio-economic development purposes.

- To zone off for protection submerged areas of international or national importance. To increase the acreage of submerged land conservation zones with special attention paid to the conservation of submerged areas of international and national importance, to restore important submerged areas which have been deteriorated.

- To experiment and widely apply models of smart use and sustainable development of submerged land in specific submerged areas to different ecological systems.

- To build and perfect a database on submerged land nationwide.

- To socialize activities of conservation and sustainable development of submerged areas.

2. Action programs in the 2004-2010 period

Program 1. Building and perfecting the system of policies and institutions on submerged land management

- To clearly define responsibilities and powers of, and mechanism of coordination among, various branches and levels in the management, conservation and use of submerged land.

- To enhance the capacity of the system of State management over submerged land from the central to grassroots levels for performance of the assigned functions and tasks.

- To elaborate and promulgate policies and laws on conservation and sustainable development of submerged land, to incorporate plans on sustainable development and conservation of submerged land in national, branch and local socio-economic development plannings.

- To incorporate the issue of conservation and sustainable development of submerged areas in socio-economic development strategies and the elaboration and/or amendment of legal documents related to conservation and sustainable development of submerged land.

- To concretize and efficiently implement the State's strategies, plans and policies as well as law provisions related to conservation and sustainable development of submerged land in compatibility with local practical conditions and characteristics.

- To promulgate and efficiently implement the Regulation on conservation and restoration of submerged areas of international or national importance. To work out and materialize restoration and conservation plans as well as solutions in compatibility with the importance and vulnerability extent of different submerged areas.

Program 2. Inventorying and building a database and making a planning on conservation and sustainable development of submerged areas

- To periodically inventory and update the actual situation of submerged land (acreage, distribution, volume, types, value, functions, etc.) and to map submerged land for use as basis for a planning on

the use, conservation and management of submerged land according to the national and international standards.

- To conduct surveys on natural, economic and social conditions and bio-diversity in important submerged areas; to determine and list submerged areas of international or national importance and submerged areas endangered at different degrees; to list rare and precious biological species and populations living in submerged areas in order to draw up a conservation plan.

- To make and submit to the Government for promulgation a list of submerged land conservation zones in need of protection.

- To consider and select 25 submerged areas of international importance, proposed to be recognized as the Ramsar zones.

- To build and regularly update a database on submerged areas for use as basis for formulation of plans and plans to use submerged land for the purposes of conservation and sustainable development of submerged areas.

- To make a planning on conservation and sustainable development of each submerged area, which covers the determination of conservation and sustainable development orientations and objectives; the determination of scope and acreage of submerged areas; the determination of contents of conservation and sustainable development of submerged land; the determination of principal measures for conservation and sustainable development of submerged land; and forecasting and warning on the environment and measures to prevent, avoid and reduce adverse impacts on the environment.

- To assess the environmental impacts of socio-economic development programs and projects in submerged areas of international or national importance.

Program 3. Building and widely applying models of smart use of submerged land

- To build models of smart use of submerged land on the principle of socio-economic efficiency, ecological system's stability and balance and bio-diversity protection.

- To step up propagation, dissemination and wide application of models of smart use of submerged land. To integrate models of smart use of submerged land into the general coastal zone management, basin management, bio-diversity conservation and other programs.

Program 4. Conserving submerged areas of international and national importance and restoring deteriorated important submerged areas

- To determine the vulnerability extent of submerged areas and the benefits brought about by the restoration and conservation of submerged areas for use as basis for drawing up plans and measures to conserve and restore submerged land.

- To step up the conservation of submerged areas of international and national importance, especially specific submerged land ecological systems by method of approaching the ecological systems.

- To restore and improve submerged land in key and specific ecological and bio-diversity areas. To diversify forms of conservation and restoration of submerged areas, to bring about the biggest socio-economic, environmental and ecological benefits.

- To work out and apply methods of evaluating the damage of submerged land due to external impacts and highly efficient methods of submerged land restoration and conservation.

Program 5. Raising the scientific research capability along the priority orientations, meeting the requirements on management of conservation and sustainable development of submerged land

- To formulate and implement a planning on the network and a plan on development of, agencies conducting scientific research into submerged land.

- To modernize material bases, laboratories and stations for observation of, and research into, submerged land.

- To incorporate activities of monitoring submerged areas' changes in the system of natural resource and environment supervision (by long-range reconnaissance technology).

- To build and train a contingent of scientific researchers who have high qualifications and capability to settle matters related to sustainable development, smart use and conservation of submerged land.

- To diversify and finance the work of scientific research and general survey on submerged land, to apply policies to encourage scientific creativeness in the field of sustainable development, smart use and conservation of submerged land.

Program 6. Raising the awareness about the conservation and sustainable development of submerged land

- To formulate programs on raising the comprehensive awareness about management of conservation and sustainable development of submerged land.

- To diversify forms and measures to raise the comprehensive awareness about submerged land suitable to each subject.

- To build a network of propagation and dissemination for raising the awareness about submerged land with the participation of socio-political and socio-professional organizations as well as mass organizations and individuals.

- To create all favorable conditions for the sharing of information and transfer of measures to

manage the conservation and sustainable development of submerged land to the concerned organizations and individuals.

- To build and perfect a network for raising the awareness about submerged land, including environmental education centers, museums, national parks, conservation zones, ecological tourist sites, information centers, mass media agencies and other relevant agencies.

- To train and foster a contingent of officials performing the work of propagation and dissemination for raising the awareness about submerged land.

Program 7. Raising the efficiency of international cooperation in service of sustainable development of submerged land

- To research into and propose mechanisms and policies to diversify sources for investment in conservation and sustainable development of submerged land.

- To formulate and implement multilateral and bilateral cooperation programs and projects to diversify investment, provide technical assistance and transfer technologies, train and exchange officials in service of management of conservation and sustainable development of submerged land.

- To institutionalize international commitments related to submerged land in accordance with the laws and practical conditions in Vietnam.

- To build the main body's capability to implement the Ramsar Convention and mobilize different resources for the fulfillment of international commitments related to submerged land, which Vietnam has acceded to.

3. Priority projects

The selection of priority projects shall be based on the scope of impacts and possibility of wide

application nationwide of projects. In the 2004-2010 period, nine (9) projects mentioned in the Appendix to this Decision shall be given priority for implementation of the Plan's actions.

4. Implementation phases

The Plan shall be carried out in 2 phases: The first phase lasts from 2004 to 2006, and the second phase lasts from 2007 to 2010. Each program shall be monitored and evaluated according to the set objectives. The first comprehensive evaluation of the Plan's implementation shall be carried out in 2006 and the second comprehensive evaluation shall be carried out in 2010, in combination with the preparation of the Plan on conservation and sustainable development of submerged land for the next decade.

Article 2. Organization of implementation:

The Ministry of Natural Resources and Environment shall assume the prime responsibility for, and coordinate with the ministries, branches and localities in, organizing the implementation of this Plan. Annually, the Ministry of Natural Resources and Environment shall coordinate with the Ministry of Planning and Investment as well as ministries, branches and localities in considering and evaluating the implementation of the Action Plan on Conservation and Sustainable Development of Submerged Areas in the 2004-2010 period. The Ministry of Natural Resources and Environment shall coordinate the monitoring and evaluation process in order to adjust or supplement in time this Action Plan.

The concerned ministries, branches and localities shall, according to their respective functions and tasks, coordinate with the Ministry of Natural Resources and Environment in organizing the implementation of the Action Plan.

Financial sources for implementation of this Action Plan include State budget allocations, funding from international cooperation programs and projects, funding provided as support by organizations and individuals, and other sources.

Article 3. This Decision takes implementation effect 15 days after its publication in the Official Gazette.

Article 4. The ministers, the heads of the ministerial-level agencies, the heads of the Government-attached agencies, the presidents of the provincial/municipal People's Committees as well as the concerned organizations and individuals shall have to implement this Decision.

**Minister of Natural Resources and
Environment
MAI AL TRUC**

Appendix

LIST OF PRIORITY PROJECTS ON CONSERVATION AND SUSTAINABLE DEVELOPMENT OF SUBMERGED AREAS IN THE 2004-2010 PERIOD

*(Promulgated together with Decision No. 04/
2004/QĐ-BTNMT of April 5, 2004 of the Minister
of Natural Resources and Environment)*

Project 1. Enhancing the system of policies and laws on, and capability of State management over, submerged land

- The managing agency: The Ministry of Natural Resources and Environment. land.

- Coordinating agencies:

+ At the central level: The Ministry of Home Affairs, the Ministry of Planning and Investment, the Ministry of Agriculture and Rural Development, the Ministry of Fisheries, Vietnam Union of Scientific and Technical Associations, universities and international organizations.

+ At local level: The provincial/municipal Services of Natural Resources and Environment, the provincial/municipal Services of Agriculture and Rural Development, the provincial/municipal Services of Planning and Investment, the provincial/municipal Services of Fisheries, the provincial/municipal Ranger Sub-Departments, the People's Committees of the concerned provinces, rural districts and communes.

Project 2. Inventorying, building a database on, submerged land; drawing up and submitting to the Government for promulgation a list of submerged land conservation zones of international and national importance.

- The managing agencies: The Ministry of Natural Resources and Environment, the Ministry of Agriculture and Rural Development and the Ministry of Fisheries.

- Coordinating agencies:

+ At the central level: The Ministry of Science and Technology, Vietnam Institute of Science and Technology, Vietnam Union of Scientific and Technical Associations, universities and other research institutions, and international organizations.

+ At local level: The Services of Natural Resources and Environment, the Services of Agriculture and Rural Development, the Services of Science and Technology and the Services of Fisheries of the provinces where exists submerged

Project 3. Formulating a planning on sustainable development of particular submerged areas

- The managing agency: The Ministry of Natural Resources and Environment.

- Coordinating agencies:

+ At the central level: The Ministry of Planning and Investment, the Ministry of Agriculture and Rural Development, the Ministry of Fisheries, Vietnam National Administration of Tourism, Vietnam Union of Scientific and Technical Associations, universities and international organizations.

+ At local level: The Services of Natural Resources and Environment, the Services of Agriculture and Rural Development, the Services of Planning and Investment, the Services of Fisheries and the Ranger Sub-Departments of the cities where exist the selected submerged areas.

Project 4. Building models of the sustainable development of submerged land in particular submerged land ecological systems

- The managing agencies: The Ministry of Agriculture and Rural Development, the Ministry of Fisheries, and the People's Committees of the provinces where such models are applied.

- Coordinating agencies:

+ At the central level: The Ministry of Natural Resources and Environment, the Ministry of Science and Technology, Vietnam Union of Scientific and Technical Associations, universities and international organizations.

+ At local level: The People's Committees of all levels, the Services of Natural Resources and Environment, the Services of Agriculture and Rural Development, the Services of Fisheries, and the Ranger Sub-Departments of the provinces where exists submerged land.

Project 5. Researching into and evaluating the economic value of submerged land in service of conservation and sustainable development of submerged land

- The managing agency: The Ministry of Natural Resources and Environment.

- Coordinating agencies:

+ At the central level: The Ministry of Agriculture and Rural Development, the Ministry of Fisheries, Vietnam National Administration of Tourism, Vietnam Institute of Science and Technology, universities, Vietnam Union of Scientific and Technical Associations, and international organizations.

+ At local level: The People's Committees of all levels, the Services of Natural Resources and Environment, the Services of Agriculture and Rural Development, the Services of Fisheries, and the Ranger Sub-Departments of provinces where exists submerged land.

Project 6. Zoning off and applying methods of approaching the ecological systems in conservation of submerged areas of international or national importance

- The managing agency: The Ministry of Agriculture and Rural Development.

- Coordinating agencies:

+ At the central level: The Ministry of Natural Resources and Environment, the Ministry of Fisheries, the Ministry of Science and Technology, Vietnam Union of Scientific and Technical Associations, universities and international organizations.

+ At local level: The People's Committees, the Services of Natural Resources and Environment, the Services of Agriculture and Rural Development, the Services of Fisheries, and the Ranger Sub-Departments of the provinces where exists submerged land.

Project 7. Building and consolidating a network

of establishments conducting scientific research into submerged land

- The managing agency: The Ministry of Science and Technology.

- Coordinating agencies:

+ At the central level: The Ministry of Natural Resources and Environment, the Ministry of Agriculture and Rural Development, the Ministry of Fisheries, Vietnam Institute of Science and Technology, Vietnam Union of Scientific and Technical Associations, and universities.

+ At local level: The Services of Natural Resources and Environment, the Services of Agriculture and Rural Development, the Services of Science and Technology, the Services of Fisheries, and the Ranger Sub-Departments of the provinces where exists submerged land.

Project 8. Raising the awareness about conservation and sustainable development of submerged land

- The managing agency: The Ministry of Natural Resources and Environment.

- Coordinating agencies:

+ At the central level: The Ministry of Education and Training, the Ministry of Science and Technology, the Ministry of Agriculture and Rural Development, the Ministry of Fisheries, the Ministry of Culture and Information, Vietnam National Administration of Tourism, Vietnam Institute of Science and Technology, Vietnam Institute of Social Sciences, Vietnam Television Station, the Radio Voice of Vietnam, central newspapers, universities and international organizations.

+ At local level: The Services of Natural Resources and Environment, the Services of Education and Training, the Services of Agriculture and Rural Development, the Services of Planning

and Investment, the Services of Fisheries, the Services of Culture and Information, newspapers, radio and television stations of the provinces where exists submerged land, the management boards of the Ramsar zones, national parks and submerged land conservation zones.

Project 9. Raising the main body's capability to implement the Ramsar Convention

- The managing agency: The Ministry of Natural Resources and Environment.

- Coordinating agencies:

+ At the central level: The Government Office, the Ministry for Foreign Affairs, the Ministry of Planning and Investment, the Ministry of Finance, the Ministry of Agriculture and Rural Development, the Ministry of Fisheries, and international organizations.

+ At local level: The People's Committees, the Services of Natural Resources and Environment, the Services of Agriculture and Rural Development, the Services of Planning and Investment, the Services of Finance and the Services of Fisheries of the provinces where exist the Ramsar zones.