

# Environmental impact assessment (EIA) in the legal and regulatory framework for nuclear energy-related activities in Viet Nam

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- **Nuclear fuel cycle activities is *currently* engaged in:**
  - **Medium/low-level waste storage;**
  - **Nuclear research reactor operation;**
- **Planning to engage in:**
  - **Decommissioning**

- **International instrument adhesion:**
  - VN has not yet participated in the [Convention on Environmental Impact Assessment in a Transboundary Context \(1991\) \(Espoo Convention\)](#)
  - VN is a party to a number of bilateral or multilateral agreement(s) concerning environmental protection:

**LIST OF ENVIRONMENTAL CONVENTIONS AND AGREES RATIFIED BY VIETNAM (1) (source: Vietnam Environment Administration)**

NAME OF CONVENTIONS	DATE OF RATIFICATION
<a href="#"><u>Declaration of the United Nations Conference on the Human Environment, 1972</u></a>	
<a href="#"><u>Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972</u></a>	October 19th, 1987
<a href="#"><u>Convention on Early Notification of a Nuclear Accident (IAEA), 1985</u></a>	October 30th, 1987
<a href="#"><u>Convention on Wetlands of International Importance Especially as Waterfowl Habitat (RAMSAR), 1971</u></a>	November 20th, 1989
<a href="#"><u>Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (IAEA), 1986</u></a>	November 29, 1989

**LIST OF ENVIRONMENTAL CONVENTIONS AND AGREES RATIFIED BY VIETNAM (2) (source: Vietnam Environment Administration)**

NAME OF CONVENTIONS	DATE OF RATIFICATION
<a href="#">Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), 1973</a>	January 20th, 1994
<a href="#">Vienna Convention for the Protection of the Zone Layer, 1985</a> - The Montreal Protocol on Substances that Deplete the Ozone Layer, 1987	April 26th, 1994
<a href="#">Rio Declaration on Environment and Development , 1992</a>	
<a href="#">United Nations Convention to Combat Desertification (UNCCD), 1992</a>	
United Nations Framework Convention on Climate Change(UNFCCC), 1992	November 16th, 1994

**LIST OF ENVIRONMENTAL CONVENTIONS AND AGREES RATIFIED BY VIETNAM (3) (source: Vietnam Environment Administration)**

NAME OF CONVENTIONS	DATE OF RATIFICATION
Kyoto Protocol to the United Nations Framework Convention on Climate Change, 1992	February 16th, 2005
<a href="#">Convention on Biological Diversity (CBD), 1992</a> <a href="#">- Cartagena Protocol on Biosafety to the convention on biological diversity</a>	November 16th, 1994
Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (BASEL), 1989	March 13rd, 1995
<a href="#">International Declaration on Cleaner Production</a>	September 22nd, 1999
Stockholm Convention on Persistent Organic Pollutants (POP), 2001	August 10th, 2006
<a href="#">United Nations Convention on the Law of the Sea (UNCLOS), 1982</a>	

# LAWS CURRENTLY GOVERNING EIA (1)

- **Law on Environmental Protection 2014:**
  - **Decree No.18/2015/NĐ-CP**
  - **Circular 27/2015/TT-BTNMT** regulations and guidelines on strategic environmental assessment, environmental impact assessment and environmental protection plan
- **Law on atomic energy 2008**
- **Law on Investment**
- **Law on Public Investment**



# LAWS CURRENTLY GOVERNING EIA (2)

- Law on Environmental Protection, 2014 No. 55/2014/QH13 and under law documents apply to nuclear energy-related activities (all of activities specified in Atomic Energy Law)
  - Uranium mining
  - Uranium milling
  - Uranium conversion and enrichment: not allow
  - Fuel fabrication
  - Nuclear power reactor operation
  - Research reactor operation
  - Nuclear fuel reprocessing
  - Uranium and plutonium recycling
  - High-, medium- or low-level waste storage
  - Used fuel final storage
  - Decommissioning

# LAWS CURRENTLY GOVERNING EIA (3)

- Environmental law that mandates the performance of an environmental impact assessment (EIA) prior to undertaking certain activities:
  - require carrying out strategic environmental impact assessment prior to making decisions on: Policy decisions , Plans
  - require carrying out environmental impact assessment prior to project implementation
- EIA is needed to analyse only national impacts:
- EIA is required to notify and/or consult with Other national authorities
- EIA include the requirement to provide an opportunity for members of the public to participate in the EIA process: Law on Environmental Protection Article 21: Public consultation to be required in the process of the environmental impact assessment

# LAWS CURRENTLY GOVERNING EIA (4)

- Legal framework require carrying out an EIA prior to making a decision on:
  - Site permit/licence
  - Construction permit/licence
  - Operation permit/licence
  - Licence amendment
  - Licence renewal
  - Licence extension
  - Decommissioning

## CHALLENGES

- Some different provision on EIA matter in some related laws
- Verification decentralization for EIA report:
  - MONRE
  - Local government
- Guidance for forming and verification of EIA report for special project is not available

- Revise the Environmental Protection Law (planned 2019)
- The latest law is the most effective
- Form the Guidance on the content of EIA report for a research reactor project and verification process

**FNCA**

Forum for Nuclear Cooperation in Asia



***Thank you for  
your attention !***