



**NETWORK OF ASIAN RIVER BASIN
ORGANIZATION (NARBO)**



**MINISTRY OF AGRICULTURE
AND RURAL DEVELOPMENT**

**WORKSHOP ON WATER RIGHTS AND WATER ALLOCATION
HANOI, 5-9/12/2005**

ISSUES OF WATER ALLOCATION IN VIETNAM

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GENERAL INTRODUCTION

1. Issues of Vietnam

1.1. Formation of legal system for water rights and water allocation

1.2. Problems in allocation and use of water in different sectors

2. Some comments

General Introduction

- + As in many countries, Vietnam formerly made policies relating to development and exploitation of natural resources, putting emphasis on construction and efficiency improvement of infrastructure
- + At present, the improved efficiency of water use is being considered by many administrative levels;
- + In fact, Vietnam is being faced with many issues relating to proper allocation and use of water resources.

ISSUES OF WATER ALLOCATION IN VIETNAM

1.1. Formation of legal system for water rights and water allocation

- a. Law on Water Resources was approved by Vietnamese National Assembly in May 1998 and came into effect in January 1999. Law on Water Resources is a frame law in which all policies and rules on management, exploitation, use and protection of water resources in Vietnam are stipulated
- b. MARD has completed **Strategy for Water Resources development up to 2020** and submitted for review and approval of Prime Minister.

ISSUES OF WATER ALLOCATION IN VIETNAM

The Law on Water Resources

Article 20 - Regulation, Distribution And Allocation Of Water Resources

- The regulation and allocation of water resources for use purposes must be based on the river basin planning and actual potential of the water resource and must ensure principle of equality, appropriateness and prioritization order in terms of quantity and quality of domestic water.
- In case of water shortage, the regulation and allocation of water should be prioritized to domestic supply, other water uses will be regulated and allocated in a proportion set in river basin planning in a way that ensure equal and reasonable principle.

The Government stipulates in detail the regulations on regulation and allocation of water resources.

ISSUES OF WATER ALLOCATION IN VIETNAM

The Decree 179/1999/ND-CP:

Article 7.- The regulation and distribution of water resources stipulated in Article 20 of the Law on Water Resources is specified as follows:

1. The agency in charge of State management over water resources shall base itself on the river basin zoning and the actual potential of the water source to announce the water sources' capacity to the concerned branches and localities, so that the latter can work out population distribution and socio-economic plans suitable to the water source potential.

When the water source is incapable of meeting the water use demand, the branches and localities shall have to readjust their plans for population distribution and socio-economic plans to make them suitable to the water sources' actual capacity.

ISSUES OF WATER ALLOCATION IN VIETNAM

The Decree 179/1999/ND-CP:

2. When a drought occurs, thus causing severe water shortage, the agency in charge of State management over water resources shall regulate and distribute water resources on the following principles:

- a/ Ensuring the water supply with prescribed minimum rations for daily life in any circumstances;
- b/ Meeting the demand for water for cattle and poultry raising, and aquatic and marine product culture;
- c/ Ensuring sufficient water supply for important industrial establishments and scientific research institutions;
- d/ Ensuring the water supply in service of the food security program and crops of high economic value;
- e/ Other water exploitation and use purposes.

The agency in charge of State management over water resource defined in Clauses 1 and 2 of this Article shall have to work out plans for regulating and distributing water resources.

ISSUES OF WATER ALLOCATION IN VIETNAM

The Decree 179/1999/ND-CP:

Article 13.- The Ministry responsible for water resources management shall be answerable to the Government for the performance of its function of State management over water resource throughout the country, including the following activities:

Quoted from item 4: Deciding according to its own competence the regulation and distribution of water resources in accordance with the provisions in Clause 3, Article 7 of this Decree; granting, withdrawing and extending permits or authorizing the People's Committees of the provinces and centrally-run cities to grant, withdraw and extend permits related to water resources, permits for practicing the probing drills, geographical surveys and prospection and construction of underground water exploitation works according to provisions of this Decree



PROBLEMS IN ALLOCATION AND USE OF WATER IN DIFFERENT SECTORS

MARD has completed **Strategy for water resources development up to 2020** and submitted for review and approval of Prime Minister.

The Strategy mentioned many challenges in management in general and water allocation in particular.



STRATEGY FOR WATER RESOURCES DEVELOPMENT UP TO 2020 (*Some related contents*)

Challenges:

- a. Water resources are being deteriorated* and continued to be affected by wood cutting, pollution and global climate changes.
- b. Economic growth* is continuously improved at a fast rate. As a result, water demands of economic sectors are ever rising. Water conflicts between different sectors requires better solutions to ensure adequate water for all and an appropriate adjustment.
- c. Population pressure and improve living standards in* coming decades
- d. Conflicts in water rights* between international riverine countries are increasing.



STRATEGY FOR WATER RESOURCES DEVELOPMENT UP TO 2020 *(Some related contents)*

e. Conflicts relating the water rights between localities are raised and expected to escalate in inter-provincial irrigation systems.

g. Investment: Investments in irrigation development since 2001 have been reduced whereas large funding for this sector in coming years is urgently required which can not be met by national budget.

h. Existing water resources management is the responsibility of many sectors and ministries, which means a difficult task and inefficient performance.



STRATEGY FOR WATER RESOURCES DEVELOPMENT UP TO 2020 *(Some related contents)*

Development viewpoints

- a. Sustainable use and development of water resources should guarantee reliable protection.
- b. Multipurpose operation:
- c. Natural Disaster mitigation:
- d. Poverty reduction:

Development viewpoints

- a. Sustainable use and development of water resources should guarantee reliable protection.*
- ❖ The exploitation and use of water resources should be carried out in an integrated, appropriate and synchronous manner basing on specific river basin and hydraulic system rather than on administrative boundary.
 - ❖ Use and protection of water resources should not be separated in order to avoid degradation and exhaustion of water resources. The water resources can be regenerated through structural and non-structural measures, or agriculture-forestry development programs can be integrated for better performance.

Development viewpoints

b. Multipurpose operation: more attention should be paid to irrigation development to change the agricultural and forestry pattern, diversify crops, ensure food security and meet water demands of different sectors of industry, fishery, tourism, domestic use etc... and provide adequate discharge for environment protection and power generation.

Development viewpoints

c. Natural Disaster mitigation: gain efforts to ensure reliable prevention and control against natural disasters to minimize damages and loss. Suitable measures and plans should be well prepared for each region, i.e. prevention, adaptation or avoiding to these disasters. All these plans should ensure balanced benefits between different regions and sectors in the country.

Development viewpoints

d. Poverty reduction: irrigation development in remote and mountainous areas should be one of high priorities where water shortage is prevailing. Together with social policies, water use preferences will help meet part of domestic water supply of local people and economic development. This is one of the goals in poverty reduction programs to facilitate settlement of local population and protection of country's frontier.

STRATEGY FOR WATER RESOURCES DEVELOPMENT UP TO 2020

Development Objectives

There are 4 main objectives for water resources management and development as follow:

Objective 1: This objective will orient the actual water resources allocation to different sectors to realize the modernization and industrialization process of Vietnam. Development of hydraulic measures is emphasized to ensure adequate supply for domestic use and other economic sectors.

STRATEGY FOR WATER RESOURCES DEVELOPMENT UP TO 2020

Development Objectives

Objective 2: To enhance flood control safety level and minimize damages and loss caused by natural disasters.

Objective 3: To have better management of river basins; proper use and exploitation of water resources; sustainable development of river basin to avoid water pollution, exhaustion in main rivers (by 2010) and the entire national river network (2020).

STRATEGY FOR WATER RESOURCES DEVELOPMENT UP TO 2020

Development Objectives

Objective 4: Building capacity of staff and improving science and technology level in studying and assessment of water resources. It is expected that the planning, designing and construction of hydraulic structures will be ranked at average level in the Asian region by 2010 and above average level by 2020.

SOME COMMENTS

As lessons learnt from many documents, we would like to recommend some major measures for water resources management at river basin level in the future:

3.1. To create such a balance for all water uses in different river basins and encourage the involvement of many nations, organizations, institutions and individuals in water resources management and the regeneration of water. Sectors using water should produce detailed assessment of their water uses and demands in the territory and rivers. This will be a basis for balancing various water uses and solving conflicts between different water users.

SOME COMMENTS

3.2. Countries using the same water sources in a river basin should build water use scenarios on the view of sustainable development;

- Related countries should be notified of proposed water use plans so that proper allocation of water resources can be worked out.

- Equal allocation of cost and benefits in using water between existing and future water users can be calculated.

- Countries sharing the same river basin should exhibit their international cooperation spirit as they will ensure that their water use related activities will not affect other countries in the same international river basin.

SOME COMMENTS

3.3. Nations should formulate specific programs for resources protection in their river basins, especially water resources, which will include the management of water demands, water quality and ecosystem conservation which is the main drive to hydrological cycle.

3.4. There should be more intensive information exchange and mutual understanding either multilaterally or bilaterally between various RBOs and nations in order to develop a common concept for equal water use among different countries, between downstream and upstream users.

SOME COMMENTS

3.5. Solutions to changes: **experience exchanging and international cooperation and interregional** in seeking for solutions to water resources changes as flood, drought, saline intrusion etc... in the river basins.

3.6. **Building institutional capacity**, especially for management staff who monitor and develop water related policies; developing a proper management system, ensuring equal water rights allocation, stakeholder participation, management and sharing mechanism for water resources.



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THANK YOU VERY MUCH!