

The Policy International Cooperation on Protection Sea and Island Environment in Viet Nam and Challenges in the Implementation Process

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Abstract

International cooperation in the field of seas and islands' environmental protection is considered an inevitable choice in the current development trend. VietNam in recent years has constantly expanded cooperation with maritime countries in activities on integrated management of marine resources and environment. In order to meet the current cooperation needs, state management policies are also constantly changing to match the actual situation. Nowadays, the policies regulating international cooperation activities in our country's marine resources and environment are quite complete and systematic, perfect step by step. However, we need a lot of enthusiasm to be able to come up with optimal solutions because the implementation process is also facing many difficulties. This article aims to study the current status of international cooperation policies on marine environmental protection as well as the challenges in the practical implementation of this policy system.

Keywords: International cooperation, Seas and islands environment protection, International

cooperation policy, Marine environment protection policy

1. Introduction and Literature Review

The 21st century marks a time when the population is increasing rapidly, the resources on land are gradually exhausted, and the world advocates promoting the trend of "going to the sea", and getting rich from the sea. Following this general trend, Vietnam is promoting the strengths of its 3,260 km long coastline stretching from North to South, with over 3000 large and small islands and 02 archipelagos of Hoang Sa and Truong Sa. Vietnam's seas and islands play a particularly important role in the process of socio-economic development. Vietnam's sea is also in an important position in terms of national defence and security, economic development in the region and in the world. There are many sea routes in our country that have become important transport routes for goods trade domestically and internationally with 5 routes that pass through the East Sea or are related to the East Sea in total the 10 largest sea routes in the world today

Vietnam's sea contains rich resources with about 11,000 species of organisms, seafood reserves from 3.1 to 4.2 million tons/year, 370 thousand hectares capable of aquaculture. Not only rich in marine life, marine mineral resources are also interested in research such as titanium, aluminum, iron, manganese salts, glass sand, rare earth, and especially is flammable ice - an alternative energy source. However, exploited marine resources for economic development without really paying attention to environmental protection issues, as well as the specific plan towards exploitation and development of marine environmental sustainability. The problem of marine environmental degradation is becoming more and more serious in Vietnam's current practice.

In order to solve the problem of marine environmental protection, the Government of Vietnam assigns the governing body, the Vietnam Department of Seas and Islands - the Ministry of Natural Resources and Environment, to assume the prime responsibility for performing the necessary tasks, in which, one of the inevitable tasks is to carry out foreign affairs and cooperate with important foreign partners to gradually overcome the consequences caused by the degradation of the marine environment. This is an essential task because the sea is an interconnected space, pollution of the marine environment and degradation of marine resources are widespread and in a short period of time, human activities on land also greatly affect the sea. such as: wastes in the basin from rivers to the sea or greenhouse gases released by humans excessively into the atmosphere will be absorbed by the sea and cause ocean "acidification", or one of the problems. A prominent issue that has been of concern in the past 3 years is the issue of ocean plastic waste. To solve these problems of the sea requires the joint efforts of the world community, not the unilateral efforts of the Government of Vietnam. International cooperation on marine environmental protection is mankind's inevitable choice to respond to marine environmental incidents. Only cooperation between countries can bring into play the great strength of the world community. to maintain environmental safety and marine ecological balance.

2. Research Framework

2.1 The Current System of International Cooperation Policies on Marine Environmental Protection in Vietnam

The policy of the Party and Government of Vietnam is to continue the diplomacy of diversification and multilateralization, and wants to be friends and reliable partners with countries around the world, including neighboring countries with sea. Vietnam continues to improve its reputation, develop partnerships and diplomacy with many countries in the region and around the world. In foreign affairs on the sea and islands, the issue of the East Sea is of great interest to domestic and foreign scholars, and our marine security environment is facing more and more challenges

Faced with the above situation, the Government of Vietnam has issued a series of specific policies on international cooperation in marine environment protection. This requires self-adjust and development to better suit the changes in tools and new methods that can be used, as well as to choose the order of priority on cooperation content, cooperation partners. to ensure adherence to the country's policies and guidelines.

A series of important policies of the Government in marine environment protection can be mentioned as follows:

Firstly, the Law on Natural Resources and Environment of Sea and Islands, approved by the National Assembly in 2015 with Chapter VIII: "International cooperation in natural resources and environment of sea and islands" clearly states the principle of international cooperation in matters resources and environment of sea and islands and contents of international cooperation on general management of natural resources and environment of sea and islands in Articles 71 and 72. Accordingly, the Law details 5 areas of cooperation include:

- Researching, formulating and perfecting the law on resource management and environmental protection of sea and islands;
- Investigate and research marine and island resources and environment; application of science and technology to the investigation and research of seas and islands; investigation and assessment of damage to natural resources and environment of sea and islands; forecasting natural disasters and environmental pollution of sea and islands due to activities of exploiting resources of sea and islands;
- Sustainable exploitation of sea and island resources;
- Protect marine and island biodiversity and maintain productivity and diversity of marine, island and coastal ecosystems;
- Control pollution of sea and island environment, respond to marine environmental incidents, respond to climate change and sea level rise.

At the same time, the Law also outlines the operating mechanism of the cooperation process, assigning the Ministry of Natural Resources and Environment to be the focal point for synthesizing international cooperation activities on general management of natural resources

and environmental protection of sea and islands.

Secondly, important Resolutions and Directives must be mentioned such as: Resolution No. 22-NQ/TW dated April 10, 2013, of the Politburo on international integration, Resolution No. 36-NQ/TW dated 22 October 2018 of the Party Central Committee on the Strategy for sustainable development of Vietnam's marine economy to 2030, with a vision to 2045, and Directive No. 25/CT-BTT dated August 8, 2018, on promoting and elevating multilateral diplomacy.

Besides, there are general policies on foreign cooperation activities in environmental protection that the sea and island sector must follow, such as: Directive No. 38-CT/TW dated 21/7/ 2014 of the Politburo on strengthening management of foreign business delegations, Decision No. 272-QD/TW dated January 21, 2015, of the Politburo on promulgating the Regulation on the unified management of foreign affairs, Conclusion 33- KL/TW dated July 25, 2018, of the Politburo on continuing to implement Regulation 272, Instruction No. 05-HD/BDNTW dated March 26, 2019, of the Central Committee for Foreign Affairs guiding the implementation implementing Regulation 272 and Conclusion 33, the Prime Minister's direction on the policy of thrift and efficient implementation, proactively reducing the number of foreign business delegations and related guiding and guiding documents of the Government. Party, Government and Ministry of Natural Resources and Environment

The third is a series of separate policies for specific areas of international cooperation on seas and islands, for example: the latest is Scheme Vietnam actively prepares and participates in the development of a Global Agreement on Plastic Pollution ocean (approved in Decision No. 1407/QD-TTg dated August 16, 2021, of the Prime Minister), some older others are Project "Reducing Reducing ocean plastic waste in Vietnam" in Decision No. 1462/QD-BTNMT dated July 2, 2020; the Decision No. 1278/QD-TTg dated August 14, 2009, approving the Plan for Implementation of the Joint Statement and the Framework Program for the Implementation of the Joint Statement, and the Framework Program between Vietnam, Cambodia and Thailand on cooperation in preparedness to respond to the Gulf of Thailand oil spill

Finally, international cooperation policies exist in the form of regulations when Vietnam participates in international cooperation on seas and islands as an independent country participating in conventions international agreement on marine environment protection in the world. For example: Convention on Biological Diversity; Heritage Convention; Ramsar Convention; MARPOL, SOLAS, COLREG... Especially on June 23, 1994, Vietnam signed the 1982 Law of the Sea Convention. The National Assembly of Vietnam issued a Resolution on the ratification of this important legal document. Point 1 of the Resolution states: "By ratifying the 1982 United Nations Convention on the Law of the Sea, the Socialist Republic of Vietnam demonstrates its determination to work with the international community to build a public legal order equality, encouraging development and cooperation at sea".

2.2 Challenges in the Process of Implementing International Cooperation Policy on Marine Environment Protection in Vietnam Today

With the current status of the system of international cooperation policy documents on marine environment protection as above, we can see that basically, the current policies all comply with the basic requirements of the marine environment policy objectives and specific measures to implement the policy.

The objectives of these policies is to cover a common goal, which is towards participating in the process of integration with maritime countries in the region and the world in the field of marine and island environmental protection. The further, more important goal to be achieved of these policies is to achieve the requirements of the sustainable development of the marine economy, towards the development of a green economy, independent of the marine economy traditional economic development model is based on the exploitation of available resources on the land. With the current institutional framework, the Vietnam Government encourages cooperation with neighboring countries and major countries, which have an important impact on the management of its marine environment protection, but still must ensure the goal is to maintain independence, protect maritime sovereignty in specific cooperation activities, resolutely fight against false views that are contrary to national and national interests and development guidelines and guidelines of the Party. By this way, Vietnam can not only promote its role in international cooperation on the marine environment, but also help raise the political level and affirm the country's position in the world. throughout the cooperation.

The policy measures set out are very specific, in order to realize the stated goals. It is important that these measures are uniformly implemented from the top down, from the central directive level down to the ministries and branches to the local implementation level. The main content of the solutions is directed to stipulating the main tasks of each agency and unit in the organization and coordination of policy implementation. The assignment of this task is based on the criteria of functions and tasks of each unit assigned by the Government, including the role of the leading unit, the core of which is the Ministry of Natural Resources and Environment and Environment. Department of Seas and Islands of Vietnam. All form a combined chain for policy implementation with the inseparable links being each agency and unit within its specialized scope.

However, with the current policy system, its implementation in practice has also encountered relatively large obstacles. We need to recognize these limitations to overcome and come up with better performance solutions in the future.

The first major difficulty to mention is that the allocation of funds and capital sources for international cooperation policies on marine and island environment is still too limited. The Vietnam Party and State have determined to spend at least 1% of the total annual state budget expenditure on environmental protection, the proportion of expenditure is determined to increase gradually along with economic growth. If considering foreign aid sources alone, in the period 2011-2015, the Government of Vietnam has received, approved and continued to implement official development assistance (ODA) projects with total international funding. The economic value is about 162 million USD, an average of nearly 32 million USD is

mobilized each year, however, of which the capital for international cooperation missions on the sea accounts for only 1% of the total investment capital. Important ODA donor partners include: Japan, Korea, Denmark, the Netherlands, World Bank, United Nations Development Program, Asian Development Bank, Global Environment Fund. In addition, international cooperation activities on the sea almost rarely use funds from the state budget. This shows that the policies of international cooperation on seas and islands have not basically attracted the deep attention of important partners as well as the Government in investing capital, making affect the quality of policy implementation.

Second, the organization of the assignment of policy implementation has so far depended too much on administrative levels and ordinary administrative procedures to make the final decision, affecting the implementation progress policies. Moreover, the re-assignment still has many obstacles and overlaps, causing confusion for the coordination process among stakeholders. The coordination between relevant agencies is still not close in exchanging and updating information, implementing external activities on resource management and marine environment protection. This seriously affects the progress and quality of policy implementation. Because of the characteristics of the policy of international cooperation on the sea, there are sometimes high requirements for timeliness because marine environmental incidents are problems that spread across borders very quickly. Therefore, the coordination between the stakeholders when implementing the policy requires extremely smooth and tight, Vietnam to seriously look at the problem to be able to come up with solutions to reform administrative procedures suitable.

Third, the capacity to implement policies of international cooperation on marine environmental protection of our management staff at all levels is extremely limited, especially at the local level. If at the central level, the capacity of cadres in the field of foreign affairs is quite elaborately trained, with many domestic and foreign courses organized and granted with certificates, then at the local level, the ability to participate in national and international events is very difficult. The training of international cooperation capacity, project development skills, and policy implementation skills has not been paid much attention. In addition, a good officer in the field of international cooperation in marine environmental protection must be an officer who not only has diplomatic skills, foreign language ability but also needs to be equipped with knowledge about management synthesis of resources and environment of sea and islands. Most of our officials working on international cooperation in marine environmental protection are only trained in foreign affairs and diplomacy, but not in the marine environment. This is a great disadvantage for policy implementation in our country. Without specialized knowledge of the marine environment, it is difficult to recognize all the requirements of the policy for environmental indicators. In particular, the policy implementation process will certainly be difficult to ensure quality.

Fourthly, the suitability of Vietnamese law to international law on the marine environment so far is basically guaranteed but has not really reached a high level. Vietnam's participation in international conventions on the marine environment is inevitable in the current development trend. However, the process of joining such conventions must be recognized by the Government of Vietnam, and in some way, we must internalize the provisions of international

law into the law of Vietnam.

This will ensure the coincidence and suitability of Vietnamese law when referring to international law. However, not all international conventions can be codified, is it also the process of internalizing in these or other provisions in a few related laws. The internal legalization of international regulations on marine environmental protection in Vietnam currently has many limitations. For international conventions that Vietnam has not yet been able to internalize, according to Article 6 of the 2016 Law on International Treaties, Vietnam is allowed to apply them directly. The direct application of signed international treaties or the non-participation but the application of the provisions of such international treaties will more or less reveal certain disparities in the implementation process.

As for the characteristics of environmental policies, this difference will come from environmental standards and regulations and from the difference in administrative authority of Vietnam compared with other countries joining the convention. Moreover, the internalization of an international convention needs to be based on the international support for Vietnam. Therefore, the suitability of Vietnamese law with international law is a decisive condition for the effectiveness of international policy implementation in Vietnam today.

3. Conclusion

It can be seen that in the whole process of implementing a series of international cooperation policies on marine and island environment protection in Vietnam so far, besides the advantages, we still have many difficulties and challenges. The current immediate requirement to enhance the quality of implementation of this policy is to have a clearer understanding and a deeper awareness of the importance of the policy to the actual implementation of activities and projects. International cooperation on seas and islands. As a state management tool, regulations on the framework as well as principles of international cooperation activities in the field of sea and islands, the management levels in our country now need to constantly improve. management capacity and knowledge level necessary for effective policy implementation. On the basis of the difficulties and challenges pointed out, the management actors need to seriously consider the problem, overcome the remaining limitations to promote the effect of the policy in practice. At the same time, it is also the foundation for policies to be constantly improved to suit the ever-changing reality of the current process of international cooperation on the marine and island environment.

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