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**LAW**

**ON NATURAL DISASTER PREVENTION AND CONTROL**

*Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam, which was amended and supplemented under Resolution No. 51/2001/QH10;*

*The National Assembly promulgates the Law on Natural Disaster Prevention and Control.*

**Chapter I**

**GENERAL PROVISIONS**

**Article 1.** Scope of regulation

This Law provides natural disaster prevention and control activities; rights and obligations of agencies, organizations, households and individuals engaged in natural disaster prevention and control activities; and the state management of, and assurance of resources for, natural disaster prevention and control.

**Article 2.** Subjects of application

This Law applies to Vietnamese agencies, organizations, households and individuals; foreign organizations and individuals and international organizations that are residing or operating or engaged in natural disaster prevention and control in Vietnam.

**Article 3.** Interpretation of terms

In this Law, the terms below are construed as follows:

1. *Natural disasters* means abnormal natural phenomena which may cause damage to human life, property, the environment, living conditions and socio-economic activities. Natural disasters include typhoon, tropical low pressure, whirlwind, lightning, heavy rain, flood, flashflood, inundation, landslide and land subsidence due to floods or water currents, water rise, seawater intrusion, extreme hot weather, drought, damaging cold, hail, hoarfrost, earthquake, tsunami and other types of natural disaster.
2. *Natural disaster risk* means damage, which natural disasters may cause to human life, property, the environment, living conditions and socio-economic activities.
3. *Natural disaster prevention and control* means a systematic process involving the prevention of, response to, and remediation of consequences of, natural disasters.
4. *Vulnerable group* means a group of people who, due to their characteristics and circumstances, are likely to suffer more adverse impacts of natural disasters than other groups in the community. Vulnerable groups include children, elderly people, pregnant women, women nursing under-12-month children, people with disabilities, people suffering from dangerous diseases and poor people.
5. *Natural disaster prevention and control works* means works, which are built with investment funds of the State, organizations or individuals, including meteorological, hydrographical, oceanographic and seismic observatories, disaster warning stations; dikes, reservoirs and

d dams, anti-inundation, anti-drought and anti-landslide facilities; storm shelters for ships and boats, evacuation houses and other facilities serving natural disaster prevention and control.

**Article 4.** Basic principles of natural disaster prevention and control

1. Proactive prevention, timely response to, and urgent and effective remediation of consequences of natural disasters.
2. Natural disaster prevention and control are the responsibility of the State, organizations and individuals in which the State plays the key role, organizations and individuals play a proactive role and communities help one another.
3. Natural disaster prevention and control are carried out under the 'four on-the-spot motto': command on the spot, manpower on the spot, means and supplies on the spot and logistics on the spot.
4. Natural disaster prevention and control contents must be integrated into national and local socio-economic development master plans and plans and sectoral development master plans and plans.
5. Humanity, fairness, transparency and gender equity must be guaranteed in natural disaster prevention and control.
6. Natural disaster prevention and control activities must be based on scientific grounds, combining traditional experiences and scientific and technological advances, combining structural and non-structural solutions; protecting the environment and eco-systems and adapting to climate change.
7. Natural disaster prevention and control activities are assigned, decentralized and closely coordinated among involved forces and conform to the levels of natural disaster risks.

**Article 5.** State policies on disaster prevention and control

1. To adopt synchronous policies on investment and resource mobilization and solutions for organizing natural disaster prevention and control; to build key natural disaster prevention and control works and support localities in building natural disaster prevention and control works as decentralized by the Government.
2. To provide training and education and conduct public information campaigns to raise people's and communities' sense of law observance and involvement in natural disaster prevention and control.
3. To invest in infrastructure in areas where natural disasters frequently occur; to relocate people living in dangerous areas to safe areas; to support the livelihoods and production of those suffering from damage caused by natural disasters, giving priority to areas frequently affected by natural disasters and vulnerable groups.
4. To encourage organizations, households and individuals to take proactively disaster prevention and control measures; to encourage organizations and individuals to build natural disaster prevention and control works, and research and apply scientific and technological advances in natural disaster prevention and control activities. The State protects the rights and lawful interests of organizations and individuals engaged in natural disaster prevention and control.
5. To offer incentives to and encourage insurance businesses to provide insurance against natural disaster risks; to support businesses conducting production and business activities in areas frequently affected by natural disasters in accordance with the laws on investment, enterprises and natural disaster prevention and control; to offer enterprise income tax exemption and reduction with regard to contributions made for natural disaster prevention and control purposes.

**Article 6.** Manpower for natural disaster prevention and control

1. Local organizations, households and individuals are on-the-spot forces, which shall carry out natural disaster prevention and control activities.

2. Militia and self-defense forces are on-the-spot forces, which shall perform natural disaster prevention and control tasks under local natural disaster prevention and control plans and the mobilization of competent persons.

3. The People's Army and People's Public Security forces shall perform natural disaster prevention and control tasks and act as the core in the evacuation of people, means and properties, rescue and salvage and assurance of security and social order and safety under the mobilization of competent persons.

4. Organizations and individuals that voluntarily support natural disaster prevention and control activities shall follow the command of competent persons.

**Article 7.** Supplies, means, equipment, information systems and essentials for natural disaster prevention and control activities

1. Supplies, means and equipment for natural disaster prevention and control activities include supplies, means and equipment of the State; supplies, means and equipment mobilized from local organizations and individuals; and supplies, means and equipment prepared by organizations, individuals and households themselves.

2. Information systems serving the state management and natural disaster prevention and control activities include:

a/ Information infrastructure, including public information systems and specialized equipment serving the direction and command of natural disaster prevention and control activities; automated data-transmission observation equipment; and early warning systems;

b/ Databases, including meteorological, hydrographical, oceanographic, seismic, earthquake and tsunami information database; database on natural disasters and damage caused by natural disasters; database on the system of natural disaster prevention and control works; database on infrastructure facilities related to natural disaster prevention and control; and data automatically observed and transmitted during natural disasters.

3. Essentials of organizations and individuals and national reserves, goods, supplies and equipment of state agencies serving natural disaster prevention and control activities including: food, curative medicines, drinking water, water treatment chemicals and equipment, disinfectants and other necessary articles to assure people's lives when natural disasters occur.

**Article 8.** Financial sources for natural disaster prevention and control

1. State budget funds.

2. Natural disaster prevention and control funds.

3. Voluntary contributions of organizations and individuals.

**Article 9.** State budget funds for natural disaster prevention and control

1. State budget funds for natural disaster prevention and control include funds within annual expenditure estimates and state budget provisions.

2. State budget funds for natural disaster prevention and control within annual expenditure estimates are used for the elaboration of natural disaster prevention and control strategies and plans; construction, renovation and upgrading of natural disaster prevention and control works; natural disaster prevention and control activities; and regular operations of state management agencies at different levels in charge of natural disaster prevention and control.

The estimation, allocation, management and use of state budget funds for natural disaster prevention and control activities comply with the law on the state budget.

3. State budget provisions for natural disaster prevention and control are used according to the following provisions:

a/ To support the response to, and remediation of the consequences of, natural disasters;

b/ Based on response activities, the extent of damage, relief needs, prescribed regimes and policies, the People's Committees of provinces and municipalities running cities (referred to below as the provincial level), the People's Committees of districts, towns and provincial cities (referred to below as the district level) and the People's Committees of communes, wards and townships (referred to below as commune level) shall decide to allocate local budget provisions to meet urgent needs to respond to, and remedy the consequences of natural disasters, which are not covered by the approved annual expenditure estimates;

c/ In case the local budget provisions are used up and insufficient to meet urgent needs, provincial-level People's Committee chairpersons may propose to the Prime Minister to provide support. The Central Steering Committee for Natural Disaster Prevention and Control shall summarize the damage and support needs of localities and propose the support required to the Prime Minister for his decision.

**Article 10.** Natural disaster prevention and control funds

1. Natural disaster prevention and control funds are set up at the provincial level and managed by provincial-level People's Committees. Natural disaster prevention and control funds neither include state budget funds nor originate from the state budget.

2. Financial sources of natural disaster prevention and control funds:

a/ Compulsory contributions of domestic and foreign economic organizations based in localities, and Viet namese citizens aged from full 18 years and in the working age as prescribed by law;

b/ Other lawful sources.

3. Natural disaster prevention and control funds are used to support natural disaster prevention and control activities, with priority given to the following activities:

a/ Providing emergency relief in food, drinking water, curative medicines and other essentials to those suffering from damage caused by natural disasters.

b/ Supporting the repair of houses, health establishments and schools;

c/ Handling environmental sanitation issues in natural disaster-hit areas.

4. Natural disaster prevention and control funds must be managed and used in a proper, timely, public, transparent, equal and effective manner.

5. The Government shall specify the setting up of natural disaster prevention and control funds, the levels of contributions, subjects eligible for exemption from, reduction or suspension of payment of, contributions, and the management, use, payment and finalization of those funds.

**Article 11.** Voluntary contributions for natural disaster prevention and control

1. Organizations and individuals may make voluntary contributions for natural disaster prevention and control in the form of contributions to social funds or charity funds; participating in lawful fundraising events, and providing direct support to organizations, households and individuals suffering from damage caused by natural disasters.

2. Voluntary contributions prescribed in Clause 1 of this Article must be allocated and used in accordance with the law on social funds and charity funds and with the agreement of the administrations of localities where supported people reside.

**Article 12.** Prohibited acts

1. Taking advantage of natural disasters and natural disaster prevention and control activities to undermine the independence, sovereignty, unity and territorial integrity, national defense and security and other national interests; cause social disorder; infringe upon the State's and people's properties and rights and lawful interests of organizations, individuals and communities, or carry out other illegal activities.
2. Destroying, damaging, or obstructing the operation of, natural disaster prevention and control works.
3. Operating irrigation reservoirs, hydropower reservoirs, sluices and pumping stations in contravention of approved operation processes, except in special cases as directed by competent persons.
4. Carrying out activities, which increase natural disaster risks without taking treatment or remedial measures, especially cutting down protection forests, encroaching riverbanks and river beds, placing obstacles and obstructing the water currents or illegally exploiting sand, gravel or minerals, causing riverbank or coastline erosion.
5. Opposing, obstructing, intentionally delaying the implementation of, or disobeying competent agencies' or persons' direction or command on natural disaster prevention and control.
6. Opposing, obstructing or disobeying competent agencies' or persons' decisions on mobilization of manpower, supplies, means, equipment and essentials in urgent response to natural disasters.
7. Taking advantage of natural disasters to speculate and increase the prices of goods, supplies, means, equipment and essentials for self-seeking purposes, causing damage to people's life.
8. Improperly using, appropriating or losing relief money and goods; failing to provide relief in time or providing relief to ineligible subjects.
9. Intentionally reporting untrue information on natural disasters or natural disaster prevention and control activities.
10. Intentionally making untrue reports on damage caused by natural disasters.

## **Chapter II**

### **NATURAL DISASTER PREVENTION AND CONTROL ACTIVITIES**

#### **Section 1. PREVENTION OF NATURAL DISASTERS**

##### **Article 13.** Contents of natural disaster prevention

1. Elaborating, approving and implementing natural disaster prevention and control strategies and plans.
2. Integrating natural disaster prevention and control contents into national and local socio-economic development master plans and plans and sectoral development master plans and plans.
3. Formulating policies on natural disaster prevention and control.
4. Identifying, assessing and zoning natural disaster risks and monitoring and supervising natural disasters.
5. Planning residential areas and organizing production and adaptation to natural disasters; reviewing and elaborating plans on the relocation of inhabitants in areas with very high natural disaster risk.
6. Identifying levels of natural disaster risks.
7. Building and managing natural disaster prevention and control works.
8. Organizing and joining natural disaster prevention and control information, communication and education activities at all levels and in all sectors and communities.
9. Preparing to respond to natural disasters, including:

- a/ Elaborating response plans for different levels of natural disaster risks and specific types of natural disasters;
- b/ Preparing manpower, supplies, means, equipment and essentials in response to natural disasters;
- c/ Organizing standing units and updating information on natural disaster developments; organizing natural disaster forecast and warning;
- d/ Organizing and participating in training and drills on natural disaster prevention and control skills.

**Article 14. National Strategy on Natural Disaster Prevention and Control**

1. The National Strategy on Natural Disaster Prevention and Control is elaborated for every 10 years, with a 20-year vision and is updated and adjusted once every 5 years or upon great changes in the situation of natural disasters.

2. The National Strategy on Natural Disaster Prevention and Control must identify objectives, tasks, solutions, programs, key schemes and projects, for the organization of natural disaster prevention and control activities nationwide.

3. The National Strategy on Natural Disaster Prevention and Control is elaborated based on the following grounds:

- a/ The Party's line and policies and the State's policies and laws on natural disaster prevention and control and socio-economic development;
- b/ The practical situation of natural disaster prevention and control in the country;
- c/ Results of identification, assessment and zoning of natural disaster risks, natural disaster developments and climate change;
- d/ Resources for natural disaster prevention and control activities;
- dd/ Communities' needs and adaptability to natural disasters.

4. The Ministry of Agriculture and Rural Development shall assume the prime responsibility for, and coordinate with ministries, ministerial-level agencies, government-attached agencies and localities in, elaborating and submitting the national strategy on natural disaster prevention and control to the Prime Minister for approval.

**Article 15. Natural disaster prevention and control plans**

1. Natural disaster prevention and control plans are elaborated at local, ministerial and national levels every 5 years corresponding to socio-economic development plans, and adjusted annually.

2. A commune-level natural disaster prevention and control plan has the following principal contents:

- a/ Assessing and annually updating population, socio-economic and infrastructure characteristics of the locality covered by the plan;
- b/ Identifying natural disaster prevention and control contents and measures suitable to each type of natural disaster and level of natural disaster risk frequently occurring in the locality, paying attention to vulnerable groups. These contents and measures include: organizing information and communication activities to improve community awareness about natural disaster prevention and control, elaborating response plans for different levels of natural disaster risks and specific types of natural disaster; organizing a standing unit and updating information on natural disaster developments; identifying dangerous areas; preparing evacuation sites; and organizing training and drills on natural disaster prevention and control skills;
- c/ Preparing supplies, means, equipment and essentials for natural disaster prevention and control activities;

d/ Making proposals on resources and setting schedules for the implementation of the plan in the locality each year and during the five-year period;

dd/ Identifying responsibilities for organizing the implementation of the plan.

3. A district-level natural disaster prevention and control plan has the following principal contents:

a/ Assessing and annually updating population, socio-economic and infrastructure characteristics of the locality covered by the plan;

b/ The situation of natural disasters in the locality;

c/ Identifying natural disaster prevention and control contents and measures suitable to each type of natural disaster and level of natural disaster risk

frequently occurring in the locality, paying attention to vulnerable groups. These contents and measures include: building decentralized local natural disaster prevention and control works ; organizing information and communication activities to improve community awareness about natural disaster prevention and control; identifying dangerous areas; elaborating response plans for different levels of natural disaster risk and specific types of natural disaster; organizing a standing unit and updating information on natural disaster developments; and organizing training and drills on natural disaster prevention and control skills.

d/ Preparing supplies, means, equipment and essentials for natural disaster prevention and control activities; specialized equipment for the direction and command of natural disaster prevention and control activities;

dd/ Integrating natural disaster prevention and control contents into socio- economic development master plans and plans;

e/ Making proposals on resources and setting schedules for the implementation of the plan in the locality each year and during the five-year period;

g/ Identifying responsibilities for organizing the implementation of the plan.

4. A provincial-level natural disaster prevention and control plan has the following principal contents:

a/ Assessing and annually updating population, socio-economic and infrastructure characteristics of the area covered by the plan;

b/ Identifying and assessing natural disaster risks and levels of natural disaster risks that frequently occur, and the impacts of climate change on local socio- economic activities;

c/ Identifying natural disaster prevention and control contents and measures suitable to each level of natural disaster risk and specific type of natural disaster so as to minimize natural disaster risks, paying attention to dangerous areas and vulnerable groups;

d/ Identifying methods of integrating natural disaster prevention and control contents into socio-economic development master plans and plans;

dd/ Identifying resources and schedules for implementation of the plan in each year and during the five-year period;

e/ Identifying responsibilities of organizations and individuals in implementing, and examining and supervising the implementation of, the plan.

5. A ministerial-level natural disaster prevention and control plan has the following principal contents:

a/ Annually assessing and updating the socio-economic situation, sectoral development situation and infrastructure under their management;

b/ Identifying and assessing natural disaster risks and the levels of natural disaster risks that frequently occur, and the impacts of climate change on sectoral development activities;

c/ Identifying natural disaster prevention and control contents and methods suitable to each level of natural disaster risk and specific types of natural disaster so as to minimize natural disaster risks;

d/ Identifying methods of integrating natural disaster prevention and control contents into sectoral development master plans and plans;

dd/ Identifying resources and schedules for implementation of the plan in each year and during the five-year period;

e/ Identifying responsibilities of organizations and individuals under the ministry's management in implementing, examining and supervising the implementation of, the plan.

6. A national natural disaster prevention and control plan has the following principal contents:

a/ Annually assessing and updating population and socio-economic characteristics and the development of economic sectors and infrastructure nationwide;

b/ Identifying and assessing natural disaster risks and levels of natural disaster risks that frequently occur, and the impacts of climate change on the development of sectors and localities nationwide;

c/ Identifying overall natural disaster prevention and control contents, measures, programs, schemes and projects suitable to each level of natural disaster risk and specific type of natural disaster so as to minimize natural disaster risks, paying attention to dangerous areas and vulnerable groups;

d/ Identifying natural disaster prevention and control contents to be integrated into national socio-economic development master plans and plans;

dd/ Identifying resources and schedules for implementation of the plan each year and during the five-year period;

e/ Identifying responsibilities of agencies and organizations in implementing, examining and supervising the implementation of, the plan nationwide.

7. The responsibilities to elaborate natural disaster prevention and control plans are provided as follows:

a/ People's Committees at all levels shall elaborate and approve local natural disaster prevention and control plans and report such plans to the higher-level People's Committees for summarization and direction. Provincial-level People's Committees shall report provincial-level natural disaster prevention and control plans to the Ministry of Agriculture and Rural Development and the Ministry of National Defense;

b/ Ministries, ministerial-level agencies and government-attached agencies shall, within the scope of their functions and competence, elaborate and report their natural disaster prevention and control plans to the Ministry of Agriculture and Rural Development and the Ministry of National Defense;

c/ The Ministry of Agriculture and Rural Development shall assume the prime responsibility for, and coordinate with the Ministry of National Defense and other ministries, ministerial-level agencies, government-attached agencies and localities in, elaborating national natural disaster prevention and control plans for submission to the Prime Minister for approval.

**Article 16.** Integration of natural disaster prevention and control contents into sectoral development or socio-economic development master plans and plans

1. National and local socio-economic development or sectoral development master plans and plans must have natural disaster prevention and control contents suitable to the characteristics of natural disasters in each region and locality in order to ensure sustainable development.



2. Based on the results of assessment and zoning of natural disaster risks, contents to-be-integrated include:

a/ Identifying measures to prevent and mitigate the impacts of natural disasters on the socio-economic development process;

b/ Identifying and implementing measures to mitigate adverse impacts on the environment and prevent the increase of natural disaster threats;

c/ Identifying measures to build infrastructure systems, which concurrently serve natural disaster prevention and control;

d/ Identifying resources for implementing measures of integrating natural disaster prevention and control contents.

3. The responsibility to integrate natural disaster prevention and control contents into sectoral development or socio-economic development master plans and plans is provided as follows:

a/ People's Committees at all levels shall integrate natural disaster prevention and control contents into local socio-economic development master plans and plans;

b/ Ministries and ministerial-level agencies shall integrate natural disaster and control prevention contents into sectoral development master plans and plans;

c/ The Ministry of Planning and Investment shall advise and assist the Government in integrating natural disaster prevention and control contents into national socio-economic development master plans and plans.

4. The Ministry of Planning and Investment shall assume the prime responsibility for, and coordinate with related ministries and ministerial-level agencies in, guiding the integration of natural disaster prevention and control contents into sectoral development or socio-economic development master plans and plans.

**Article 17.** Identification, assessment and zoning of natural disaster risks; monitoring and supervision of natural disasters

1. The identification, assessment and zoning of natural disaster risks; and monitoring and supervision of natural disasters include:

a/ Observing, collecting, updating, monitoring, supervising, synthesizing and processing information from observation systems, and building databases on natural disasters;

b/ Assessing and zoning natural disaster risks; making natural disaster warning maps;

c/ Fully and promptly providing information on natural disasters to the Central Steering Committee for Natural Disaster Prevention and Control, ministries, ministerial-level agencies and localities to serve the direction and implementation of natural disaster prevention and control activities.

2. The Ministry of Natural Resources and Environment and Vietnam Academy of Science and Technology shall base themselves on their assigned functions and tasks to implement the provisions of Clause 1 of this Article.

**Article 18.** Levels of natural disaster risks

1. Natural disaster risks are classified into levels, which serve as a basis for the warning, direction and command of, response to, and remediation of the consequences of, natural disasters.

2. Criteria for classification of levels of natural disaster risks include:

a/ Intensity or danger of natural disasters;

b/ Scope of effect;

c/ Possible damage to human lives, property, infrastructure works and the environment.

3. The Prime Minister shall provide in detail levels of natural disaster risks.

**Article 19.** Assurance of natural disaster prevention and control requirements in the construction or upgrading of urban centers, rural residential spots and technical infrastructure works

1. When formulating and implementing investment projects to build or upgrade urban centers, rural residential spots and technical infrastructure works, investors must meet natural disaster prevention and control requirements, specifically:

a/ Minimizing or not increasing natural disaster risks and assuring the stability of the works during natural disasters;

b/ Observing the laws on environmental protection, construction and urban planning.

2. Persons competent to approve investment projects shall appraise the contents on assurance of natural disaster prevention and control requirements in the dossiers of projects to build or upgrade urban centers, rural residential spots or technical infrastructure works before approving these projects.

3. When building or upgrading works and houses, households and individuals are encouraged to apply standards and technical regulations to ensure safety of these works and houses during natural disasters.

4. When formulating standards and technical regulations on the construction of works, ministries shall include the contents on assurance of safety during natural disasters.

**Article 20.** Construction and protection of natural disaster prevention and control works and works concurrently serving natural disaster prevention and control purposes

1. The construction of natural disaster prevention and control works must comply with approved master plans and plans, national standards and technical regulations; and apply advanced and modern technologies, especially for the construction, upgrading and expansion of meteorological, hydrographical, oceanographic and seismic observatories and stations for receiving early warning information on rain, typhoons, floods, earthquakes and tsunamis.

2. The construction and upgrading of schools, health stations, working offices, community cultural houses and other public works in natural disaster-prone areas must take into account the use of these works as places for people's evacuation when natural disasters occur.

3. The responsibility to build and protect natural disaster prevention and control works is provided as follows:

a/ The Government shall assign and decentralize the construction of natural disaster prevention and control works to ensure efficiency and uniformity. The Prime Minister shall approve national master plans, plans, programs and schemes on the construction of natural disaster prevention and control works, and allocate sufficient resources for implementation of these plans, programs and schemes;

b/ Ministries, ministerial-level agencies, government-attached agencies and provincial-level People's Committees shall approve, and organize the implementation of, master plans and plans on the construction of natural disaster prevention and control works as assigned and decentralized by the Government, and manage such construction according to their competence;

c/ Ministries, ministerial-level agencies, government-attached agencies and provincial-level People's Committees shall manage the protection,

renovation, maintenance and operation of natural disaster prevention and control works under their management, ensuring their safety and efficiency;

d/ Organizations and individuals shall participate in the protection of natural disaster prevention and control works.

**Article 21.** Information, communication and education about natural disaster prevention and control

1. Information, communication and education about natural disaster prevention and control aim to provide knowledge about types of natural disasters, impacts of natural disasters, measures to prevent and control natural disasters, responsibilities of organizations and individuals in natural disaster prevention and control activities, and relevant laws.

2. Information, communication and education about natural disaster prevention and control must be conducted in various forms suitable to different target groups, including:

a/ Via websites of ministries, ministerial-level agencies, government-attached agencies and localities, and in the mass media;

b/ Developing specialized documents, journals and leaflets, including documents in ethnic minority languages;

c/ Holding exhibitions, workshops and training courses on and drills on natural disaster prevention and control;

d/ Integrating natural disaster prevention and control knowledge into curricula of all educational levels;

dd/ Holding natural disaster prevention and control forums for extensive consultation on policies and laws and share information and experiences on natural disaster prevention and control.

3. The responsibility to conduct information, communication and education about natural disaster prevention and control is provided as follows:

a/ Ministries, ministerial-level agencies, government-attached agencies and provincial-level People's Committees shall, within the scope of their tasks and powers, build, manage and operate radio and television broadcasting systems, communication systems and other information transmission systems for collecting and transmitting information on natural disaster forecasts and warnings for organizations, individuals and communities; and organize information, communication and education about natural disaster prevention and control;

b/ The Ministry of Information and Communications shall direct and guide mass media agencies in conducting information and communication about natural disaster prevention and control;

c/ The Ministry of Education and Training shall direct and guide the integration of natural disaster prevention and control knowledge into curricula of all educational levels;

d/ The Ministry of Agriculture and Rural Development shall direct and organize the implementation of programs and schemes on raising public awareness and community-based natural disaster management;

dd/ Organizations, households and individuals shall participate in information, communication and education about natural disaster prevention and control; and furnish themselves with equipment for receiving natural disaster forecasts and warnings.

**Article 22.** Natural disaster response plans

1. A natural disaster response plan is formulated based on the following grounds:

a/ Types of natural disasters and levels of natural disaster risks, which are likely to occur in localities and fields under management;

b/ Natural disaster response capacity of organizations and individuals;

c/ Ability for coordination among and support of, different forces and local administrations at all levels.

2. A natural disaster response plan contains the following principal contents:

a/ Protection of natural disaster prevention and control works and key works;

b/ Evacuation and protection of people, properties and the protection of production;

c/ Assurance of security, order, transport and communication;

d/ Coordination in directing and commanding the prevention of and response to natural disasters and search and rescue;

dd/ Manpower to respond to natural disasters;

e/ Reserves of supplies, means, equipment and essentials.

3. Natural disaster response plans are formulated for localities, ministries, ministerial-level agencies, government-attached agencies as well as other agencies and organizations; and annually reviewed, adjusted and supplemented.

4. The responsibility to guide, formulate and approve natural disaster response plans is provided as follows:

a/ The Central Steering Committee for Natural Disaster Prevention and Control shall assume the prime responsibility for, and coordinate with the National Committee for Search and Rescue in, guiding the formulation of response plans corresponding to levels of natural disaster risks;

b/ Heads of agencies or organizations shall organize the formulation of, and approve their own natural disaster response plans and send them to related local People's Committees and their superior agencies for coordinated direction of implementation;

c/ Ministers and heads of ministerial-level agencies or government-attached agencies shall organize the formulation of, and approve natural disaster response plans and send them to related provincial-level People's Committees, the Central Steering Committee for Natural Disaster Prevention and Control and the National Committee for Search and Rescue for coordinated direction of implementation;

d/ Chairpersons of People's Committees at all levels shall organize the formulation of, and approve natural disaster response plans suitable to the characteristics of natural disasters in their localities and send these plans to immediate superior People's Committees for coordinated direction of implementation. Provincial-level People's Committees shall send natural disaster response plans to the Central Steering Committee for Natural Disaster Prevention and Control and the National Committee for Search and Rescue for monitoring and coordinated direction of implementation.

**Article 23.** Preparation of manpower, supplies, means, equipment and essentials for natural disaster prevention and control

1. Manpower, supplies, means, equipment and essentials for natural disaster prevention and control activities must be prepared under approved natural disaster response plans.

2. Organizations, households and individuals shall take the initiative in preparing manpower, supplies, means, equipment and essentials for natural disaster prevention and control activities under the guidance of the Central Steering Committee for Natural Disaster Prevention and Control and the National Committee for Search and Rescue.

3. Ministries, ministerial-level agencies, government-attached agencies and People's Committees at all levels shall organize the implementation of natural disaster response plans; take the initiative in preparing manpower, supplies, means, equipment and essentials

under approved natural disaster response plans; and organize training courses and drills under local natural disaster prevention and control plans.

4. The National Committee for Search and Rescue shall assume the prime responsibility for, and coordinate with ministries, ministerial-level agencies, government-attached agencies and provincial-level People's Committees in, training search and rescue forces nationwide to participate in natural disaster response.

## **Section 2. RESPONSE TO NATURAL DISASTERS**

**Article 24.** Forecast, warning, and transmission of information on natural disasters

1. Information on natural disaster forecasts and warnings must be timely, accurate and meet the needs of various target groups, and made in a common language (Vietnamese), paying special attention to vulnerable groups and, when necessary, made in ethnic minority languages.

2. Principal contents of a bulletin on natural disaster forecasts and warnings include:

a/ A bulletin on meteorological, hydrographical and oceanographic forecasts and warnings about natural disasters must have information on the type of natural disaster, intensity and level of natural disaster risk, current location and coordinates, and forecast of natural disaster developments;

b/ An bulletin on earthquakes and tsunami forecasts and warnings must have information on the location, intensity and level of risk of, and the extent of impacts caused by earthquakes; forecasts of the starting location, possibility, height, level of risk and direction of, and areas affected by, tsunamis.

3. The responsibility for natural disaster forecast and warning is provided as follows:

a/ The Ministry of Natural Resources and Environment shall issue meteorological and hydrographical forecasts and warnings about natural disasters;

b/ The Vietnam Academy of Science and Technology shall issue bulletins on earthquakes and tsunami forecasts and warnings;

c/ The agencies specified at Points a and b of this Clause shall send bulletins on natural disaster forecasts and warnings to Vietnam Television, the Voice of Vietnam and competent agencies and take responsibility for the contents of natural disaster forecasts and warnings.

4. Vietnam Television and the Voice of Vietnam shall transmit and broadcast natural disaster forecasts and warnings of the agencies specified at Points a and b, Clause 3 of this Article.

5. The Prime Minister shall promulgate regulations on forecast, warning and transmission of information on natural disasters.

**Article 25.** Direction and command of response to natural disasters

1. Based on bulletins on natural disaster forecasts and warnings, the Prime Minister, the Central Steering Committee for Natural Disaster Prevention and Control, the National Committee for Search and Rescue, commanding committees for natural disaster prevention and control of ministries, and provincial-level commanding committees for natural disaster prevention and control and search and rescue shall issue documents to direct and command the implementation of natural disaster response measures according to the Government's regulations.

2. The forms, contents and methods of transmitting and broadcasting documents to direct and command response to natural disasters is provided as follows:

a/ Documents to direct and command response to natural disasters are issued in the form of official telegram or official letter;

b/ The contents of a document to direct and command response to natural disasters must conform to the contents of the bulletin on natural disaster forecasts and warnings and actual developments of natural disasters in localities; natural disaster response and search and rescue measures;

c/ The means for transmitting and broadcasting documents to direct and command response to natural disasters include fax, short message service (SMS), television, radio, early warning system, direct transmission, and other forms.

3. The responsibility to transmit and broadcast documents to direct and command response to natural disasters is provided as follows:

a/ Agencies competent to issue documents to direct and command response to natural disasters shall send such documents to television and radio stations of the same levels and related agencies as prescribed by law;

b/ Commune-level People's Committees and commanding committees for natural disaster prevention and control and search and rescue shall disseminate the contents of documents to direct and command response to natural disasters to the community and people;

c/ Central and local television and radio stations shall broadcast news reports on the direction and command and of response to natural disasters.

4. The Government shall specifically determine agencies responsible for transmitting information; frequency and time of transmitting information to direct and command response to natural disasters; information networks and equipment serving the direction and command of response to natural disasters.

#### **Article 26.** Basic measures to respond to natural disasters

Based on the types of natural disasters and levels of natural disaster risks, the Central Steering Committee for Natural Disaster Prevention and Control, the National Committee for Search and Rescue and commanding committees for natural disaster prevention and control and search and rescue at all levels shall decide to select one or several of the following measures as appropriate:

1. Basic measures to respond to storms, tropical low pressures, heavy rain, floods, flashfloods, inundation, water rise, landslides or land subsidence due to floods or water currents are provided as follows:

a/ Evacuating people out of dangerous areas or unsafe places; focusing on implementing measures to assure safety for people, especially vulnerable groups in emergencies caused by natural disasters;

b/ Moving ships, boats and aquaculture facilities at sea, in coastal areas or on rivers out of dangerous areas; tallying and guiding ships and boats to anchor, or taking other measures to assure safety;

c/ Taking measures to assure safety for houses, working offices, hospitals, schools, warehouses, works and economic, security and defense facilities;

d/ Proactively taking measures to protect production;

dd/ Checking, detecting and handling incidents at natural disaster prevention and control works and key socio-economic and security and defense works;

e/ Supervising, guiding and proactively restricting or banning people and vehicles from entering dangerous areas on rivers or the sea, deeply inundated areas and roads, areas prone to landslides due to floods or water currents and other dangerous areas;

g/ Ensuring transport and communication to meet the requirements of directing and commanding response to natural disasters;

h/ Conducting search and rescue, providing First Aid to injured people, and supplying food, curative medicines, drinking water and other essentials for isolated areas, seriously inundated areas and evacuation places;

i/ Assuring security, social order and safety and protecting properties of the State and people in disaster-hit areas;

k/ Urgently mobilizing and complying with decisions on direction and urgent mobilization of manpower, supplies, means, equipment and essentials for timely response to natural disasters.

2. Basic measures to respond to drought and seawater intrusion are provided as follows:

a/ Adjusting the structures of plants, animals and crops based on forecasts, warnings and developments of drought and seawater intrusion;

b/ Rationally operating reservoirs and water supply works, prioritizing supply of water for residential use; economically using water and preventing water loss;

c/ Prioritizing supply of electricity and necessary supplies and fuels for pumping stations;

d/ Observing the level of salinity and appropriately regulating the closure and opening of sluices for water collection and salinity prevention in specific circumstances.

3. Basic measures to respond to hoarfrost and damaging cold are provided as follows:

a/ Taking measures to prevent cold for people, especially vulnerable groups;

b/ Preventing cold and ensuring sufficient feed for livestock;

c/ Taking appropriate measures to protect plants.

4. Basic measures to respond to earthquakes and tsunamis are provided as follows:

a/ Proactively taking shelter, assuring safety when an earthquake occurs;

b/ Proactively evacuating people from tsunami-affected areas;

c/ Organizing search and rescue and treatment of injured people;

d/ Arranging temporary accommodation and providing food, curative medicines, drinking water and other essentials for affected people;

dd/ Assuring security, social order and safety and protecting properties of the State and people in natural disaster-hit areas.

5. For extreme hot weather, whirlwinds, lightning, hail and other types of natural disaster, based on forecasts, warnings, characteristics and actual developments of each type of natural disaster, proactively taking appropriate response measures in specific circumstances.

## **Article 27. Responsibilities in natural disaster response**

1. Based on forecasts, warnings, levels of natural disaster risks of each type of natural disaster, the Central Steering Committee for Natural Disaster

Prevention and Control shall monitor the situation of natural disasters; direct ministries, ministerial-level agencies, government-attached agencies and localities to take natural disaster response measures and coordinate inter- sectoral activities to respond to natural disaster

s occurring in two or more provinces; support localities in cases falling beyond their capacity; and report on the situation of natural disasters and natural disaster response activities to the Prime Minister.

2. Based on forecasts, warnings, levels of natural disaster risks of each type of natural disaster, the National Committee for Search and Rescue shall direct and organize search and rescue activities; mobilize and coordinate forces and means of ministries, ministerial-level agencies, government-attached agencies and localities to participate in search and rescue activities in response to natural disasters in accordance with the law on search and rescue.

3. Ministries, ministerial-level agencies and government-attached agencies shall base themselves on forecasts, warnings, levels of natural disaster risks, developments of natural disasters and instructions of the Central Steering Committee for Natural Disaster Prevention and Control and the National Committee for Search and Rescue to:

a/ Decide to select natural disaster response plans and measures;

b/ Take natural disaster response measures to assure safety for works and activities in the fields under their management; report cases which fall beyond their capacity to the Central Steering Committee for Natural Disaster Prevention and Control and the National Committee for Search and Rescue for coordinated direction in response to natural disasters;

c/ Coordinate with provincial-level People's Committees and commanding committees for natural disaster prevention and control and search and rescue in responding to natural disasters in localities.

4. Based on forecasts, warnings, levels of natural disaster risks, developments of natural disasters, and the direction and command of the Central Steering Committee for Natural Disaster Prevention and Control, the National Committee for Search and Rescue and superior commanding committees for natural disaster prevention and control and search and rescue within the scope of their tasks and powers, local People's Committees and commanding committees for natural disaster prevention and control and search and rescue shall:

a/ Decide to select response plans and measures and organize response activities suitable to the developments of natural disasters and local practical conditions;

b/ Direct functional agencies in summarizing and promptly reporting on damage caused by natural disasters and take responsibility for the accuracy of information and data on the damage;

c/ Report cases which fall beyond their capacity to superior People's Committees or agencies in charge of directing and commanding natural disaster prevention and control.

5. People's armed forces shall respond to natural disasters as mobilized by competent agencies.

6. Organizations, households and individuals shall take the initiative in taking natural disaster response measures and participate in natural disaster response as mobilized by competent agencies.

7. Based on the levels of natural disaster risks and types of natural disaster, forces participating in natural disaster response in the same locality shall coordinate closely with one another under the direction and command of competent persons in taking natural disaster response measures.

8. The Government shall define the assignment and decentralization of responsibilities and coordination in natural disaster response suitable to the levels of natural disaster risks.

**Article 28.** Competence to mobilize resources for natural disaster response activities

1. Chairpersons of district- and commune-level People's Committees may mobilize manpower, supplies, means, equipment and essentials already prepared under the four on-the-



spot motto to respond to natural disasters and provide emergency relief in localities; and shall report cases which fall beyond their capacity or competence to superior People's Committees.

2. Chairpersons of provincial-level People's Committees may mobilize manpower, supplies, means, equipment and essentials of local organizations, households and individuals to serve natural disaster response and emergency relief; and shall report cases which fall beyond their capacity or competence to the Central Steering Committee for Natural Disaster Prevention and Control.

3. Heads of the commanding committees for natural disaster prevention and control of ministries and ministerial-level agencies may mobilize manpower, supplies, means, equipment and essentials of organizations and individuals under their management to serve natural disaster response and emergency relief.

4. The Chairman of the Central Steering Committee for Natural Disaster Prevention and Control may mobilize or shall report and propose the Prime Minister to mobilize resources and measures to respond to natural disasters in cases which fall beyond the capacity of localities, ministries or ministerial-level agencies.

5. Persons competent to mobilize manpower, supplies, means, equipment and essentials shall decide to return mobilized supplies, vehicles, equipment and essentials to or to pay compensations to their owners in accordance with this Law and relevant laws, and shall take responsibility for their decisions.

**Article 29.** Search and rescue activities in natural disaster response

1. Search and rescue activities for people facing danger in natural disaster-hit areas include:

a/ Evacuating people from dangerous places, giving priority to vulnerable groups;

b/ Promptly giving emergency relief to people facing danger; searching for missing people and vehicles;

c/ Building temporary emergency stations or requisitioning for a definite time working offices, schools and health establishments in natural disaster-hit areas to receive and provide First Aid to injured people

d/ Mobilizing manpower, supplies, equipment and curative medicines to rescue and treat injured people;

dd/ Building temporary tents for displaced people;

e/ Providing food, curative medicines, clean water and essentials;

g/ Taking other necessary measures suitable to the characteristics of natural disasters in localities and regions.

2. The search and rescue responsibility is provided as follows:

a/ Organizations and individuals shall take the initiative and participate in search and rescue activities as mobilized by competent agencies;

b/ Local People's Committees and commanding committees for natural disaster prevention and control and search and rescue at all levels, shall take the initiative in organizing search and rescue activities in localities; and report cases, which fall beyond their capacity, to superior People's Committees and commanding committees for natural disaster prevention and control and search and rescue or the Central Steering Committee for Natural Disaster Prevention and Control and the National Committee for Search and Rescue for support;

c/ Ministries and ministerial-level agencies shall take the initiative in organizing search and rescue activities within the scope of their management;

and report cases, which fall beyond their capacity, to the Central Steering Committee for Natural Disaster Prevention and Control and the National Committee for Search and Rescue for support;

d/ Full-time or part-time search and rescue units in some ministries shall organize search and rescue activities as directed by the National Committee for Search and Rescue;

dd/ The National Committee for Search and Rescue shall direct and organize coordination in search and rescue activities nationwide; assume the prime responsibility for, and coordinate with international and regional relief forces in, search and rescue activities.

### **Section 3. REMEDIATION OF NATURAL DISASTER CONSEQUENCES**

**Article 30.** Activities of remediation of natural disaster consequences

1. Activities of remediation of natural disaster consequences include:

a/ Continuing to organize search and rescue work and provide relief, food, curative medicines and other essentials as well as psychological assistance to stabilize people's lives;

b/ Making statistics of and assessing damage caused by natural disasters, needs for relief and support, and proposing plans to remedy consequences;

c/ Providing plant varieties, animal breeds, supplies, equipment and essential fuels to restore production;

d/ Providing supplies and essential commodities and taking price management and market stabilization measures;

dd/ Assuring environmental sanitation, and preventing and controlling epidemics in areas affected by natural disasters;

e/ Repairing, restoring and upgrading natural disaster prevention and control works, transport, communication, irrigation and power works, schools, health establishments and public infrastructure facilities; conducting public information to raise community awareness and capacity of natural disaster prevention and control.

2. The responsibility to remedy natural disaster consequences is provided as follows:

a/ Organizations, households and individuals shall take the initiative in remedying natural disaster consequences with regard to infrastructure facilities and properties under their management; participate in and support the remediation of natural disaster consequences as mobilized by competent agencies;

b/ Local People's Committees and commanding committees for natural disaster prevention and control and search and rescue at all levels shall organize remediation of natural disaster consequences in localities according to Clause 1 of this Article;

c/ Ministries, ministerial-level agencies and government-attached agencies shall take the initiative in remedying natural disaster consequences within the scope of their management and participate in remedying natural disaster consequences upon request;

d/ The Central Steering Committee for Natural Disaster Prevention and Control shall summarize damage assessment reports and needs for relief and support from localities, ministries, ministerial-level agencies and government-attached agencies; direct the remediation of natural disaster consequences and report on measures and resources to support the remediation of natural disaster consequences to the Government.

**Article 31.** Responsibilities to make statistics of and assess damage caused by natural disasters

1. Organizations and individuals shall accurately report on damage caused by natural disasters in the scope of their management to commune-level commanding committees for natural disaster prevention and control and search and rescue and their managing agencies.

2. The commanding committees for natural disaster prevention and control and search and rescue at all levels, shall summarize damage caused by natural disasters and report it to the People's Committees of the same level and superior commanding committees for natural disaster prevention and control and search and rescue. Provincial-level commanding committees for natural disaster prevention and control and search and rescue shall report damage caused by natural disasters to the Central Steering Committee for Natural Disaster Prevention and Control to direct work.
3. People's Committees at all levels shall summarize, make statistics of, and assess damage caused by natural disasters; examine damage assessment results and report them to superior People's Committees. Provincial-level People's Committees shall send reports on damage caused by natural disasters to the Prime Minister, and concurrently to the Ministry of Agriculture and Rural Development for summarization.
4. The commanding committees for natural disaster prevention and control of ministries and ministerial-level agencies shall summarize damage caused by natural disasters and report such to the Central Steering Committee for Natural Disaster Prevention and Control to direct work.
5. Ministries, ministerial-level agencies and government-attached agencies shall summarize, make statistics of, and assess damage caused by natural disasters within the scope of their management and report them to the Prime Minister and concurrently to the Ministry of Agriculture and Rural Development for summarization.
6. The Ministry of Agriculture and Rural Development shall summarize and assess damage caused by natural disasters nationwide, report such damage to the Prime Minister and publicize data on damage caused by natural disasters.
7. The Ministry of Agriculture and Rural Development shall assume the prime responsibility for, and coordinate with the Ministry of Planning and Investment in, guiding the making of statistics and assessment of damage caused by natural disasters.

**Article 32.** Forms, beneficiaries of, and resources for relief and support

1. Emergency relief is provided as follows:

- a/ Emergency relief is provided right after natural disasters occur and during natural disasters, focusing on the provision of food, curative medicines and other essentials to stabilize people's lives, clean the environment and prevent and control epidemics in areas affected by natural disasters;
- b/ Relief beneficiaries include injured persons and households of dead persons; households and individuals that lose their homes, have no food, drinking water and other essentials and face life and health risks, paying special attention to vulnerable groups;
- c/ Resources for relief include food, commodities, curative medicines, water and environment treatment chemicals from the national reserves; annual state budget provisions; the natural disaster prevention fund; and voluntary contributions of organizations and individuals.

2. Medium-term support is provided as follows:

- a/ Medium-term support is provided following emergency relief, focuses on the provision of plant varieties, animal breeds, supplies, equipment and essential fuels for the restoration of production; provision of supplies and essential commodities and the application of price management and market stabilization measures; repair and restoration of damaged buildings, natural disaster prevention and control works, transport, communication, irrigation, water supply and power works, schools, health establishments and other essential infrastructure facilities;
- b/ Beneficiaries of medium-term support include farming organizations and farmers suffering from damage; state agencies, armed forces units; non-business units and enterprises having works specified at Point a of this Clause;

c/ Resources for medium-term support include food and commodities from the state reserves; annual state budget provisions; the natural disaster prevention and control fund; and voluntary contributions of organizations and individuals.

3. Long-term support is provided as follows:

Long-term support is provided following medium-term support, focuses on the repair, restoration and upgrading of natural disaster prevention and control works, transport and public infrastructure facilities; and public information to raise community awareness and capacity of natural disaster prevention and control;

b/ Beneficiaries of long-term support include organizations, individuals, state agencies, non-business units and public-utility enterprises suffering from damage caused by natural disasters;

c/ Resources for long-term support include state budget funds and voluntary contributions of organizations and individuals;

d/ People's Committees at all levels shall base themselves on the situation of damage and natural disasters in localities to work out support plans and allocate resources for implementation.

### **Article 33. Mobilization, fundraising and allocation of resources for relief and support**

1. The mobilization, fundraising and allocation of resources for relief and support must adhere to the following principles:

a/ Complying with the law, being based on the extent of damage, sharing information and coordinating with the administrations of localities, providing relief and support to beneficiaries to assure equality and publicity and avoid duplication of relief and support for the same beneficiaries;

b/ Concentrating relief on meeting essential needs of people affected by natural disasters, especially vulnerable groups.

2. The competence to mobilize, collect and allocate resources for relief and support is provided as follows:

a/ The Prime Minister, ministers, heads of ministerial-level agencies and chairpersons of People's Committees at all levels may mobilize state resources for emergency relief and medium-term support in accordance with the laws on state budget and national reserves. Long-term support must be provided under annual plans;

b/ Provincial-level People's Committees may use local natural disaster prevention and control funds for emergency relief and medium-term support according to regulations on natural disaster prevention and control funds;

c/ The Vietnam Fatherland Front Central Committee and the Vietnam Red Cross Society may mobilize contributions and allocate resources for emergency relief and medium-term support; Vietnam Fatherland Front Committees and Red Cross Societies at all levels shall coordinate with People's Committees of the same levels in receiving and allocating resources for emergency relief and medium-term support;

d/ Organizations and individuals allowed by law to raise funds from the community shall coordinate with People's Committees of localities in need of support in providing emergency relief and medium-term support.

3. The Government shall detail the mobilization, fundraising and allocation of resources for relief and support, to remedy the consequences of natural disaster.

## **Chapter III**

### **RIGHTS AND OBLIGATIONS OF AGENCIES, ORGANIZATIONS, HOUSEHOLDS AND INDIVIDUALS IN NATURAL DISASTER PREVENTION AND CONTROL**

#### **Article 34.** Rights and obligations of households and individuals

##### 1. Households and individuals have the following rights:

- a/ To access information on natural disaster prevention and control published by competent agencies;
- b/ To participate in the elaboration of local plans on natural disaster prevention and control and plans on response to natural disasters;
- c/ To participate in programs on communication, information and education about natural disaster prevention and control; and to improve their knowledge on natural disaster prevention and control suitable to their practical conditions;
- d/ To be returned supplies and means; to receive remunerations for their participation in urgent response to natural disasters in the community under the mobilization orders of competent persons;
- dd/ Participants in the response to natural disasters, who are injured or killed may be considered for entitlements and policies applicable to fallen heroes or war invalids as provided by the law on preferential treatment of persons with meritorious service to the revolution;
- e/ To receive relief and support in accordance with law when suffering from damage caused by natural disasters.

##### 2. Households and individuals have the following obligations:

- a/ To take the initiative in building, upgrading and protecting their works and houses to assure safety during natural disasters or remove them to safe places; neither to build houses nor to reside in areas, which can be severely affected by natural disasters;
- b/ To implement local plans on natural disaster prevention and control and plans on response to natural disasters;
- c/ To organize production and business activities suitable to the characteristics of natural disasters in their localities;
- d/ To take the initiative in procuring equipment within their capacity to receive natural disaster forecasts and warnings and natural disaster prevention and control instructions;
- dd/ To prepare supplies and means within their capacity for natural disaster prevention and control;
- e/ To take initiative in reserving food, drinking water, supplies and equipment for water treatment, curative medicines and medicines for epidemic prevention suitable to local natural disaster characteristics within their capacity, in order to sustain their livelihoods when natural disasters occur;
- g/ Owners of ships and boats operating on the sea and rivers shall fully equip appropriate lifebuoys and communication and signaling devices; promptly provide accurate information on their position and the state of their operating means to local administrations and functional agencies when natural disasters occur; when encountering other ships and boats in distress, they shall promptly render salvation, search and rescue, or notify such by all means to the search and rescue agency in case the incident is beyond their capacity;
- h/ To take the initiative in responding to and remedying consequences of natural disasters to assure safety for themselves and their families; to participate in assisting the community in natural disaster prevention and control;
- i/ To comply with instructions and commands of competent agencies and persons on evacuation of people and means from, or no entry, into dangerous areas;
- k/ To comply with decisions of competent agencies on the mobilization of manpower, supplies, means, equipment and essentials to serve the urgent response to natural disasters;

l/ To take the initiative in conducting environmental sanitation and epidemic and disease prevention and control in their living and working areas affected by natural disasters;

m/ To notify to competent agencies and persons upon detecting incidents or acts, which make natural disaster prevention and control works unsafe, and participate in the handling of such incidents within their capacity;

n/ To provide information within their knowledge on developments and consequences of natural disasters to competent agencies;

o/ Individuals are obliged to make contributions to the natural disaster prevention and control fund under the regulations of the Government; and to take the initiative in helping people affected by natural disaster in their localities.

**Article 35.** Rights and obligations of economic organizations

1. Economic organizations have the following rights:

a/ To be entitled to remunerations, return of or compensations for supplies, means and equipment involved in the urgent response to natural disasters in the community under mobilization orders of competent agencies or persons;

b/ To invest in projects on building multi-purpose natural disaster prevention and control works under master plans and plans of ministries, ministerial-level agencies, government-attached agencies and localities, and may enjoy benefits from such investment in accordance with law.

2. Economic organizations have the following obligations:

a/ To take the initiative in building and protecting their works and physical foundations and assure safety for their production and business activities during natural disasters;

b/ To elaborate and implement natural disaster prevention and control plans;

c/ To apply national technical regulations on safety against natural disaster risks in building works; to observe regulations on protection of natural disaster prevention and control works;

d/ To participate in programs on communication, information and education about natural disaster prevention and control; to improve knowledge about natural disaster prevention and control; to organize training and drills in natural disaster prevention and control skills under plans of ministries, ministerial-level agencies, government-attached agencies and localities;

dd/ To comply with instructions and commands of competent agencies and persons in taking natural disaster prevention and control measures;

e/ To obey orders on urgent mobilization of manpower, supplies, means, equipment and essentials in response to emergency circumstances;

g/ To take the initiative in conducting environmental sanitation, epidemic and disease prevention and control in natural disaster-hit areas under their management;

h/ To participate within their capacity in search, rescue, emergency assistance and remediation of consequences of natural disasters in their localities;

i/ To make contributions to the natural disaster prevention and control fund under the regulations of the Government.

**Article 36.** Rights and obligations of agencies, socio-political organizations, socio-political-professional organizations, social organizations and socio-professional organizations

1. In natural disaster prevention and control, agencies, socio-political organizations, socio-political-professional organizations, social organizations and socio-professional organizations have the following rights:

a/ To be entitled to remunerations, return of or compensations for supplies, means and equipment involved in the urgent response to natural disasters under mobilization orders of competent agencies or persons;

b/ To access information on natural disaster prevention and control published by competent agencies;

c/ To participate in the elaboration of natural disaster prevention and control plans and natural disaster response plans;

d/ To participate in programs on communication, information and education about natural disaster prevention and control; and to improve knowledge about natural disaster prevention and control suitable to their practical conditions;

d/ To receive relief and support as provided by this Law when suffering from damage caused by natural disasters.

2. In natural disaster prevention and control, agencies, socio-political organizations, socio-political-professional organizations, social organizations and socio-professional organizations have the following obligations:

a/ To take the initiative in building and protecting works and physical foundations under their management, assuring their safety during natural disasters;

b/ To elaborate and implement natural disaster prevention and control plans;

c/ To comply with decisions of competent persons on urgent mobilization of manpower, supplies, means, equipment and essentials to serve the response to natural disasters;

d/ To take the initiative in conducting environmental sanitation, epidemic and disease prevention and control in natural disaster-hit areas under their management.

**Article 37.** Rights and obligations of foreign organizations and individuals and international organizations operating in Vietnam

1. When participating in natural disaster prevention and control, foreign organizations and international organizations operating in Vietnam have the rights provided in Clause 1, Article 36 of this Law.

2. When participating in natural disaster prevention and control, foreign organizations and international organizations operating in Vietnam have the following obligations:

a/ To perform the obligations prescribed in Clause 2, Article 36 of this Law;

b/ To conduct registered operations under regulations;

c/ To comply with Vietnamese law.

## **Chapter IV**

### **INTERNATIONAL COOPERATION IN NATURAL DISASTER PREVENTION AND CONTROL**

**Article 38.** Principles of international cooperation in natural disaster prevention and control

1. Respect for independence, sovereignty, territorial integrity and non-intervention in internal affairs, and guarantee of national interests.

2. Compliance with treaties to which Vietnam is a contracting party.

3. Proactive proposal of initiatives on international cooperation in natural disaster prevention and control.

4. Priority for international cooperation in training, scientific research and technology transfer; sharing of experiences and coordination in search and rescue; investment, construction and upgrading of natural disaster prevention and control works.

**Article 39.** Contents of international cooperation in natural disaster prevention and control

1. International cooperation in natural disaster information exchange, forecast and warning.
2. International cooperation in search and rescue.
3. International cooperation in humanitarian relief.
4. International cooperation in training, scientific research and technology transfer in natural disaster prevention and control.

**Article 40.** Focal point and agencies in charge of international cooperation in natural disaster prevention and control

1. The Ministry of Agriculture and Rural Development shall act as the focal point answerable to the Government for international cooperation in natural disaster prevention and control, and has the following responsibilities:

a/ To receive forecasts, warnings and information relating to natural disasters from domestic and international agencies and organizations under regulations;

b/ To provide information on natural disasters to international agencies and organizations under regulations;

c/ To organize international cooperation in natural disaster prevention and control under its management;

d/ To propose the conclusion of, or accession to, treaties on natural disaster prevention and control;

dd/ To propose that the Prime Minister calls for international assistance in natural disaster prevention and control.

2. The Ministry of Foreign Affairs has the following responsibilities:

a/ To call for international assistance to respond to and for the remediation of the consequences of natural disasters in Vietnam and concurrently act as Vietnam's focal point in providing assistance to other countries under the Government's direction;

b/ To contact other countries and territories to provide coordinated assistance for Vietnamese people and means hit by natural disasters on the sea and in land border areas and assistance for people and means of other countries upon their request.

3. The Ministry

of Natural Resources and Environment shall assume the prime responsibility for international cooperation in the observation, assessment, forecast, warning and identification of levels of natural disaster risks in meteorological, hydrographical and oceanographic aspects and in conformity with treaties to which Vietnam is a contracting party.

4. The Vietnam Academy of Science and Technology shall assume the prime responsibility for international cooperation in the observation, assessment and identification of levels of natural disaster risks, earthquake information and tsunami forecast and warning.

5. The National Committee for Search and Rescue shall assume the prime responsibility for, and coordinate with related ministries, ministerial-level agencies and government-attached agencies in, conducting international cooperation in search and rescue.



**Article 41.** Rights and obligations of foreign organizations and individuals and international organizations participating in the response to and remediation of the consequences of natural disasters in Vietnam

1. Foreign organizations and individuals and international organizations participating in the response to and remediation of the consequences of natural disasters in Vietnam have the following rights:

a/ To be exempted from import and export duties and fees for means, equipment and goods serving emergency relief, search and rescue, relief and support for people affected by natural disaster;

b/ To enjoy priority in entry and exit procedures, and procedures for import and export of means, equipment and goods serving search and rescue, relief and support for people affected by natural disasters;

c/ To enjoy priority in carrying out formalities for their stay.

2. Foreign organizations and individuals and international organizations participating in the response to and remediation of the consequences of natural disasters in Vietnam have the following obligations:

a/ To register their operations with competent Vietnamese agencies;

b/ To operate for the registered purposes and comply with Vietnamese law.

3. The Government shall detail this Article.

## **Chapter V**

### **RESPONSIBILITY FOR STATE MANAGEMENT OF NATURAL DISASTER PREVENTION AND CONTROL**

**Article 42.** State management responsibility of the Government, ministries and ministerial-level agencies

1. The Government shall perform the uniform state management of natural disaster prevention and control nationwide.

2. The Ministry of Agriculture and Rural Development shall take responsibility before the Government for performing the state management of natural disaster prevention and control, and has the following responsibilities:

a/ To promulgate according to its competence or submit to competent authorities for promulgation, and organize the implementation of, the National Strategy and plans, policies and legal documents on natural disaster prevention and control;

b/ To elaborate national standards, national technical regulations on assurance of safety during natural disasters for natural disaster prevention and control works under their management;

c/ To elaborate master plans and plans on agricultural production so as to limit damage caused by natural disasters and assure sustainable development;

d/ To manage the construction, repair, consolidation and protection of natural disaster prevention and control works, including dikes, dams, reservoirs, anti-flood, anti-inundation and anti-erosion works, storm shelters for ships and boats, and other facilities serving natural disaster prevention and control, as assigned by the Government;

dd/ To make statistics, process information and build databases to serve the state management of natural disaster prevention and control;

e/ To organize scientific and technological research and application of scientific and technological advances in natural disaster prevention and control, professional training, for natural disaster prevention and control personnel;

g/ To organize communication, information and education to improve community awareness about natural disaster prevention and control;

h/ To act as the focal point for international cooperation in natural disaster prevention and control, and propose the conclusion of or accession to, treaties on natural disaster prevention and control;

i/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

3. The Ministry of Natural Resources and Environment has the following responsibilities:

a/ To promulgate according to its competence or submit to competent authorities for promulgation, and direct according to its competence the implementation of, legal documents on natural disaster forecast and warning;

b/ To elaborate master plans and plans on and direct the performance of meteorological, hydrographical and oceanographic forecast;

c/ To organize the observation, collection and processing of information, identification, assessment and zoning of natural disaster risks, monitoring and surveillance of natural disasters; to make meteorological, hydrographical and oceanographic forecasts and warnings, promptly provide accurate information on natural disasters to the Central Steering Committee for Natural Disaster Prevention and Control and related ministries, ministerial-level agencies, government-attached agencies and localities and the mass media under regulations;

d/ To organize scientific and technological research and application of scientific and technological advances and international cooperation in natural disaster forecast and warning; professional training for natural disaster forecast and warning personnel; to disseminate knowledge, experiences and law on natural disaster forecast and warning;

dd/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

4. The Ministry of National Defense has the following responsibilities:

a/ To promulgate according to its competence or submit to competent authorities for promulgation, and direct the implementation of, legal documents on coordination between its agencies and units and other agencies and organizations in natural disaster prevention and control;

b/ To elaborate master plans and plans on and direct the performance of its tasks in natural disaster prevention and control and remediation of natural disaster consequences;

c/ To work out plans on deployment of manpower and means ready for the protection of dikes and dams, flood diversion and slowing, search and rescue;

d/ To collect information relating to natural disasters and direct the response to and handling of emergencies and remediation of natural disaster consequences;

dd/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

5. The Ministry of Public Security has the following responsibilities:

a/ To promulgate according to its competence or submit to competent authorities for promulgation, and directing the implementation of, legal documents on assurance of social security, order and safety in natural disaster prevention and control;

b/ To work out plans on assurance of social security, order and safety when natural disasters occur, and coordinate with the Ministry of National Defense, ministries, ministerial-

level agencies and localities in participating in the salvation and rescue of people affected by natural disasters and remediation of natural disaster consequences;

c/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

6. The Ministry of Information and Communications has the following responsibilities:

a/ To promulgate according to its competence or submit to competent authorities for promulgation, and direct the implementation of, legal documents on assurance of information in natural disaster prevention and control;

b/ To elaborate master plans and plans on and direct the assurance of safety and uninterrupted operation of the general communication network;

c/ To prepare back-up for specialized information equipment and devices for natural disaster prevention and control in any natural disaster circumstances;

d/ To direct the mass media in reporting on natural disaster prevention and control;

dd/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

7. The Ministry of Transport has the following responsibilities:

a/ To promulgate according to its competence or submit to competent authorities for promulgation, and direct the implementation of, legal documents on assurance of transport in natural disaster prevention and control;

b/ To elaborate master plans and plans on and direct the transport development in line with the strategy and plans on natural disaster prevention and control;

c/ To prepare manpower, means and supplies for traffic rescue and assurance of transport safety when natural disasters occur;

d/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

8. The Ministry of Industry and Trade has the following responsibilities:

a/ To promulgate according to its competence or submit to competent authorities for promulgation, and direct the implementation of, legal documents on assurance of safety for or hydropower reservoirs under its management in natural disaster prevention and control;

b/ To work out plans on natural disaster prevention and control; to direct the assurance of safety for mining zones, power sources and lines and industrial establishments under its management;

c/ To assume the prime responsibility for, and coordinate with provincial-level People's Committees in, working out plans on preparation and supply of essentials for local people, especially in deep-lying and remote areas and natural disaster-prone areas; and to coordinate with local administrations at all levels in making proper contingency preparations on the spot;

d/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

9. The Ministry of Construction has the following responsibilities:

a/ To promulgate according to its competence or submit to competent authorities for promulgation, and direct the implementation of, legal documents on assurance of safety for

construction works in accordance with the law on natural disaster prevention and control; to assume the prime responsibility for, and coordinate with and guide local administrations in, implementing construction master plans to assure safety of construction works during natural disasters;

b/ To elaborate and promulgate national technical regulations on safety of construction works during natural disasters;

c/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

10. The Ministry of Finance has the following responsibilities:

a/ To promulgate according to its competence or submit to competent authorities for promulgation, and direct the implementation of, legal documents on finance for natural disaster prevention and control and policy on insurance against natural disaster risks;

b/ To summarize and assign state budget estimates for natural disaster prevention and control tasks in accordance with the Law on the State Budget and this Law;

c/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

11. The Ministry of Planning and Investment has the following responsibilities:

a/ To promulgate according to its competence or submit to competent authorities for promulgation, and direct the implementation of, legal documents on integration of natural disaster prevention and control contents into national, ministerial and local socio-economic development plans;

b/ To invest in natural disaster prevention and control works;

c/ To integrate natural disaster prevention and control contents into national socio-economic development plans;

d/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

12. The Ministry of Education and Training has the following responsibilities:

a/ To promulgate according to its competence or submit to competent authorities for promulgation, and direct the implementation of, legal documents on integration of natural disaster prevention and control knowledge in curricula at all educational levels;

b/ To direct the planning of construction of schools, educational and training institutions combined with natural disaster prevention and control purposes suitable to regional and local natural disaster characteristics in order to assure safety for people and works;

c/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

13. The Ministry of Health has the following responsibilities:

a/ To promulgate according to its competence or submit to competent authorities for promulgation, and direct the implementation of, legal documents on health in natural disaster prevention and control;

b/ To reserve medicines and medical equipment and guide health workers and the community on common First Aid techniques and environmental sanitation measures;

c/ To direct the provision of First Aid to injured people, and prevention and control of epidemics and diseases before, during and after natural disasters;

d/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

14. The Ministry of Labor, War Invalids and Social Affairs has the following responsibilities:

a/ To promulgate according to its competence or submit to competent authorities for promulgation, and direct the implementation of, legal documents on social relief in the mitigation of natural disaster consequences;

b/ Based on actual damage and relief needs, to propose to the Prime Minister for decision, support for localities to quickly stabilize the lives of people in natural disaster-hit areas;

c/ To guide the integration of gender issues in natural disaster prevention and control;

d/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

15. Ministries and ministerial-level agencies shall, within their functions and assigned tasks, elaborate annual plans on and perform tasks of natural disaster prevention and control under their management.

#### **Article 43. Responsibilities of People's Committees at all levels**

1. Provincial- and district-level People's Committees have the following responsibilities:

a/ To organize the dissemination and implementation of the Law on Natural Disaster Prevention and Control;

b/ To elaborate, approve and implement local plans on natural disaster prevention and control under their management;

c/ To integrate natural disaster prevention and control contents into local socio-economic development master plans and plans;

d/ To manage the implementation of master plans on the construction of urban centers, rural residential areas, technical infrastructure and production, suitable to local natural disaster characteristics, assuring sustainable development;

dd/ To elaborate and approve local natural disaster response plans; to prepare manpower, supplies, means, equipment and essentials and organize drills under approved plans;

e/ To inspect and urge the reserve of food, essentials, water treatment chemicals, curative medicines, medicines for epidemic prevention, means, supplies and equipment under the 'four on-the-spot' motto in order to proactively respond to natural disasters;

g/ To build, repair, consolidate, upgrade, manage and protect local natural disaster prevention and control works;

h/ To organize standing units and command the response to natural disasters; to summarize, make statistics of and assess damage caused by, natural disasters;

i/ To direct and organize the implementation of measures to protect production when natural disasters occur in order to reduce damage and quickly rehabilitate production;

k/ To organize the management and distribution of emergency relief money and goods of the State, organizations and the community to stabilize people's lives, rehabilitate production and remedy consequences of natural disasters in accordance with law;

l/ To examine, inspect, settle complaints and denunciations, and handle violations of the law on natural disaster prevention and control according to its competence.

2. Commune-level People's Committees have the following responsibilities:

a/ To organize the dissemination and implementation of this Law and relevant regulations on natural disaster prevention and control;

b/ To elaborate, approve and implement plans on natural disaster prevention and control; to integrate natural disaster prevention and control contents into local socio-economic development master plans and plans;

c/ To manage and protect local natural disaster prevention and control works;

d/ To elaborate and approve local natural disaster response plans and organize drills under approved plans;

dd/ To organize the reserve of food, essentials, water treatment chemicals, curative medicines, medicines for epidemic prevention, means, supplies and equipment under the 'four on-the-spot' motto in order to proactively respond to natural disasters;

e/ To organize standing units and command the prevention of and response to natural disasters and remediation of consequences of natural disasters; to make statistics of damage caused by natural disasters in their localities;

g/ To implement measures to protect production when natural disasters occur in order to reduce damage and quickly rehabilitate production;

h/ To receive, manage and distribute emergency relief money and goods of the State, organizations and the community to stabilize people's lives, rehabilitate production and remedy consequences of natural disasters in accordance with law.

**Article 44.** Agencies directing and commanding natural disaster prevention and control

1. The Central Steering Committee for Natural Disaster Prevention and Control:

a/ The Prime Minister shall decide to set up the Central Steering Committee for Natural Disaster Prevention and Control to perform the task of interdisciplinary coordination and assist the Government and Prime Minister in organizing and directing natural disaster prevention and control nationwide; members of the Steering Committee include representatives of leaderships of related ministries and agencies, and work on a part-time basis;

b/ The Ministry of Agriculture and Rural Development acts as the standing body of the Steering Committee, and has an attached specialized agency to advise and assist the Steering Committee.

2. Ministers and heads of ministerial-level agencies shall decide to set up commanding committees for natural disaster prevention and control of their ministries or agencies to assist them in performing natural disaster prevention and control work under their management.

3. Chairpersons of People's Committees at all levels shall decide to set up same-level commanding committees for natural disaster prevention and control and search and rescue to assist their People's Committees in commanding and organizing natural disaster prevention and control and search and rescue in their localities.

Commanding committees for natural disaster prevention and control and search and rescue at all levels are headed by chairpersons of same-level People's Committees.

4. The Government shall define the organizational structure and tasks of the Central Steering Committee for Natural Disaster Prevention and Control, commanding committees for natural disaster prevention and control of ministries and ministerial-level agencies, and commanding committees for natural disaster prevention and control and search and rescue at all levels, and specify the mechanism of coordination between the Central Steering Committee for Natural Disaster Prevention and Control and the National Committee for Search and Rescue.

**Article 45.** Handling of violations of the law on natural disaster prevention and control

1. Individuals who commit violations of the Law on Natural Disaster Prevention and Control shall, depending on the nature and severity of their violations, be disciplined, administratively sanctioned or examined for penal liability. If causing damage, they shall pay compensation in accordance with the law.

2. Organizations that commit violations of Law on Natural Disaster Prevention and Control shall, depending on the nature and severity of their violations, be administratively sanctioned. If causing damage, they shall pay compensation in accordance with law.

## **Chapter VI**

### **IMPLEMENTATION PROVISIONS**

#### **Article 46. Effect**

1. This Law takes effect on May 1, 2014.

2. The 1993 Ordinance on Flood and Storm Prevention and Control; and the 2000 Ordinance Amending and Supplementing a Number of Articles of the Ordinance on Flood and Storm Prevention and Control cease to be effective on the effective date of this Law.

#### **Article 47. Detailing and guiding the implementation**

The Government shall detail and guide the implementation of articles and clauses of the Law as assigned.

This Law was passed on June 19, 2013, by the XIII<sup>th</sup> National Assembly at its 5th session.-

**CHAIRMAN OF THE NATIONAL ASSEMBLY**

**Nguyen Sinh Hung**