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**Review of plastic waste consideration in current legal/  
policy documents of Vietnam, providing inputs/  
suggestions for mainstreaming the project's message/  
results approaches/ successful measures into the revised  
or new laws/ regulations/ policies**

**“Reduce, Reuse, Recycle to Protect the Marine Environment and Coral Reefs in Southeast Asia” (3RproMar)**

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## Thematic Report

**Review of plastic waste consideration in current legal/policy documents of Vietnam, providing inputs/ suggestions for mainstreaming the project's message/ results approaches/ successful measures into the revised or new laws/ regulations/ policies**

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## Abbreviations

Acronym	Meaning
3Rs	Reduce, reuse, and recycle
EPR	Extended Producer Responsibility
LEP	Law on Environmental Protection
MOET	Ministry of Education and Training
MONRE	Ministry of Natural Resources and Environment
NAP	National Action Plan on Marine Plastic Debris Management until 2030
SDG	Sustainable Development Goals
SUP	Single-use plastics
UN	United Nations
UNEP	United Nations Environment Programme
EPF	Vietnam Environmental Protection Fund
VASI	Vietnam Administration of Seas and Islands





# Chapter 1: Overview of the policy instruments for marine plastic waste management

## 1. Background

Covering approximately 71% of the Earth's surface, the ocean plays a vital role for life on earth. Consequently, to conserve and sustainably use the oceans, seas and marine resources for sustainable development constitutes an important part in the sustainable development goals (SDG) of the United Nations (UN) – SDG no. 14: Life below water. Accordingly, reducing marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution is the first target of this goal.

In its recent annual report, the United Nations Environment Programme (UNEP) highlights the triple planetary crisis which are climate change, nature and biodiversity loss, and pollution and waste (UNEP, 2022). Up to 85% of marine litters are plastics, and the volume would be nearly triple by 2040 (UNEP, 2021). Southeast Asia in general and Vietnam in specific release a huge volume of waste every year, and the situation would be worsened in the coming years. According to the Vietnam Administration of Seas and Islands (VASI), Vietnam ranked 4/20 countries with highest volume of plastic waste, the country releases about 0.3-0.8 million ton of plastic waste annually. Plastic waste comes from various sources, in which the proportion of mass of fishery or fishery-related plastic products, domestic plastics, and single-use plastics (SUPs) are 47.6%, 26%, and 12% respectively (Cuong et al., 2021). Significantly, recent researches show that microplastics are found in sediments in some beaches of Vietnam, and the level of microplastic contamination is relatively high compared to other regions in the world (Dung et al., 2020, Duc et al., 2020).

Marine plastic wastes bring about negative impacts on marine species and their habitats, on the society, and economy (VASI, 2020). Marine litters threaten marine life and negatively affect human health and well-being and livelihoods of coastal communities not to mention they are threat multipliers that may leads to other risks (UNEP, 2021). In other words, marine plastic waste is a big challenge for humankind in the progress of achieving sustainable development goals.

Overall, production methods, mismanagement, limited plastic waste treatment capacity, and limited awareness of people and businesses are considered major causes leading to such huge amount of wastes released to the ocean. In short, marine plastic pollution (white pollution) is at an alarming rate, it is threatening healthy and sustainable development, requiring prompt actions from the whole society.

## 2. Overview of policy instruments for plastic waste in Vietnam

Recognizing the seriousness of marine plastic waste issue, the Vietnamese government has made improvements and adjustments in its national strategy, orientation, and policy. These improvements and justifications are increasingly presented through legal/policy documents related to plastic waste management.

Vietnam has made strong political commitments and has carried out practical activities to manage and reduce plastic waste, including ocean plastic waste. Basically, the policy instruments for plastic and plastic waste can be divided into 3 categories: regulatory, market-based, and non-regulatory tools (Figure 1).

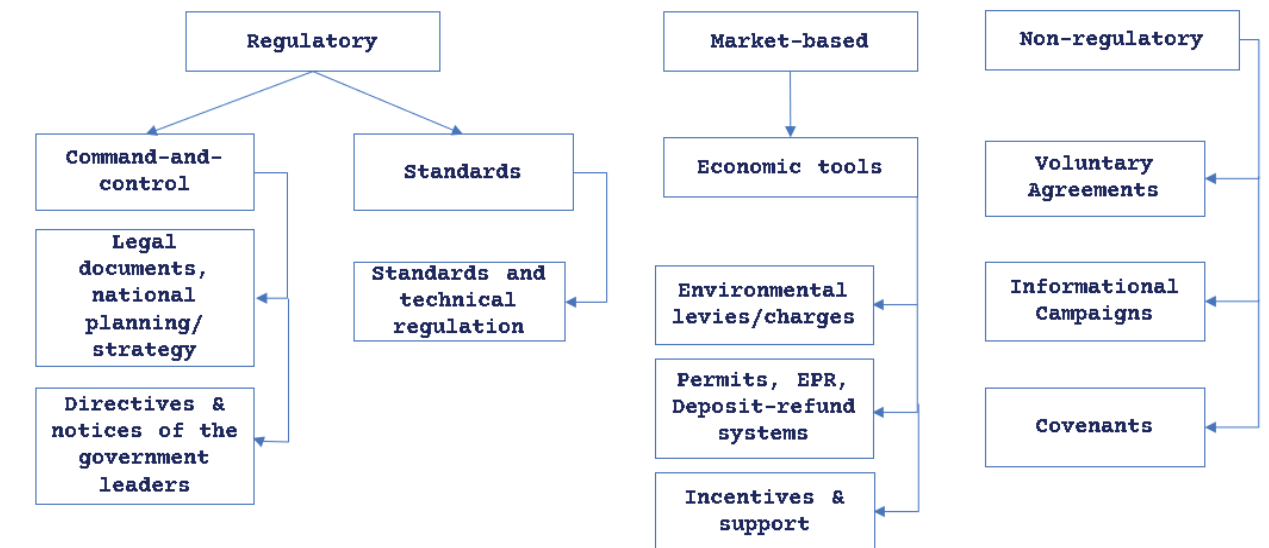


Figure 1: Policy instrument framework for plastics and plastics waste management in Vietnam

### Regulatory instrument

In term of regulator instrument for management of plastics and plastic waste, Vietnam government has issued various command-and-control documents and standards.

Summary of plastic waste considerations presented through command-and-control documents as below:

Table 1: Summary of plastic waste considerations in Vietnam command-and-control documents

Type of instrument	Type of document	Main points (Plastic waste/marine plastic waste consideration)
Legal documents and national strategy	Law	<p>The revised <b>Law on Environmental Protection (LEP 2020) No. 72/2020/QH14</b> (November 17, 2020) of the National Assembly revises and supplements new regulations and contents concerning plastic wastes.</p> <p>Highlights of the LEP 2020 relating to plastics include:</p> <ul style="list-style-type: none"> <li>- Promote development of circular economy;</li> <li>- Encourage activities of plastic waste reuse and recycle;</li> <li>- Reinforce the Extended Producer Responsibility (EPR);</li> <li>- Promote eco-friendly products;</li> <li>- Restrict import of plastic products and plastic scraps;</li> <li>- Regulate new regulations on domestic solid waste management;</li> <li>- Regulate new regulations on waste collection and treatment responsibility of producers and importers;</li> <li>- Regulate new regulations on plastic waste collection responsibility of related individuals and organizations;</li> </ul> <p>Especially, the LEP 2020 promulgates regulations on reduce, reuse, recycle, and treatment of plastic waste for preventing and combating marine plastic waste pollution.</p> <p>[The law started to valid since 1 January 2022.]</p>
	Bylaw document	<p><b>Decree no. 08/2022/ND-CP</b> (Jan 10, 2022) on elaboration of several articles of the Law on Environmental Protection 2020. In this document, definitions for each type of solid waste, microplastics in products and goods, single-use plastic products, non-biodegradable plastic packaging were added. The decree also details the elaboration for articles concerning plastic waste. Highlights are as below:</p> <ul style="list-style-type: none"> <li>- Ban production and import of non-biodegradable plastic bags (with dimensions less than 50 cm x 50 cm and a wall thickness of less than 50 µm) except for export purpose or for packaging products and goods sold on the market from January 01, 2026;</li> <li>- Require responsibility for recycling and treatment from Producers and importers of single-use plastic products and non-biodegradable plastic packaging;</li> <li>- Terminate the production and import of single-use plastic products, non-biodegradable plastic packaging, and products and goods containing microplastics from 2031.</li> </ul> <p>Ban single-use plastic products and non-biodegradable plastic packaging at shopping malls, supermarkets, hotels and tourism areas from 2026.</p>

Type of instrument	Type of document	Main points (Plastic waste/marine plastic waste consideration)
	Resolution	<p><b>Resolution no. 36-NQ /TW</b> (October 22, 2018) of the Eighth Conference of the Party Central Committee XII on strategy for sustainable development of Vietnam's marine economy to 2030, with a vision to 2045 with the following highlights:</p> <ul style="list-style-type: none"> <li>- Target: to prevent, control, and significantly reduce pollution of the marine environment; and become a regional leader in minimizing ocean plastic waste; 100% of domestic hazardous wastes and solid wastes in coastal provinces/cities are collected and treated meeting the environmental standards;</li> <li>- Orientation: to manage marine litter, especially plastic waste; improve the quality of the marine environment;</li> </ul> <p>Solution: enhance communication and public awareness; promote international partnership and cooperation on sustainable ocean.</p> <p><b>Resolution no. 26-NQ/TW</b> (March 05, 2020) of the Government on the Master plan and 5-year plan to implement Resolution No. 36-NQ/TW, dated October 22, 2018 of the Party Central Committee XII requests:</p> <ul style="list-style-type: none"> <li>- To develop and implement the National Action Plan for Management of Marine Plastic Litter by 2030 (until 2025)</li> <li>- Construct and put into operation an international center for marine plastic waste in Vietnam.</li> <li>- To construct and implement the scheme on promoting regional and international cooperation framework on preventing, combating and reducing marine plastic waste (I the 2026-2030 period)</li> </ul>
	Decision by the Prime ministers	<p><b>Decision No. 16/2015/QĐ-TTg</b> (May 22, 2015) and <b>Decree No. 34/2017/TT-BTNMT</b> (October 04, 2017) provides regulations on recall and treatment of discarded products, including the discarded inner tubes and tires.</p> <p><b>Decision No. 491/QĐ-TTg</b> (May 07, 2018) by the Prime Minister on approving the adjusted national strategy on integrated management of solid wastes to 2025, with a vision to 2050 aims at preventing, monitoring and reducing solid waste; enhancing capacity for integrated management of solid wastes; and applying technology for solid waste treatment, including hazardous solid waste, domestic solid waste, general industrial solid waste, and other solid wastes.</p> <p>Specifically, it is targeted that by 2025, 100% eco-friendly plastic bags will be used in commercial centers, supermarkets for domestic purposes in replacement for difficult-to-decompose plastic bags.</p>



Type of instrument	Type of document	Main points (Plastic waste/marine plastic waste consideration)
		<p><b>Decision No. 1746/QĐ-TTg</b> (December 04, 2019) by the Prime Minister on introducing National Action Plan on Marine Plastic Debris Management until 2030 (NAP) aims at managing marine plastic waste from land-based and ocean-based sources through taking the circular economy approach to make Vietnam become a pioneering country in mitigation of marine plastic litter in the region.</p> <p>Objective: by 2030, plastic debris discharged into the sea and ocean will be reduced by 75%; 100% lost or discarded fishing tackle will be collected and the discharge of fishing tackle directly into the sea will be terminated; 100% tourist attractions and sites, and establishments providing tourist accommodation services and other coastal tourism services will refrain from using disposable plastic products or non-biodegradable plastic bags; and 100% marine reserves will be free from plastic debris. In addition, monitoring shall be conducted annually and every 5 years to assess the situation of marine plastic debris in some estuaries of 11 main river basins and in 12 island districts.</p> <p><b>Decision No. 1855/QĐ-BTNMT</b> (August 21, 2020) on Plan for implementation of Decision No. 1746/QĐ-TTg on national action plan regarding management of ocean plastic waste until 2030 sets out specific tasks and solutions (with details of prioritized tasks and projects) to meet objectives of the abovementioned Decision No. 1746/QĐ-TTg, including:</p> <ul style="list-style-type: none"> <li>- Publicizing, raising awareness and changing behavior towards plastic products and ocean plastic waste;</li> <li>- Collecting, classifying, processing and controlling plastic waste from the source;</li> <li>- Cooperating internationally, conducting scientific research, applying, developing and transferring technology regarding disposing ocean plastic waste;</li> <li>- Reviewing, researching and developing ocean plastic waste management mechanism.</li> </ul>

Type of instrument	Type of document	Main points (Plastic waste/marine plastic waste consideration)
		<p><b>Decision No. 889/QĐ-TTg</b> (June 24, 2020) by the Prime Minister on the National Action Program on Sustainable Production and Consumption in the 2021-2030 period targets to promote environmentally friendly, renewable, reusable and recyclable resources, fuels, materials and products. In which, its prioritized tasks and activities concerning plastics by 2030 is to:</p> <ul style="list-style-type: none"> <li>- Construct economic-technical norms and guidance on the implementation of the audit on efficiency of using fuel, raw materials, and energy for plastic production facilities;</li> <li>- Apply and disseminate the model of distribution and use of eco-friendly, eco-labeled products, especially eco-friendly products as replacement for single use plastic and difficult-to-decompose plastic products at supermarkets and commercial centers;</li> </ul> <p>Develop documents, carry out training and guidance for implementation of circular economy models for efficient use of energy and raw materials in the plastic sector;</p> <p><b>Decision No. 28/2020/QĐ-TTg</b> (September 24, 2020) promulgates the list of waste permitted for import as production materials, including the list of plastic scraps.</p> <p><b>Decision No.1316/QĐ-TTg</b> (July 22, 2021) on approving the scheme for strengthening management of plastic wastes in Vietnam, aiming at strengthening management of plastic waste from the central to local level and contributing to designing a circular economy model in Vietnam with the orientation towards reducing the use of non-biodegradable disposable plastic products and plastic bags; increasing the reuse, recycling and disposal of plastic waste.</p> <p><b>Decision 1407/QĐ-TTg</b> (Aug 16, 2021) on approving the project that Vietnam actively prepares and participates in the development of a Global Agreement on Ocean Plastic Pollution: shows the objective of the country to ensure the national resources, information and database for proactively, actively preparing and participating in negotiations, ensuring rights and interests and capacity enhancement in preventing and combating marine plastic pollution.</p>

Type of instrument	Type of document	Main points (Plastic waste/marine plastic waste consideration)
		<p><b>Decision 687/QĐ-TTg</b> (Jun 7, 2022) on National Scheme on Circular Economy sets the following specific objectives:</p> <ul style="list-style-type: none"> <li>- to raise awareness on production, consumption, and discharge of plastic waste, non-biodegradable plastic, and SUPs.</li> <li>- to promote green lifestyle, encourage waste classification and sustainable consumption;</li> <li>- to reuse, recycle and treat 85% of plastic wastes, and to reduce 50% of marine/ocean plastic wastes compared to the prior stage by 2025;</li> <li>- 50% of urban municipal solid wastes are collected and treated to standards and regulations via circular economy models; 100% of organic wastes in urban areas and 70% of organic wastes in rural areas are recycled.</li> </ul>
		<p><b>Decree no. 155/2016/ND-CP</b> (November 18, 2016) on penalties for administrative violations against regulations on environmental protection &amp; Decree no. 55/2021/ND-CP (May 24, 2021) regulates the sanctions for violation relating to collection, classification, transportation, and treatment of solid wastes; import of scraps; marine environment protection; and environment protection in public places, urban areas and residential areas.</p>
		<p><b>Decree no. 38/2015/ND-CP</b> (April 24, 2015) on management of waste and discarded materials stipulates regulations relating to solid waste and environmental protection in discarded material imports; including: classification, storage and transport of domestic solid waste and general solid waste; discarded material import conditions and requirements.</p>
	Decision and circulars at ministerial level	<p><b>Circular No. 07/2012/TT-BTNMT</b> by MONRE (July 04, 2012) provides criterion of, order of, procedures for recognition of environmentally friendly - nylon bags which are imported, manufactured and used in Vietnam.</p>
		<p><b>Circular No. 25/2019/TT-BTNMT</b> by MONRE (December 31, 2019) elaborates some articles of the government's Decree no. 40/2019/ND-CP (May 13, 2019) on amendments to decrees on guidelines for the law on environmental protection and providing for management of environmental monitoring services. The circular promulgates procedures for shutdown of a domestic solid waste landfill.</p>
		<p><b>Circular No. 36/2015/TT-BTNMT</b> by MONRE (June 30, 2015) on management of hazardous wastes promulgates the list of hazardous wastes, technical requirements and procedures for hazardous waste management.</p>

Type of instrument	Type of document	Main points (Plastic waste/marine plastic waste consideration)
		<p><b>Directive 33/CT-TTg</b> (August 20, 2020) by Prime Minister on strengthening the management, reuse, recycling, treatment and reduction of plastic waste orders Ministers, Heads of ministerial-level agencies, Governmental bodies, People's Committees of provinces and centrally-affiliated cities to:</p> <ul style="list-style-type: none"> <li>- Issue directives or plans to reduce, sort, collect, reuse, recycle and dispose of plastic waste in industries, sectors and areas under their management;</li> <li>- Direct and require state agencies and public service units under their direct control to set good examples of, taking the active part and the initiative in reducing plastic waste, to play a pioneering and exemplary role in waste classification, and to carry out communication, training to raise awareness of its labors on sorting, collecting and minimizing plastic waste as well as collaboration with related stakeholders for raising public awareness.</li> </ul> <p>The directive also assigns related ministries and agencies to perform specific tasks and activities concerning plastic waste.</p>
<b>Planning and strategy documents</b>	National master plan	<p>In the draft synthesis report on <b>national master plan for the 2021-2030 period with a vision toward 2050</b> (released in Jul 2022), the below orientation is proposed for national waste management:</p> <ul style="list-style-type: none"> <li>- Invest and develop solid waste collection, transport, reuse, and recycle; implement waste classification at source;</li> <li>- Renovate substandard landfills; transform landfills into domestic waste treatment facilities; restrict small-scale waste treatment facilities;</li> <li>- So as that by 2030: 98% of hazardous wastes are collected; 95% of municipal solid waste is collected and treated; the burial rate is less than 30% of the collected waste.</li> </ul> <p>The report also proposes solutions for plastic waste management as below:</p> <ul style="list-style-type: none"> <li>- Implement plastic waste classification at source; develop plastic waste collection, classification, transport, and treatment systems;</li> <li>- Integrate the investigation, statistics, classification and assessment of plastic waste sources with solutions and measures for integrated management of river basins and urban areas; strengthen control and management of discharges into water, and implement measures for microplastics treatment from wastewater;</li> <li>- Conduct annual observation and assessment every 5 years for ocean plastic wastes;</li> <li>- Encourage international cooperation on marine plastic waste management</li> </ul>

Type of instrument	Type of document	Main points (Plastic waste/marine plastic waste consideration)
	Plan	<p>The draft synthesis report <b>on marine spatial planning for the 2021-2030 period with a vision toward 2050</b> specifies the target to prevent, control, and reduce marine environment pollution, significantly to reduce marine plastic pollution. Accordingly, the orientation for marine environment protection includes:</p> <ul style="list-style-type: none"> <li>- management of marine waste, significantly plastic waste;</li> <li>- green economy and circular economy development;</li> <li>- environmental treatment system development: by 2030, 100% of hazardous waste and domestic solid waste in coastal provinces/cities are collected and treated in accordance to environmental regulations; on-site waste collection and treatment system are established on islands, especially the remoted islands.</li> </ul> <p>In the planning, the project on investigation and evaluation of collection, reuse, and recycle capacity of marine plastic waste to establish a circular economic model of marine plastic waste is listed as one of the prioritized works/projects in the 2021-2030 period.</p>
	National strategy	<p><b>Decision 450/QĐ-TTg</b> (Apr 13, 2022) on approving national environmental protection strategy until 2030 and vision until 2050: dealing with plastic waste is one of important objectives of the national strategy; accordingly, the strategy sets the following tasks:</p> <ul style="list-style-type: none"> <li>- To promote the plastic waste 3Rs. From 2025, single-use plastic products and non-biodegradable plastic packaging will be banned at shopping malls, supermarkets, hotels and tourism areas; and from 2030, single-use plastic products, non-biodegradable plastic packaging, and goods containing microplastics will be banned;</li> <li>- To implement measures for preventing microplastic in water;</li> <li>- To participate in regional and international cooperation and treaties on marine plastic waste management.</li> </ul> <p>Strategy supervision and assessment criteria until 2030 considering plastic wastes include:</p> <ul style="list-style-type: none"> <li>- Percentage of material reduction compared to 2020 in plastic: 5-8% by 2025, 7-10% by 2030;</li> <li>- Percentage of shopping malls, supermarkets, hotels and tourism areas banning single-use plastic products and non-biodegradable plastic packaging: 100% from 2025;</li> </ul> <p>Strengthening domestic solid waste management capacity is one of the key programs, plans, and schemes of the strategy.</p>

Along with the above command and control tool, plastic waste considerations are presented in the following technical regulations and standards:

Table 2: Summary of plastic waste considerations in Vietnam technical regulations and standards

Type of instrument	No.	Main points
<b>National Technical Regulation</b>	QCVN 01:2021/BXD	Promulgating the National Technical Regulation on Construction Planning, including the requirements for collection, transportation and treatment of solid wastes, regulations on solid waste management, and solid waste treatment facilities.
	QCVN 12-1:2011/BYT	Promulgating the National technical regulation on safety and hygiene for synthetic resin implement, container and packaging in direct contact with foods.  However, there is no regulation on management and treatment of the product after being used.
	QCVN 07-9:2016/BXD:	Promulgating the national technical regulation for technical infrastructure works, solid waste treatment and public toilet.
	QCVN 61-MT:2016/ BTNMT	Promulgating the national technical regulation on domestic waste incinerator. The regulation specifies basic technical regulations, including basic technical parameter, the maximum permissible value of pollution parameters from domestic solid waste incinerator. It also promulgates regulations on operation and monitor, and sampling method and determination of the incinerator.
	QCVN 32:2018/ BTNMT	National technical regulation on environment for Imported plastic scraps for production. This regulation stipulates the types of plastic scrap to be imported as raw materials, types of plastic scraps banned from import, prohibited impurities and undesirable impurities in imported plastic scraps, and other technical requirements concerning imported plastic scraps.



Type of instrument	No.	Main points
<b>National Standards</b>	TCVN 6696-2009	National standard on Solid wastes - Sanitary landfills - General requirements for environmental protection stimulates general technical requirements for environmental protection for the location, design process, construction, operation, and monitoring of the environmental impacts after closure of the landfills of solid waste generated from residential areas and industrial zones.
	TCVN 6705:2009	National standard on normal solid wastes and classification applies for non-hazardous to classify types of solid wastes serving the management purpose, ensuring safety to human, environmental hygiene, and its accordance to the regulation on solid waste management.
	TCVN 11317:2016	Standard Guide for Exposing and Testing Plastics that Degrade in the Environment by a Combination of Oxidation and Biodegradation.
	TCVN 11319:2016	National standard on determination of the ultimate aerobic biodegradability of plastic materials in an aqueous medium – method of analysis of evolved carbon dioxide.

**Market-based instrument**

Along with the commands and controls and standards, Vietnam also applies economic tools for management of plastic wastes. The country has issued a number of regulations presented through environmental levies/charges, permits, Extended Producer Responsibility (EPR) and deposit-refund system, and incentives and supports.’

**Environmental levies/ charges**

Type of instrument	Document name and no.	Main points
<b>Environmental levies/ charges</b>	Environmental Protection Tax 2010 (Law no. 57/2010/QH12)	The document promulgates the tax rate for taxable plastic bag from 30,000 – 50,000VND/kg. Accordingly, the taxable nylon bags (plastic bags) are the thin bags and packages in form of bags (with an opening, base, body, and can contain products) made of high-density polyethylene resin (HDPE), low density polyethylene (LDPE), or linear low density polyethylene resin (LLDPE), except for packages of goods and nylon bags that satisfy the eco-friendly criteria as prescribed by the Ministry of Natural Resources and Environment (Decree no. 69/2012/NĐ-CP dated September 14, 2012).

	Decree No. 122/2016/ND-CP (September 01, 2016) and Decree no. 125/2017/ND-CP (Nov 16, 2017) on the export duty schedule, preferential import duty schedule, list of commodities and their flat tax rates, compound tax rates and outside tariff quota rates (OTQR) and its amendments	The document prescribes the export duty schedule on some certain headings and commodities, namely: plastic scraps, plastic products, plastic monofilament, Polypropylene granules in primary form...
	Decree no. 40/2019/ND-CP dated Apr 24, 2014 (on Amendments to the Government’s Decree No. 18/2015/ND-CP dated February 14, 2015) on Guidelines for the law in environment protection	The document stipulates the following amendments: <ul style="list-style-type: none"> <li>- Article 56: scrap plastics are permitted to imported as raw materials for the production of products and goods only (excluding commercial recycled plastic granule);</li> <li>- Article 57: posting bonds on imported scrap plastics.</li> </ul>

**Permits, Extended Producer Responsibility (EPR) and deposit-refund system**

The import of scrap for production material is subject to the Law on Environmental Protection 2020 as specified in the point 3 clause 8 article 3; accordingly, the importer must obtain the Environmental License. The procedure as well as the application documents are stipulated at articles 40, 43 and the importer must comply by the regulation on environmental protection (article 70, 71) of the Law. Together with Enterprise registration certificate, an Environmental Impact Assessment Report or Environmental Protection Plan are also required to establish a plastic manufacture enterprise.

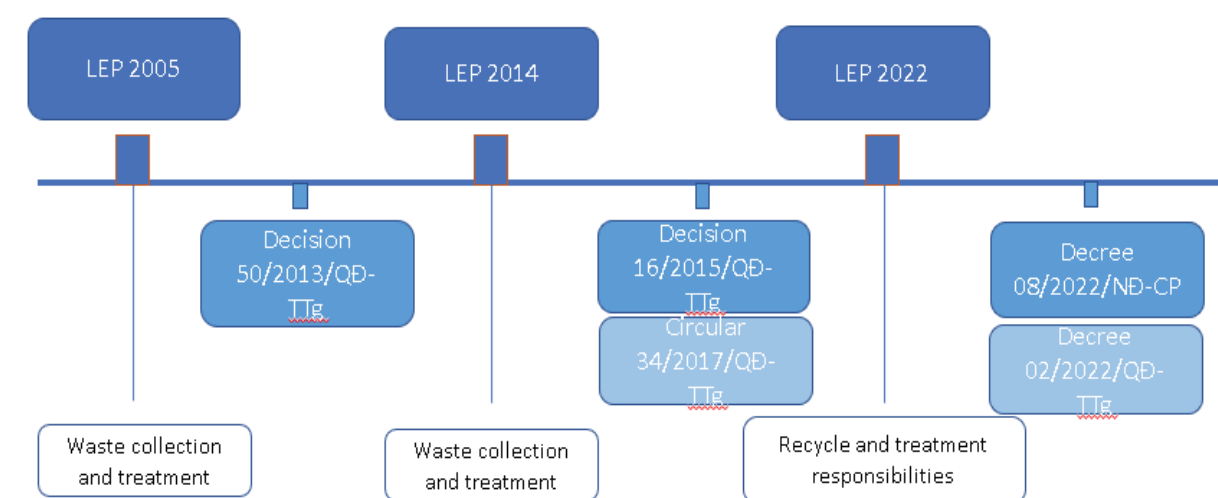


Figure 2: EPR phases in Vietnam (source: Nguyen Thi, 2022)

The Extended Producer Responsibility (EPR) has been in implementation since 2005 in Vietnam. However, its efficiency remains limited due to the voluntary mechanism. As stipulated in the LEP 2020, Decree 08/2022/ND-CP, and Decree 02/2022/QĐ-TTg, effective from 2022, the obligatory phase of EPR has come into full force with obligatory recycle regulation and rates as well as requirement for clear implementation plan. Accordingly, Articles 54 and 55 of the LEP 2020 stipulate regulations on the responsibility of

manufacturers and importers for waste recycle (article 54) and waste treatment (article 55).



Figure 3: Subjects, pathways of package recycle (source: Nguyen Thi, 2020)



Figure 4: Objects and time of performing the responsibility of waste collection and treatment (source: Nguyen Thi, 2022)

The deposit-refund scheme is a popular economic tool for environmental management. It has been applying and obtained remarkable achievements widely over the world, significantly in Germany, the US, Australia, and some other countries in the Europe; bottle and can, battery, tire are most popular products joining the system. In Vietnam, the deposit-refund model of glass bottles has been implemented for a long time on a voluntary basis, the model is common in most small grocery stores. However, the deposit-refund system has not been incorporated into the law yet. The deposit-return mechanism for packages is said to be inappropriate in Vietnam at the present as the added deposit in the product price can affect consumer's decision and the inefficient and unsustainable waste collection infrastructure constitutes a challenge for deposit management.

#### Incentives and supports

Vietnam government also shows its determination for plastic waste reduction through promoting sustainable production and consumption. The nation prioritizes the initiatives and supports for:

- Sustainable extraction and use of natural resources, development of renewable fuels and raw materials through research and development of methods, technologies, and models of waste collection, reuse, and recycle;
- Sustainable design, ecological design and design for recycling and reuse by building technical guidelines training as well as disseminating and introducing products with sustainable design, ecological design and design for recycling and reuse;

- Cleaner production, production of ecofriendly products and adoption of sustainable connections and models based on product life cycle through developing economic and technical norms and audit guidelines, supporting businesses, networking, training, and multiplying the good practices;
- Sustainable distribution systems and sustainable export and import through guidelines for waste reduction, collection and reuse; use of environmentally friendly packages, and import of environmentally friendly products;
- Ecolabel awarding and certification through operating ecolabel awarding and certification systems; for example: the definition and regulation for eco-business and eco-industrial park are specified in Decree no. 35/2022/ND-CP on management of industrial parks and economic zones in Vietnam;
- Sustainable markets and provision of information to consumers; sustainable procurement by providing guidelines and supports to develop sustainable market for businesses whereas providing information and guidance for consumers on the products with eco-friendly, environmentally friendly labels; and organizing multi-disciplinary and specialized fairs;
- Activities on sustainable lifestyle and education enhancement, capacity enhancement;
- Circular economy for waste;
- Database development and modern information technology application, science and technology through building information and database systems/centers/platforms for sustainable production and consumption; for example: the SCP platform managed by the Ministry of Trade and Industry (<https://scp.gov.vn/>);
- Green finance by enabling businesses and agencies to access finance to invest in sustainable production and business, sustainable production and consumption models; for instance, the Directives no. 03/CT-NHNN (Mar 24, 2015) on promoting green credit growth and environmental – social risks management in credit granting activities and the Circular no. 39/2016/TT-NHNN (Dec 30, 2016) prescribing lending transactions of credit institutions and/or foreign bank branches with customers by the State Bank of Vietnam;
- And international cooperation for promotion of sustainable production and consumption through sustainable production and consumption platform and bilateral and multilateral international cooperation program.

In its National Action Plan (NAP) on Marine Plastic Waste Management to 2030, the government requests to promptly commend and reward organizations and individuals with remarkable achievements or valuable initiatives; encourage citizens to collect, enumerate and classify marine plastic litter; and to formulate and launch research projects on scientific evidence for marine plastic litter.

In the LEP 2020, it is clearly stated that the State policy creates favorable conditions for agencies, organizations, residential communities, households, and individuals to participate in the implementation, supervision, and monitor of environmental protection actions. Also, the State policy ensures the benefits of agencies, organizations, residential communities, households, and individuals that contribute to environmental protection; promote incentives and support for environmental protection activities; promote environmentally friendly products and services. The government encourages organizations and individuals to provide environmental services, including waste collection, transport, recycle, and treatment (Article 144).



### Non-regulatory instruments

Non-regulatory instruments also play an important role in combating marine plastic litter in Vietnam, the country promotes voluntary agreement, informational campaigns, and covenants for collective strength in taking action.

Regarding **education and communication** on environmental protection in general and plastic waste management in specific, the Government assigns the Ministry of Education and Training (MOET) in cooperation with the Ministry of Natural Resources and Environment (MONRE) to regulate the educational and training content and program on environmental protection and human resource development for environmental protection. MONRE is also assigned to implement the communication and dissemination of the knowledge and laws on environmental protection. In addition, in the NAP, the Prime Minister sets the task for education and change to behavior pertaining to plastics and marine plastic litter to MONRE and related ministries and the People's Committees of coastal provinces and central-affiliated cities.

Many **informational campaigns** have been carried out in recent years as an effort to propagate for combating marine plastic issues. These campaigns focus on (i) calling for participation of the community to prevent environmental pollution from plastic waste, plastic bags, single-use plastic products; (ii) promote coastal natural resource protection, biodiversity conservation; (iii) promote plastic waste reduce-reuse-recycle model, waste classification at source; (iv) encourage eco-friendly products... Namely, the movement "Fighting plastic waste", "Together to Reduce Plastic Waste", "Say No to Plastic Straws" ...

Vietnam promotes **international cooperation**, scientific research, application, and development of marine plastic litter processing technologies. Vietnam has made strong political commitments and has carried out practical activities to manage and reduce plastic waste, including ocean plastic waste. At the G7 Summit, held in Canada on June 9, 2018, Prime Minister Nguyen Xuan Phuc welcomed Canada's initiative to prevent plastic waste discharging into the ocean, affirming that Vietnam is ready and willing to cooperate with Canada and internationally to implement this initiative. Also at the conference, the Prime Minister launched an initiative with G7 countries to promote the formation of a global cooperation mechanism on reducing plastic waste in order to achieve the goal of clean, blue oceans, and no plastic waste. Joining the G20 Osaka Summit in 2019, Vietnam also expresses its concern and willingness to join hands with international community in tackling marine plastic litter.

The nation actively participates in some regional and global initiatives and platforms on marine plastic waste. In ASEAN region, Vietnam shows its strong support and cooperation for the ASEAN Framework of Action on Marine Debris, the Regional Knowledge Center for Marine Plastic Debris, the implementation of the Sustainable Development Strategy for the Seas of East Asia (SDS-SEA), and so on. At a global scale, the nation expresses the determination to combat marine plastic litters. For instance, it is committed to the Global Plastic Action Partnership, or joining the World Economic Forum to launch the National Plastic Action Partnership. In 2017, Vietnam joined with other 126 countries to pass the UNEA Resolutions on Marine Litter. Recently, in the Fifth session of the United Nations Environment Assembly (UNEA-5) in Nairobi (Kenya) last March 2022, a solution on "End plastic pollution: Towards an international legally binding instrument" was approved by 175 countries, including Vietnam.



## Chapter 2: Plastic waste consideration in current legal/policy documents

As presented in chapter 1, Vietnam has shown its determination, commitment, and action plans through various legal and policy documents. Related terms, concepts, contents as well as detailed regulations considering waste in general and plastic waste in specific are presented in these documents.



Table 3: Overview of plastic waste consideration in current legal/policy documents

Key word/content	Details	Related legal/policy document	Possible entry point	Recommendation
Waste	Referred to as “any matter in a solid, liquid or gaseous form or other form, which is discharged from production, business operation, service provision or living activities or from other activities” in the LEP 2020.	LEP 2020	Further specification in bylaw documents (in collaboration with MONRE), local strategies (DONREs in Mekong provinces) and guidance /practices in implementation (local communities and provincial/district officers)	
Solid waste	Referred to as “any waste in a solid form or sludge” in the LEP 2020.  In the Decree 08/2022/ND-CP, definitions of “general solid waste”, “domestic solid waste”, and “industrial waste” were added.	LEP 2020  Decree 08/2022/ND-CP	Further specification in bylaw documents (in collaboration with MONRE), local strategies (DONREs in Mekong provinces) and guidance /practices in implementation (local communities and provincial/district officers)	
Plastic waste	Though plastic waste was mentioned but there had no definition for it in the current LEP.  In many other legal/policy documents, the two terms “rác thải nhựa” and “chất thải nhựa” are used regularly referring to the same English term of plastic waste.  Relating to regulation for restriction of waste which is “single-use plastic products and non-biodegradable plastic packaging (LEP 2020, article 73), the 2 terms were defined respectively as below:  - products (other than non-replaceable attachments) including trays, food containers, bowls, chopsticks, glasses, cups, knives, spoons, forks, straws and other cutlery with plastic components which are designed and marketed with the intention to be used once before being discharged into the environment.  - Packaging which is primarily composed of petroleum-based polymers such as polymers Ethylene (PE), Polypropylene (PP), Polymer Styrene (PS), Polymer Vinyl Chloride (PVC) and Polyethylene Terephthalate (PET) and is usually non-biodegradable or lasts for long periods of time in the environment (water environment, soil environment or at a solid waste landfill)	LEP 2020  Decision 1316/QĐ-TTg (Jul 22, 2021)  Directive 33/CT-TTg (Aug 20, 2020)  Decision 1746/QĐ-TTg (Dec 4, 2019)  Decision 1407/QĐ-TTg (Aug 16, 2021)	Inclusive definition of plastic waste in the current law.  Synchronized and consistent use of terms.  Inclusive definition for plastic product in general.	Adding definition of “plastic waste” into the LEP  Synchronize the terms “plastic waste” in Vietnamese in all legal/policy documents  Adding definition for plastic product(s) in the LEP.

Key word/content	Details	Related legal/policy document	Possible entry point	Recommendation
Marine plastic waste	Though “marine plastic waste” was mentioned in article 73 but there had no definition for it in the current LEP.		Inclusive definition of plastic waste in the current law and/ or bylaws.	Adding definition of “marine plastic waste” in the LEP
Microplastic	The term microplastic was mentioned once in the LEP 2020 with no interpretation.  In the Decree 08/2022/ND-CP, “microplastics in products and goods” was introduced and referred to as any solid and water-insoluble plastic particle which is less than 05 mm in size, primarily consists of synthetic or semi-synthetic polymers and is intentionally added to products and goods, including toothpaste, laundry detergents, soap, cosmetics, shampoo, shower gel, facial cleansers and other skin bleaching products.	LEP 2020  Decree 08/2022/ND-CP	Microplastic constitutes a serious issue in the ocean whereas there lacks explanation and description for “microplastic” in the environment and marine environment.	Adding the definition and description for “microplastic” in the LEP.  Developing and issuing the technical regulation/ standard concerning microplastic.
Plastic waste collection and treatment		LEP 2020  Decree 08/2022/ND-CP  NAP	Responsibility assignment for marine plastic waste collection and treatment;  Responsibility assignment for marine plastic waste observation, monitoring and forecast;  Plan, technical regulations and guidance on marine plastic waste collection and treatment.	Adding regulations on people/agencies responsible for marine plastic waste collection and treatment and marine plastic waste observation, monitoring and forecast;  Developing marine plastic waste collection and treatment plan and technical regulation/guidance.
Plastic waste classification	LEP 2020 regulates the implementation of solid waste classification from source.  The NAP further specifies the tasks for classification and control of marine plastic from source.	LEP 2020  Decree 08/2022/ND-CP  NAP	Technical regulation and standard for plastic waste classification from source.  Sanctions for violations.	Developing and disseminating the technical regulation/ guidance on plastic waste classification from source.  Developing and implementing the reward - penalty system/mechanism.
Reduce, reuse and recycle (3Rs) of plastic waste	The 3Rs of plastic waste has been continuously mentioned in many legal and policy documents for combating marine plastic waste pollution, however there lacks detail guidance on it.	LEP 2020  Decree 08/2022/ND-CP  NAP	Details guidance on 3Rs of plastic waste, accordingly, plastic waste must be collected and classified for reuse/recycle or treatment following law regulation; non-recyclable plastic waste must be transferred to a unit with a regulatory function.	Developing guidance on 3Rs of plastic waste
Information systems and database for marine plastic waste	LEP 2020 regulates the environmental information systems and database, these information covers solid waste, hazardous waste, wastewater, exhaust gases and other types of waste.	LEP 2020  Decree 08/2022/ND-CP	Information systems and database for marine plastic waste.  Technical regulations and standards for observation, monitoring, investigation, and research on marine plastic waste.	Adding regulation on observation, monitoring and information systems and database for marine plastic waste.  Developing the technical regulations and standards for observation, monitoring, investigation, and research on marine plastic waste.

Key word/content	Details	Related legal/policy document	Possible entry point	Recommendation
EPR/Vietnam Environmental Protection Fund (EPF)	<p>LEP 2020 and Decree 08/2022/ND-CP provide specific regulations on EPR and EPF. Significantly, from 2022 mandatory EPR requirements come into force. Details of the mandatory recycle rate of plastic package and financial contributions for treatment support of plastic package, product with synthetic resin and nondegradable plastic bag are specified in the appendix XXII and XXIII of the Law.</p> <p>Regarding the EPR, LEP 2020 stipulates (i) the financial contribution for waste cycling and recycling responsibility by the producers and importers of recyclable products and packages; (ii) the financial contribution for waste collection and treatment responsibility by the producers and importers of products and packages which contain toxic substances, are difficult to recycle or cause a difficulty in collection and treatment.</p>	<p>LEP 2020</p> <p>Decree 08/2022/ND-CP</p>	The need for a mechanism and legal basis for management and use of the financial contribution made by importers and producers.	Developing the mechanism and legal basis for management and use of the financial contribution made by importers and producers.
Prohibited acts	No regulation on discharge of plastic waste in coastal and marine environment.	LEP 2020	Regulation on discharge of plastic waste in coastal and marine environment.	Adding regulation on discharge of plastic waste in coastal and marine environment as a prohibited act in the LEP.
Circular Economy	Referred to as the economic model in which design, production, consumption and service activities are aimed at reducing the exploitation of raw materials, prolonging the product life cycle, limiting waste generation, reducing waste, and minimizing adverse impact on the environment (article 142, LEP 2020)	<p>LEP 2020</p> <p>Decision 687/QD-TTg (Jun 7, 2022) on National Scheme on Circular Economy</p>	Current documents provide overall orientation on development of circular economy, but do not provide specific scheme/ guidance/ regulation on circular economy model for marine plastic waste.	Developing the specific scheme/ guidance/regulation on circular economy model for marine plastic waste.
Marine environment protection	The Law on natural resources and environment of sea and islands, marine environmental protection follows integrated coastal zone management orientation, ensuring the harmony between the needs for exploitation and use of resources and the requirements for conservation, development and protection of the environment and ecosystems.	Law on natural resources and environment of sea and islands	Marine plastic waste and marine plastic waste pollution are not included in the law.	Adding the content of marine plastic waste in the strategies and master plan for exploitation and sustainable use of natural resources and environmental protection of seas and islands.
Plastic waste pollution control	No detail regulation on plastic waste pollution control	<p>LEP 2020</p> <p>Law on natural resources and environment of sea and islands</p>	<p>Though providing general policy on promoting fundamental investigation, environmental pollution control, capability enhancement for marine environment observation, monitoring and forecast, the content of enhancing marine plastic waste pollution control should be added as a basis for developing further regulations concerning marine plastic waste control.</p> <p>There need the measures for controlling marine plastic waste pollution generated from different sources, namely: aquaculture activities, land-based discharge, islands, marine exploitation, maritime operation, or transboundary plastic wastes.</p>	<p>Adding the content of marine plastic waste pollution control and further regulations concerning plastic waste control.</p> <p>Providing guidance on the measures for marine plastic waste pollution control</p>





## Chapter 3: Conclusion and recommendations

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Overall, Vietnam government has issued various law and policy documents demonstrating the country's commitment and determination to combat marine plastic waste. These documents led by the LEP 2020 and the NAP provide legal framework and basis for plastic waste management with very clear objectives and roadmap.

- Re. *political commitments*: Vietnam has shown the strong and consistent commitments on plastic waste management through declarations, speeches, resolutions, and directions of the government at different levels, from regional, national, to local level.
- Re. *overall orientation and strategy*: Vietnam sets clear targets and roadmap for plastic waste reduction, the orientation and strategy focus mostly on public awareness enhancement, reduction and restriction of plastic bags and SUPs, restriction of scrap imports, promotion of circular economy model, implementation of EPR, sustainable production and consumption. In addition, Vietnam actively participates in regional and global cooperation and fora, the nation also promotes and creates favorable conditions for cooperation with the private sector, NGOs, and international agencies to tackle plastic waste pollution.
- Re. *legal/policy document system*: in general, the effort to manage marine plastic waste has been reflected in various legal/policy documents, these efforts have been contributing significantly to the current progress. Among these, the progress on public awareness raising has been achieving initial results with great contribution from non-government organizations through projects and campaigns on the marine plastic pollution. In general, people are aware of the abundance of plasticwares in life and its impacts on the environment; and a large number of the population are changing their attitude, behaviours, and lifestyle toward plasticwares.
- However, the current legal/policy documents remain the following key limitations:
  - Lack of definition for plastic waste, marine plastic waste, microplastic; as well as the description for these terms;

- Inconsistent use of plastic waste and marine/ocean plastic terms;
- Plastic waste considerations are not specified in marine environment protection, environmental pollution strategies;
- Lack detail instructions/ guidance/ regulations/ technical regulations/ standards/ mechanism for implementation, investigation, observation, monitoring, supervision of marine plastic related issues.

Aiming at synchronous and effective implementation of the legal/policy concerning marine plastic ocean it is recommended to consolidate and systematize the legal and policy document system. Accordingly:

- Supplement the definition of related terms (plastic waste, marine/ocean plastic waste, microplastics), and necessary descriptions for the terms;
- Technical regulation on plastic waste classification should be developed and disseminated for implementation;
- Supplement prohibited acts for combating marine plastic pollution, including the prohibition of discharge of plastic waste into the ocean and the coastal area;
- Concerning marine environmental protection and marine plastic waste pollution control, plastic waste consideration must be specified in more details; Among various waste generation sources, marine plastic waste generated from aquaculture is exacerbating the marine plastic pollution and the Government has set the targets for collection of 100% of abandoned, lost, or discarded fishing gear, and putting an end to disposal of fishing gear in the sea; therefore it is needed to develop the measures for plastic wastes generated from aquaculture activities and from different sources, namely plastic waste from maritime activities, transboundary source...
- Regarding circular economy implementation, specific scheme/ guidance/regulation on circular economy model for marine plastic waste as well as guidebook and example of successful circular model on plastics should be provided;
- Development of the mechanism and legal basis on management and use of financial contributions made by importers and producers through EPR model enables the government and related stakeholders to make use of the resources;
- Relating to the work on observation, surveillance and monitoring of marine plastic waste, there needs technical regulations for the work as well as the evaluation of the observation/surveillance system;
- It is needed to develop tools and manuals for evaluating the implementation effectiveness of strategy and policy instruments.

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