Ocean Energy Pathway

In partnership with

Anber Engineering Services

OPTIMISING OFFSHORE WIND DEVELOPMENT IN VIETNAM

Harmonising Regulatory EIA and International ESIA Frameworks

This study explores how the Vietnamese EIA framework and international ESIA requirements can be aligned in a practical and workable manner during offshore wind project development.

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This study was commissioned under the initiative of Ocean Energy Pathway (OEP) to support the development of a practical, lender-aligned approach to environmental and social permitting for offshore wind projects in Vietnam.

The report has been prepared by Anber Engineering Services, drawing on technical, regulatory, and social expertise in Vietnam as well as engagement with key stakeholders from government agencies, industry participants, and development partners.

The authors would like to acknowledge the valuable contributions of interviewed stakeholders, whose insights helped ground the analysis in the practical realities of project development in Vietnam. The views expressed in this report are those of the authors and do not necessarily reflect the official positions of consulted stakeholders.

Executive Summary

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Offshore wind development in Vietnam presents significant opportunities to support the country's energy transition and long-term decarbonisation objectives. However, differences between Vietnam's regulatory Environmental Impact Assessment (EIA) framework and international Environmental and Social Impact Assessment (ESIA) standards remain a key challenge for project bankability and timely project delivery.

This report examines how the Vietnamese EIA process can be practically aligned with international ESIA requirements, particularly those of the International Finance Corporation (IFC) and the World Bank, without requiring potentially time-consuming changes to existing laws or regulations. The study adopts a "practical bridge" approach, focusing on complementary application rather than regulatory reform.

This study has been prepared by Anber Engineering Services, drawing on the project team's experience in environmental and social assessment, permitting, and stakeholder engagement for large-scale wind power developments in Vietnam. The authors' involvement in the development of a wind power project at Sóc Trăng (known as the Phu Cuong Soc Trang or PCST offshore wind project) yielded several observations cited in the report.

The analytical approach is informed by practical lessons learnt from the first 200MW phase of the PCST project, where the team secured regulatory EIA approval and had extensive engagement with international lenders to understand their expectations in completion of the ESIA for the project.

The analysis is structured around three core components:

I. a review of the energy project permitting roadmap in Vietnam and the role of regulatory EIA within this process;

II. a comparative assessment of Vietnamese regulatory EIA and international ESIA requirements, with particular emphasis on social impact assessment and stakeholder engagement; and

III. a synthesis of stakeholder feedback to identify priority gaps and workable harmonisation measures.

The findings highlight that while Vietnam's EIA framework provides a robust basis for environmental assessment, International ESIA requirements place significantly greater emphasis on social risk management, continuous stakeholder engagement, and disclosure throughout the project lifecycle. These gaps, if unaddressed, may lead to delays in financing decisions and increased implementation risks for offshore wind projects. There are no constraints within the current legal framework preventing developers in the private sector from harmonising EIA and ESIA processes. The main gap is seen to be lack of a guiding document[1].

Based on this analysis, the report proposes a harmonised EIA-ESIA workflow that can be applied within the current regulatory framework. This includes practical measures such as enhanced stakeholder engagement planning, integration of ESIA-aligned social assessment elements into the EIA process, and clearer alignment of environmental and social management requirements across development phases.

The report concludes with a set of recommendations to support implementation, including capacity building, standardisation of guidance materials, and potential piloting of the harmonised approach in future offshore wind projects.

These recommendations provide a realistic and phased pathway for implementing the harmonised EIA-ESIA approach to offshore wind development projects in Vietnam. By focusing on practical measures, voluntary adoption, and continuous learning, the harmonised approach supports the improved environmental and social risk management that is needed for project bankability and social licence to enable accelerated offshore wind development in Vietnam.

[1] The findings from the stakeholder consultation in the Project, Phase 1

Acronyms & Key Definitions

Acronyms

- COD – Commercial Operation Date
- EIA – Environmental Impact Assessment
- ESIA – Environmental and Social Impact Assessment
- ESMP – Environmental and Social Management Plan
- FPIC – Free, Prior and Informed Consent
- FS – Feasibility Study (Vietnam's regulatory technical design study to be completed and submitted by project developer to relevant authorities)
- IFC – International Finance Corporation
- LMP – Livelihood Management Plan
- OEP – Ocean Energy Pathway
- PDP – Vietnam's national power development plan (currently at version no. 8)
- QCVN – Vietnam's national technical regulations
- SEP – Stakeholder Engagement Plan
- TCVN – Vietnam's national standards
- WB – World Bank

Key Definitions

- Regulatory EIA: Environmental Impact Assessment conducted in accordance with Vietnam's Law on Environmental Protection and related decrees and circulars.
- International ESIA: Environmental and Social Impact Assessment undertaken in line with international standards, including IFC Performance Standards and the World Bank Environmental and Social Framework.
- Harmonisation: In the context of this report, harmonisation refers to the complementary application of EIA and ESIA processes under existing Vietnamese regulations, without legal or policy reform.
- International lenders refer to multilateral development banks (MDBs), development finance institutions (DFIs), export credit agencies (ECAs), and commercial banks—primarily based in OECD member countries—that apply internationally recognised environmental and social standards as a condition of project financing.

Introduction

1 Introduction

1.1 Background and Rationale

Vietnam is pursuing large-scale deployment of offshore wind as a key strategic pillar in its long-term transition to renewable power. While the country's regulatory framework for environmental assessment is well-established under the Law on Environmental Protection and related instruments, offshore wind projects which seek international financing are typically required to comply with international Environmental and Social Impact Assessment (ESIA) standards, most notably those of the International Finance Corporation and the World Bank.

It is recognised that gaps between Vietnam's regulatory Environmental Impact Assessment (EIA) framework and international ESIA standards have emerged as a recurring theme in the context of infrastructure development projects (e.g. road, hydropower or renewable energy). These differences are not limited to technical environmental assessment methodologies, but extend to baseline data collection, social impact assessment, land acquisition and involuntary resettlement, stakeholder engagement, information disclosure, proposed mitigations and lifecycle-based environmental and social management.

In practice, the requirements of international standards and/or those imposed by lenders and development partners frequently exceed national regulatory provisions. As a result, Project Sponsors/Owners are typically required to undertake a standalone ESIA in parallel with the regulatory EIA process, leading to duplication of effort, increased resource demands, and inefficiencies. If these gaps are not identified and addressed in a timely and systematic manner, and if alignment and streamlining measures are not pursued, projects, including offshore wind, may face heightened uncertainty, delays in lender due diligence, as well as increased costs and implementation risks.

Recognising these challenges, Ocean Energy Pathway (OEP) commissioned this study to explore how the Vietnamese EIA framework and international ESIA requirements can be aligned in a practical and workable manner during the offshore wind project development. The focus of the study is not to propose legal or regulatory reform, but rather, to identify complementary approaches which can be applied under existing Vietnamese regulations, in order to improve project bankability and implementation readiness.

1.2 Objectives of the Study

The primary objective of this study is to develop a practical "bridge" between Vietnam's regulatory EIA process and international ESIA requirements as they apply to offshore wind projects. Specifically, the study aims to:

- Map the end-to-end energy project permitting process in Vietnam and clarify the role of regulatory EIA within the broader project development lifecycle.
- Identify and analyse key differences between EIA and ESIA standards, with particular emphasis on social impact assessment and stakeholder engagement requirements.
- Synthesise stakeholder feedback to understand how these differences are perceived by authorities, developers, and other relevant stakeholders.
- Propose a harmonised EIA-ESIA approach which can be implemented within Vietnam's existing legal and regulatory framework, without introducing new statutory requirements, and help the project owner(s) optimise the project resource during the environmental and social assessment; and
- Outline practical next steps to support implementation, capacity building, and potential piloting of the proposed harmonisation approach.

1.3 Scope and Intended Users

This report focuses on the development of offshore wind power projects in Vietnam. It addresses environmental and social assessment considerations, from early project development through to construction and operation. The scope of the study covers Vietnamese regulatory processes, international standards, and practical implementation considerations as relevant to project developers and finance bodies.

The report is intended for the following primary audiences:

- National and provincial authorities in Vietnam which are involved in environmental assessment, permitting, and sectoral planning.
- Offshore wind developers and project sponsors operating in, or entering, the Vietnamese market.

- International lenders and development finance institutions assessing project bankability and compliance with ESIA requirements; and
- Technical consultants and advisors involved in environmental and social assessment of offshore wind projects.

The report does not provide project-specific ESIA documentation, nor does it constitute legal advice. Instead, it offers a strategic and practical reference to support alignment of EIA and ESIA processes at a programmatic and project-development level. Recommendations for next steps to achieve workable harmonisation implementation documents are included in the report.

1.4 Methodology

The study employed a structured, multi-layered methodology combining regulatory review, comparative analysis, and stakeholder input. Key methodological components include:

- Desktop review and regulatory analysis: A review of Vietnamese environmental legislation, implementation decrees and circulars, and relevant permitting requirements as applicable to offshore wind projects.
- Comparative EIA-ESIA assessment: Side-by-side analysis of Vietnamese regulatory EIA requirements and international ESIA standards, including IFC Performance Standards and the World Bank's Environmental and Social Framework.
- Process mapping: Integration of EIA and ESIA requirements into a consolidated offshore wind project permitting and development roadmap.
- Stakeholder engagement: Targeted interviews, consultations and a validation workshop with selected stakeholders to capture perspectives on regulatory gaps, implementation challenges, and potential harmonisation measures; and
- Synthesis and framework development: Consolidation of findings into a practical harmonisation framework supported by clear implementation principles.

This methodology was designed to ensure that the analysis remains grounded in regulatory reality while reflecting international best practice and lender expectations.

1.5 Limitations and Assumptions

The study was undertaken within a defined timeframe, relies on regulatory information and stakeholder inputs available at the time of preparation.

Key limitations and assumptions include:

- Ongoing institutional and regulatory developments in Vietnam may affect the interpretation or application of certain requirements over time.
- Stakeholder inputs reflect perspectives at the time of engagement and may evolve as offshore wind policy and market conditions develop; and
- The proposed harmonisation approach assumes continued application of existing Vietnamese environmental regulations and does not anticipate legislative amendments.

Where such limitations exist, the report adopts flexible and non-binding recommendations, which are envisaged to remain applicable under evolving regulatory and institutional contexts.

Vietnam Energy Project Permitting Roadmap

2 Vietnam Energy Project Permitting Roadmap

2.1 Overview of the Energy Project Permitting Framework

Energy projects in Vietnam are developed within a multi-layered permitting framework which spans strategic planning, investment approval, environmental assessment, technical design, construction permitting, grid connection, and operational licensing. For offshore wind projects, this framework involves a range of central and provincial authorities, and a sequence of approvals which extend across the full project lifecycle, from pre-feasibility to construction, commissioning, and operation.

Broadly, the permitting roadmap for an energy project involves:

I. Inclusion in national and sectoral planning instruments.

II. Investment approval and project registration.

III. A feasibility study incorporating technical design

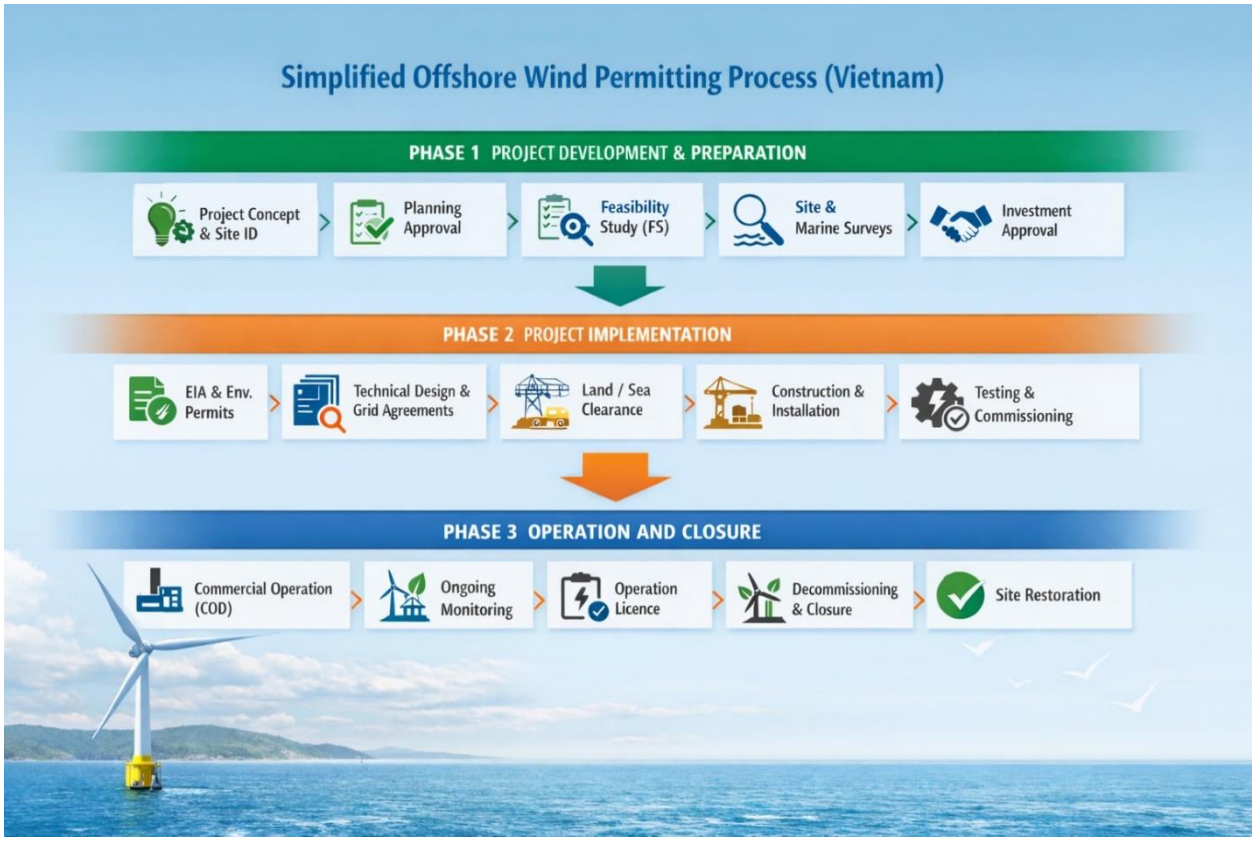
IV. Environmental assessment and related approvals.

V. Construction and installation permitting; and

VI. Commissioning and operation licensing.

Within this framework, the regulatory EIA serves as a critical gateway towards approval. While EIA is one component of a broader permitting process, its timing, content, and approval status all have direct implications for the sequencing of subsequent permits and the overall project schedule.

Figure 1 Simplified Offshore Wind Development and Permitting Phases



2.2 Key Stages of the Permitting Roadmap

2.2.1 Strategic Planning and Project Initiation

Offshore wind project development in Vietnam is anchored in national and sectoral energy requirements. At this early stage, proposals are assessed at a strategic level, with a focus on indicative locations, power-generation capacities, and development priorities. From the perspective of lenders and developers, this phase establishes the strategic context; project-level environmental and social assessment typically takes place at later stages. Nevertheless, early consideration of environmental and social concerns can influence site selection and project feasibility.

2.2.2 Feasibility Study

The Feasibility Study (FS) is a critical stage in the project development process, which bridges concept definition, technical design and formal investment approval. At this stage, key technical, financial, and spatial parameters of the project are defined, including site selection, project layout, capacity, technology options, grid connection concepts, and preliminary cost estimates.

From an environmental and social perspective, the FS plays an important role in shaping the scope and effectiveness of subsequent assessment and permitting processes. Decisions taken during the FS stage, such as site boundaries, foundation concepts, cable routing, and construction methodologies, can have material implications for environmental impacts, marine space use, and affected stakeholders.

While the EIA is typically conducted after the FS has been completed or substantially progressed, ESIA practice places greater emphasis on integrating environmental and social risk considerations, and community engagement into the early development stage. Early identification of environmental sensitivities, social risks, and stakeholder concerns during the FS can reduce the likelihood of significant redesign or mitigation challenges at later stages.

In the context of offshore wind development in Vietnam, incorporating ESIA-aligned screening and scoping considerations into the FS can support more informed project design, improve alignment with regulatory EIA requirements, and enhance project bankability. Such early integration does not replace the formal EIA process, rather, it strengthens the overall project development framework by ensuring that environmental and social risks are considered alongside technical and economic feasibility.

2.2.3 Investment Approval and Project Registration

Projects then progress through a series of investment approval and registration processes. These may include investment policy approval, investment registration certification and related approvals, depending on the project structure and ownership. While this confirms a legal basis for project development, such approvals of investment registration certification are generally sought and granted prior to completion of a detailed regulatory EIA/International ESIA, only a preliminary EIA, a part of pre-feasibility study report, is required.

This issue represents a common practical challenge in infrastructure development: environmental and social risks and impacts may not have been comprehensively assessed when key investment decisions are made. In addition, national regulations typically require that biodiversity surveys be undertaken during the preliminary feasibility stage. However, due to differences in approaches, methodologies, and applicable frameworks, the results of such surveys are not always effectively integrated into subsequent ESIA processes.

Consequently, where project owners seek to access international project finance, additional biodiversity baseline data collection is often required to meet lender and international standard requirements, leading to duplication of effort and increased costs. In this context, the development of a technical guidance framework is essential to support project owners in implementing regulatory EIA and international ESIA in a synchronised, coherent, and efficient manner from the earliest stages of offshore wind project development. Such an approach would facilitate more effective identification and management of E&S risks and impacts, while optimising the use of time, cost, and resources across parallel assessment processes.

2.2.4 Regulatory EIA

Regulatory EIA is conducted in line with Vietnam's Law on Environmental Protection and its related decrees and circulars. The EIA process typically includes project screening, scoping, baseline data collection, impact assessment, mitigation measures, public consultation, and appraisal by the competent authority.

For offshore wind projects, the EIA primarily focuses on environmental impacts, which can include marine ecosystems, coastal processes, emissions, waste management, and construction-related concerns. While public consultation is required, the process is generally structured as a discrete step, rather than a continuous engagement throughout the project lifecycle.

EIA approval is a prerequisite for several subsequent permits and therefore represents a critical milestone in the overall permitting roadmap.

2.2.5 Construction Permits, Installation and Grid Connection

Following EIA approval, the approval of project investment, construction permits, approvals for offshore and onshore installations, and grid connection agreements must be secured. Environmental management measures defined in the EIA are translated into construction-phase controls and monitoring requirements.

2.2.6 Commissioning, Operation and Ongoing Compliance

Following construction and installation, projects undergo commissioning, testing, and synchronisation before they commence commercial operation. Environmental compliance during operation is governed by the approved EIA, environmental permits, and related monitoring and reporting obligations.

Under ESIA standards, this phase should include continuity of environmental and social management, bringing in elements such as stakeholder engagement, grievance mechanisms, and adaptive management. Such elements may not be fully catered for within Vietnam's EIA.

2.3 Position of EIA within the Project Lifecycle

While EIA approval is regarded as a mid-development process, its influence extends across the entire project lifecycle. Decisions made during the EIA phase shape construction methodologies, operational constraints, and long-term environmental and social management obligations.

However, EIA is often treated as a compliance-driven milestone rather than an integrated lifecycle management tool. This runs contrary to ESIA standards, which require continuous identification, assessment, and management of environmental and social risks and impacts from the early stages of project development through construction and into operation, supported by adaptive management programmes and plans, which are specifically developed and periodically updated based on evolving risk and impact findings throughout the project lifecycle.

2.4 Interface with International ESIA Expectations

International lenders typically assess projects against ESIA requirements, which extend beyond the scope and timing of EIA processes. It means that material gaps often arise between national EIA and international ESIA implementation. These gaps may manifest across multiple aspects, including screening and scoping, analysis of alternatives, baseline data collection, early-stage identification and assessment of risks and impacts, mitigation hierarchy and measures, iterative stakeholder engagement and information disclosure, as well as the establishment of robust and clearly defined environmental and social management systems.

This means offshore wind projects in Vietnam may need to undertake additional ESIA-related activities alongside the national EIA to meet lender expectations. When these activities are not planned in coordination with the regulatory EIA processes, duplication of effort and resources, misalignment of documentation, and scheduling inefficiencies can occur.

2.5 Key Permitting Challenges for Offshore Wind Projects

Based on the permitting roadmap and stakeholder inputs, this report identifies several recurring challenges:

- The EIA is often undertaken after key project decisions have been made, limiting its ability to influence early risk mitigation.
- Environmental and social management measures defined in the EIA may not fully address lifecycle-based ESIA requirements.
- Stakeholder engagement is typically concentrated within the EIA process rather than being embedded throughout project development; and
- Limited integration between regulatory EIA outputs and lender-oriented ESIA documentation can affect project bankability and due diligence timelines.

A harmonised approach which positions the regulatory EIA as a core component of a broader, ESIA-aligned project development framework can help to overcome these challenges.

Comparison of Vietnam EIA and International ESIA

3 Comparison of Vietnam EIA and International ESIA

3.1 Purpose of the Comparison

This section provides a structured comparison between Vietnam's EIA framework and ESIA standards as applied to offshore wind projects.

For the purpose of this study, the term "International ESIA" is used as a functional reference to environmental and social impact assessment practices commonly applied to offshore wind projects seeking international financing, particularly those aligned with the IFC Performance Standards and the World Bank Environmental and Social Framework.

The comparison presented in this report does not seek to prescribe a single benchmark framework at this stage, but rather to identify practical gaps between Vietnam's regulatory EIA and internationally recognised ESIA expectations relevant to project bankability. A more detailed articulation of benchmark standards and potential Terms of Reference (ToR) for International ESIA will be further developed in subsequent phases of the study.

The objective is not to assess regulatory adequacy or compliance, but to identify practical differences in scope, depth, and implementation that affect project development, bankability, and risk management.

The analysis draws on the Vietnamese regulatory framework governing EIA implementation, the offshore wind development and permitting process, and ESIA requirements commonly applied by international lenders. Particular attention is given to the ways in which environmental and social risks are identified, assessed, and managed across the project lifecycle.

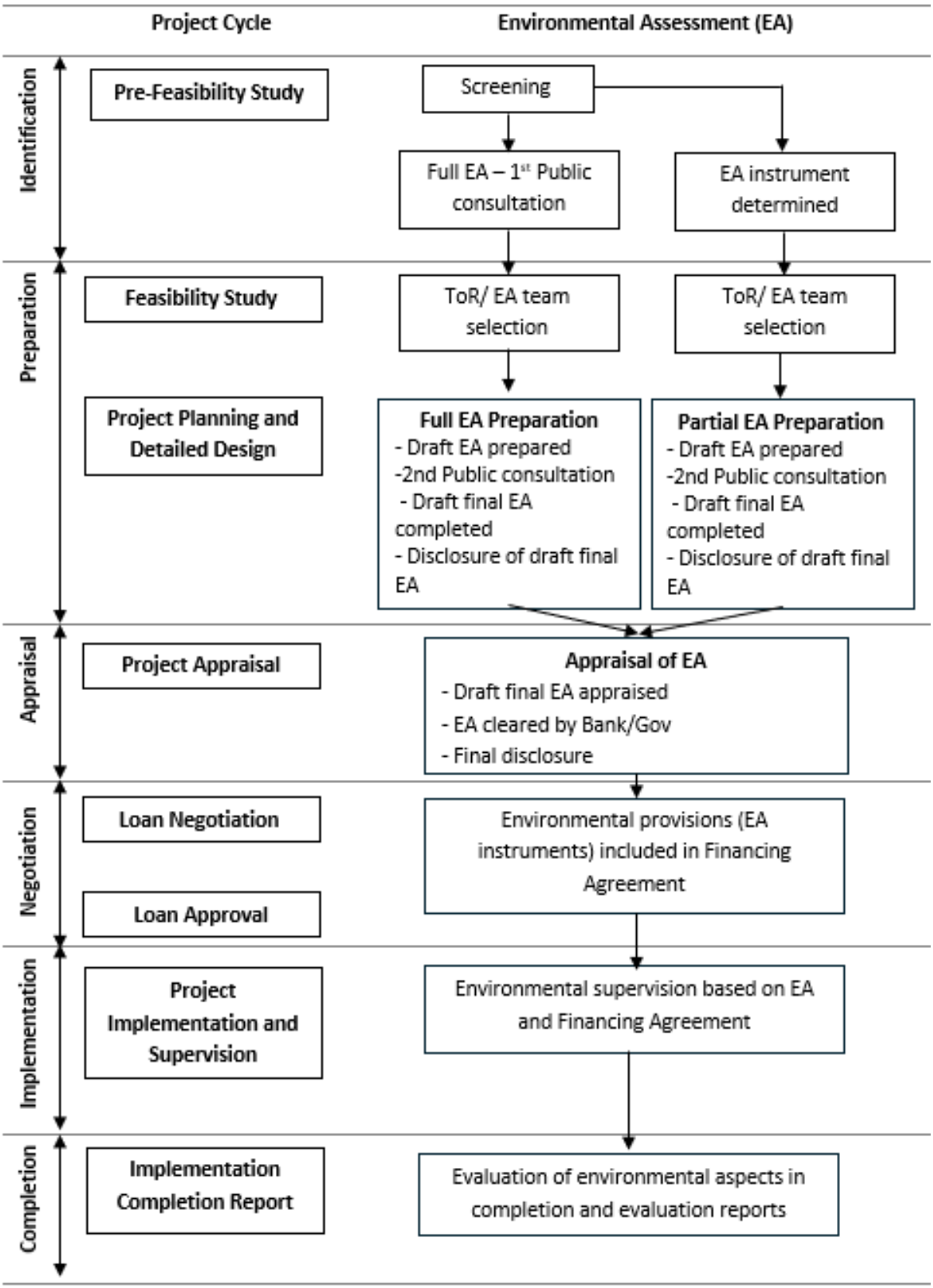
Among these international benchmarks, biodiversity risk management – particularly under IFC Performance Standard 6 – is of specific relevance to offshore wind projects and is therefore examined in greater detail in the sections below.

3.2 Positioning of EIA and ESIA in the Project Development Process

Environmental Assessment (EA) are established and mandatory components of investment project development and financing worldwide, including under the regulatory framework of Vietnam. These assessments are integral to responsible project planning, risk management, and sustainable development. EA serves as a systematic process to identify, predict, evaluate, and mitigate potential environmental and social risks and impacts associated with a proposed project.

In addition to ensuring regulatory compliance, the process supports informed decision-making, enhances project design, strengthens stakeholder engagement, and improves long-term project sustainability and bankability. Within the project development and management cycle, EA is not a standalone exercise, but an integrated, iterative mechanism applied from project identification and feasibility assessment through detailed design, financing, and implementation as illustrated in Table 1 below.

Table 1 Environmental Assessment in Project Cycle



Under Vietnamese law, EIA is a statutory requirement linked to project approval. It is positioned as a formal permitting milestone within the broader energy project development process. An EIA is typically undertaken after key project parameters, such as site location, capacity, and technical concept, have been defined, and before construction permits are issued.

In contrast, ESIA, like EIA, is primarily undertaken during the project development phase. The key distinction does not lie in the temporal coverage of operational impacts, as both EIA and ESIA assess such impacts. Rather, it relates to the timing of assessment relative to critical project decision gates.

Where key design parameters are substantially fixed prior to the completion of environmental assessment, the effective application of the mitigation hierarchy, particularly under IFC Performance Standards, may be constrained. International ESIA frameworks therefore place strong emphasis on early risk identification and iterative design integration to ensure that avoidance and minimisation measures can be meaningfully considered before project parameters are locked in.

This difference in positioning has practical implications. While EIA plays a critical role in enabling project progression within Vietnam's permitting framework (Table 2 below), it may not fully capture evolving environmental and social risks that emerge as project design and implementation advance.

Table 2 Project Permitting Framework under Vietnamese Law

Phase of Project Lifecycle	Actions	Permitting and Legal Document	Environmental and Social Assessment
Phase 1 – Preparation	Site Selection		
	Project Site Survey and Study	Site Survey and Study Licence	Baseline Biodiversity Survey
Phase 2 – Project Development	Preliminary Feasibility Study	Investment Approval	Pre-EIA
	Feasibility Study and Basic Design	Basic Design Appraisal	EIA
	Detailed Technical Design	Detailed Technical Design Appraisal; Fire Prevention and Fighting Design Approval	
Phase 3 – Construction	Construction Drawings	Construction Licence	
	Construction	Water Resource Exploitation Permit	Environmental Monitoring
Phase 4 – Operation	Prior to Commercial Operation	Power Activity Licence	Environmental Licence
	Commercial Operation	Fire Prevention and Fighting Certificate	Environmental Monitoring
		Approval Letter for Acceptance; Commercial Operation Certificate	
		Water Resource Exploitation Permit	
Phase 5 – Decommissioning	Decommissioning and Demolition	Demolition Plan Approval	Environmental Monitoring

3.3 Regulatory Instruments, Codes and Applicable Standards

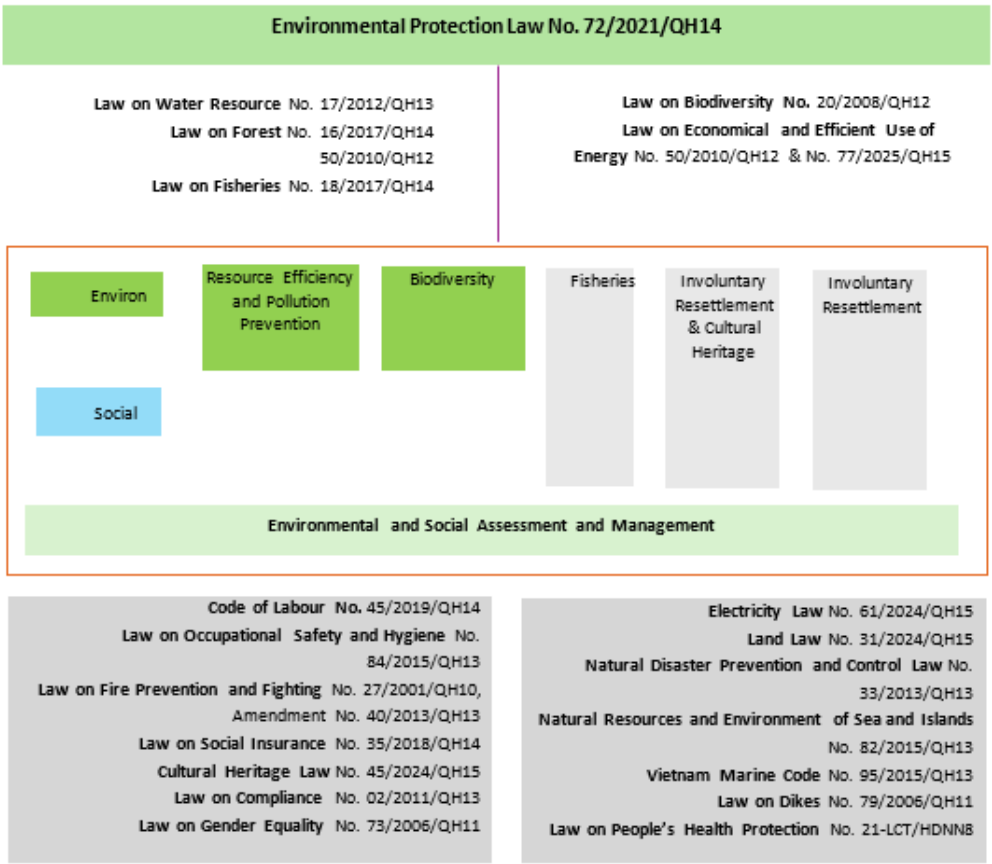
With respect to biodiversity-related financeability, IFC Performance Standard 6 (PS6) constitutes the primary international benchmark applied by most international lenders. While this report refers more broadly to “International ESIA” practice, it is important to clarify that PS6 requirements are key in assessing biodiversity risk and critical habitat implications for project financing.

References to broader ESIA practice in this report should therefore be understood as encompassing the IFC Performance Standards suite (particularly PS1, PS5, PS6 and PS7) and, where relevant, the World Bank Environmental and Social Framework. The study does not treat European ESIA practice as a separate or alternative benchmark, but rather as illustrative of how similar risk-based approaches are implemented in mature offshore wind markets.

EIA implementation is primarily governed by the Law on Environmental Protection (2021) and its related decrees and circulars. This legal framework establishes the statutory basis for project screening, EIA preparation, appraisal, approval, environmental permitting, and post-approval compliance.

For offshore wind projects, the EIA framework operates alongside and is influenced by a broader set of sectoral laws and regulations (Figure 2). These include legislation governing investment approval, construction, energy development, marine and sea area management, land acquisition, labour, and occupational health and safety. This means environmental assessment activities for offshore wind projects are embedded within a dense and multi-layered regulatory environment.

Figure 2 Applicable Legal Framework of Environmental Impact Assessment in Vietnam



At the core of the EIA process, environmental assessment relies on compliance with national technical regulations and standards (QCVNs and TCVNs) issued by competent authorities. These instruments provide enforceable benchmarks for environmental quality, emissions, waste management, and occupational safety, and form the legal basis for EIA appraisal and approval by regulatory authorities.

However, regulatory analysis indicates that environmental and social risks relevant to offshore wind projects are not addressed exclusively within the Law on Environmental Protection. Key aspects of project development intersect with other legal regimes, including laws governing marine resources and sea area allocation, fisheries management, electricity development, land recovery and resettlement, labour conditions, and community health and safety. While these laws contain provisions relevant to environmental and social protection, their requirements are implemented through separate permitting and approval processes rather than through a single integrated assessment framework.

In contrast, ESIA frameworks consolidate environmental and social risk management requirements within a unified set of performance standards and guidelines. Rather than relying on compliance with multiple national codes and sectoral regulations, ESIA emphasises integrated assessment of risks, outcome-based performance, and lifecycle management across environmental and social dimensions.

The coexistence of a detailed, code-based EIA framework and a risk-based ESIA framework does not imply inconsistency. Instead, it reflects differing regulatory philosophies. EIA prioritises legal certainty and enforceability through prescriptive standards, while ESIA prioritises holistic risk management and lender assurance.

For offshore wind projects in Vietnam, this difference can result in additional ESIA-related requirements being applied alongside the regulatory EIA to address environmental and social risks that fall across multiple legal regimes. This lack of alignment often results in duplicative efforts and the sub-optimal allocation of resources during the comprehensive E&S assessment process. Consequently, there is an urgent need for actionable, practical guidance to assist offshore wind developers in streamlining their environmental and social assessments to fulfil both domestic legal mandates and international safeguard standards (e.g., IFC Performance Standards or World Bank EHS Guidelines).

3.4 Stakeholder Engagement

One of the most significant divergences between the two frameworks relates to stakeholder engagement.

Under Vietnamese regulations, public consultation is a mandatory component of the EIA process and is conducted through prescribed mechanisms, including public meetings, written consultations with impacted authorities and organisations prior to EIA approval. However, such consultation is generally undertaken at defined stages and is not necessarily designed as a continuing process.

ESIA standards require meaningful and continuous stakeholder engagement throughout the project lifecycle. This includes early stakeholder identification and mapping, engagement during scoping, iterative consultation during impact assessment and mitigation design, grievance redress mechanisms are required to be established that will enable continuous stakeholder engagement during the project lifecycle.

The comparison of EIA and ESIA processes highlights that international standards typically require multiple consultation rounds with documented feedback loops, associated specialist skills, costs and business structures to accommodate this enduring process, whereas regulatory EIA consultation is often limited to a single formal phase with no mandatory requirement to demonstrate how feedback has influenced project design or management decisions.

3.5 Technical Standards and Management Requirements

Another key difference between EIA and ESIA lies in the application of technical standards and management frameworks.

EIA relies on compliance with national technical regulations (QCVNs), e.g. QCVN 10:2023/BTNMT on Marine water quality, QCVN 43:2017/BTNMT on Sediment Quality, QCVN 03:2023/BTNMT on Soil Quality, etc. and sector-specific standards. These provide clear and enforceable benchmarks for emissions, discharges, and environmental quality.

ESIA, while recognising national standards, also requires alignment with international Environmental, Health and Safety (EHS) Guidelines and good international industry practice. ESIA further requires the development of integrated Environmental and Social Management Plans (ESMPs) with clearly defined roles, responsibilities, budgets, and monitoring arrangements, subject to lender review and, in some cases, third-party audit.

As a result, projects that comply fully with regulatory EIA requirements may still be required to develop additional ESIA-aligned management instruments to satisfy international financing conditions.

3.6 The Project Information Disclosure

The project information disclosure is a mandatory requirement of national regulations and international standards/ requirements.

According to Vietnam's Environmental Protection Law, before the submission of the EIA report for appraisal, a Non-Technical Summary of the EIA is publicly disclosed through the relevant authorities' information portal, as well as shared publicly during community consultation meetings.

Following the approval of the EIA appraisal results, the project owner is required to publicly disclose the final EIA report at the office of the commune-level People's Committee where the project is to be implemented.

In terms of the ESIA, a Non-Technical Summary (NTS) is prepared and disclosed as part of the public disclosure and stakeholder engagement process during the ESIA study. Depending on the policies and disclosure requirements of the lender(s), either the full ESIA report and/or the Non-Technical Summary may be publicly disclosed through the official information portals of the lender(s).

However, international ESIA practices place strong emphasis on the continuity and quality of stakeholder engagement throughout the project life cycle. This implies that project information disclosure should not be limited to the ESIA preparation stage, but should be carried out on a regular basis, typically annually, as part of the ongoing stakeholder engagement process.

Such disclosure is commonly integrated into the project's Stakeholder Engagement Plan (SEP) and Grievance Redress Mechanism (GRM), ensuring that project-affected stakeholders are continuously informed about project performance, environmental and social management measures, and any issues or concerns raised during project implementation.

3.7 Regulatory Layering and Offshore Wind-Specific Considerations

Offshore wind projects operate within a complex regulatory environment that extends beyond environmental legislation. EIA implementation intersects with multiple sectoral frameworks, including marine space management, fisheries, energy development, land acquisition, and occupational health and safety.

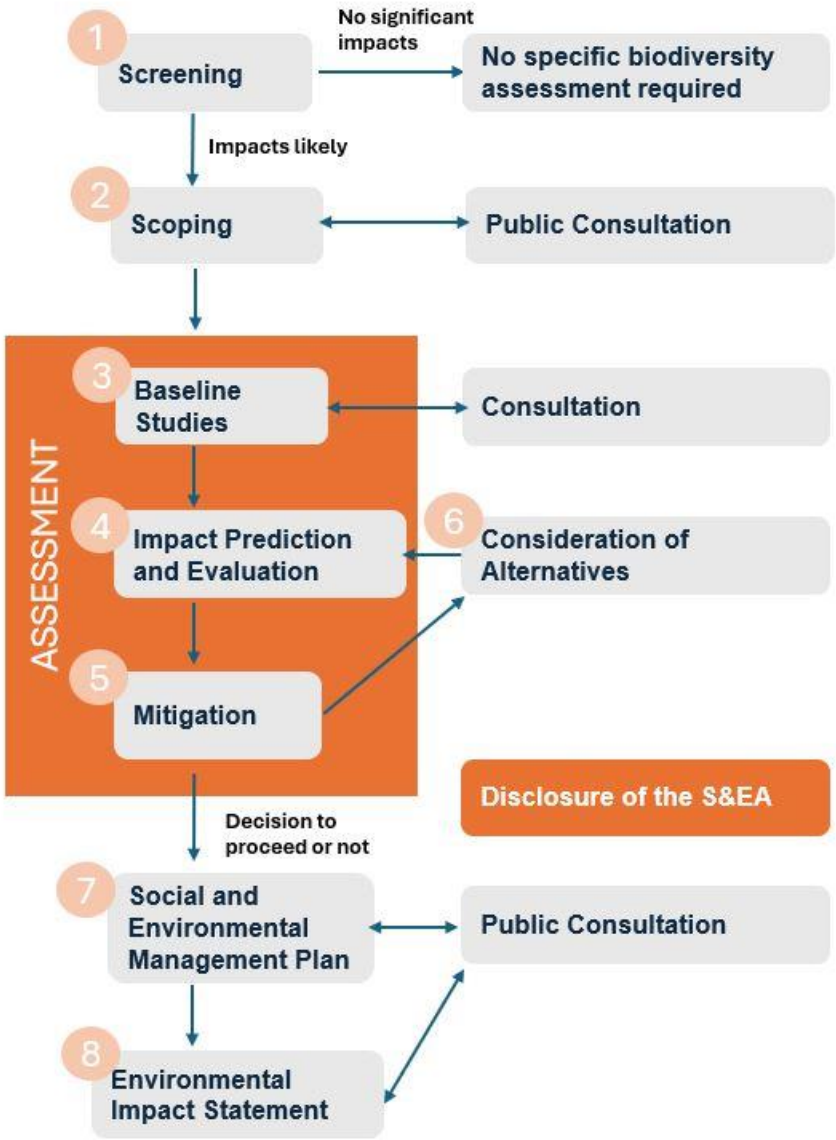
Stakeholders and regulatory analysis indicate that environmental and social risks associated with marine surveys, sea area allocation, fisheries interactions, and cumulative impacts may not be fully addressed within the boundaries of the regulatory EIA alone. These issues are, however, central to international ESIA assessments and lender due diligence.

As a result, offshore wind projects may be required to address environmental and social risks that fall outside the formal scope of a legally prescribed EIA approval but remain material from a project risk and financing perspective.

3.8 Implications of the EIA-ESIA Gap

According to international practice, the standard social and environment assessment process follows from initial screening to impact assessment and management which is illustrated in the figure below:

Figure 3 The Process of Social and Environment Assessment – Spatial Planning and Impact Assessment (NIRAS)



While both frameworks aim to mitigate impact, fundamental structural discrepancies persist between Vietnam's regulatory EIA requirements and international ESIA standards. This regulatory divergence creates significant hurdles for project proponents seeking to optimise their compliance and implementation strategies. In particular, the absence of specialised technical advisory often hinders the optimal harmonisation of these two frameworks.

Specifically, the following gaps present the most critical challenges to project development:

Table 3 Regulatory and International ESIA Gap Analysis

Steps of Assessment	Regulatory EIA	International ESIA
Screening	The screening process is conducted based on a fixed checklist in accordance with the provisions of Article 30 of the Law on Environmental Protection. Under this regulation, investment projects subject to Environmental Impact Assessment (EIA) include: (i) Group I investment projects – projects with a high risk of adverse environmental impacts; and (ii) Group II investment projects – projects with a potential risk of adverse environmental impacts. The classification of projects into these groups serves as the basis for determining whether the EIA is required and the corresponding level of environmental assessment and management measures to be applied.	Screening entails a structured and systematic review of the project proposal to identify and evaluate potential environmental and social risks and impacts at an early stage of the project development cycle. The screening process applies defined eligibility and risk classification criteria, consistent with applicable regulatory requirements and international good practice. The ESIA screening is conducted by qualified environmental and social advisors who rely on established screening checklists, risk matrices, sector-specific guidelines, and applicable legal standards to determine the project's risk category, the scope of assessment required, and the appropriate level of environmental and social due diligence. A full ESIA is required when a project is classified as Category A, defined as business activities with potential significant adverse environmental or social risks and/or impacts that are diverse, irreversible, or unprecedented, in accordance with the categorisation framework of IFC.

Steps of Assessment	Regulatory EIA	International ESIA
Scoping	Under the prevailing regulatory framework, a standalone scoping exercise is not formally required. Normally after consultation with the local consultant and/or authorities for the environmental assessment category, the project owner will proceed with EIA report preparation, and scoping is incorporated as an integral component of the EIA report.	In accordance with international good practice and IFC PSs, scoping is a necessary and mandatory step in the environmental and social assessment process. The scoping process is informed by the outcomes of the project screening stage and aims to identify key sensitive issues as well as project activities that may potentially contribute to or result in significant adverse impacts on the environment, affected stakeholders, and social resources. Based on the scoping outcomes, the Terms of Reference (ToR) for the ESIA is subsequently developed. In addition, the results of the scoping process are presented in the ESIA report. In certain cases, particularly for large-scale projects with potentially significant impacts, a standalone scoping report may be prepared.
The Project Description	It is required according to the fixed format as per regulations.	It is required and following the international good practices.
Alternatives Analysis	Not required.	The alternatives analysis is required to be conducted as early as possible in the process and examine feasible alternatives, normally applied for high risk and greenfield developments or significant expansion of brownfield projects that includes alternative project locations, designs, or operational processes; or alternative ways of dealing with environmental and social impacts.

Steps of Assessment	Regulatory EIA	International ESIA
Baseline Data Collection and Study	The assessment is primarily based on secondary data sources. Primary data collection is required to supplement physical environmental parameters where secondary data are unavailable. In addition, the project proponent is required to undertake biodiversity surveys and investigations where the project directly affects protected natural habitats. However, while the methodology and frequency of baseline environmental monitoring and sampling have been referenced to relevant regulatory requirements, their specific application to the proposed project development activities remain unclear. Furthermore, no technical requirements have been specified with respect to the scope, methodology, or standards for conducting social surveys and biodiversity data collection.	The scope of implementation under international ESIA is broader and covers the assessment of existing environmental and social conditions, including physical, biological, and socio-economic aspects. International ESIA guidelines allow the use of secondary information on the project's Area of Influence (AoI) as an initial source of data. However, the ESIA may still require the collection of primary data through field surveys in order to establish baseline conditions that are appropriate to the potential impacts and risks associated with the proposed project. Furthermore, the frequency and timing of data collection are critical requirements. In particular, the characterisation of receiving environments and sensitive receptors must take into account seasonal variations, including: 1. Seasonal changes in biodiversity and the use of habitats. 2. Seasonal variations in social land use and livelihoods, which may occur throughout a year or between years. 3. Seasonal changes in meteorological conditions may influence air quality, water resources, and ecosystem services. Considering these seasonal factors ensures that baseline data accurately reflect environmental and social conditions within the project area, thereby supporting a more robust impact assessment and the development of appropriate mitigation and management measures during project implementation.

Steps of Assessment	Regulatory EIA	International ESIA
Impact Assessment	It is required to comply with the content of the EIA report as prescribed by national regulations. However, in practice, impact assessment tends to place greater emphasis on physical environmental aspects, with a primary focus on quantifying and describing the magnitude of environmental impacts in detail.	The impact assessment may extend beyond the scope typically required under regulatory frameworks. In particular, greater emphasis is placed on assessing impacts on biodiversity, ecosystems, and social dimensions, which are often examined in a more comprehensive and integrated manner.
Mitigation	Mitigation measures shall be proposed as a part of the EIA process when negative impacts are identified and cannot be managed through project design, as well as management and monitoring actions are included. However, the regulations require the details of mitigation descriptions without application of the hierarchy principle.	In line with international good practice in environmental and social assessment, mitigation measures should be developed where adverse impacts are identified. The identification and implementation of design controls and mitigation measures shall follow the mitigation hierarchy, prioritising impact avoidance, followed by minimisation, and, where residual impacts remain, restoration and, as a last resort, compensation or offset, where technically and financially feasible.

Steps of Assessment	Regulatory EIA	International ESIA
Stakeholder Engagement	The project owner is required to conduct consultations with the People's Committees of the communes or wards where the project is located during the preparation of the EIA, typically after the screening and baseline study stages. In addition, consultations must be carried out with affected organisations and communities that may be directly impacted by project activities. The purpose of these consultations is to collect objective feedback and reasonable concerns from relevant stakeholders in order to identify appropriate measures to minimise potential adverse impacts on the natural environment, biodiversity, and community health. However, under the current regulatory practice, stakeholder consultation is generally conducted as part of the EIA preparation process and is not systematically continued throughout the subsequent construction and operational phases of the project.	Project owner is required to identify and map stakeholders who may be affected by, or have the ability to influence, the outcomes of the project. Based on this stakeholder mapping, the project owner shall engage with project-affected communities and relevant local non-governmental organisations (NGOs) regarding the environmental and social aspects of the project and take their views and concerns into consideration during project planning and assessment. As part of the ESIA process, consultations with these stakeholders are typically conducted at least twice: (i) during the scoping stage, shortly after the screening and before the Terms of Reference (ToR) for the ESIA are finalised; and (ii) once a draft ESIA report has been prepared, to gather feedback on the assessment findings and proposed mitigation measures. In addition, continuous stakeholder engagement should be maintained throughout project implementation, as necessary, to address environmental and social impacts that may affect project stakeholders during the construction and operational phases.

Steps of Assessment	Regulatory EIA	International ESIA
Disclosure	Prior to the submission of the EIA report for appraisal, a Non-Technical Summary of the EIA is publicly disclosed through the relevant authorities' information portal. Following the approval of the EIA appraisal results, the project owner is required to publicly disclose the final EIA report by making it available at the office of the commune-level People's Committee where community consultations were conducted. This disclosure is intended to facilitate public access to information, transparency, and community monitoring, enabling local stakeholders to review and oversee the environmental commitments associated with the project.	The project owner prepares a Non-Technical Summary of the ESIA as part of the public disclosure and stakeholder engagement process during the ESIA study. The objective is to communicate the key findings and outcomes of the ESIA to project stakeholders in a clear, concise, and easily understandable manner, using the relevant local language(s). The Non-Technical Summary will focus on presenting the key environmental and social impacts of the project, including how potential adverse impacts will be mitigated and how positive impacts will be enhanced through appropriate management measures. Subject to the policies and disclosure requirements of the lender(s), either the full ESIA report or the Non-Technical Summary of the ESIA may be publicly disclosed through the lender(s)' official information portal.

In practical terms, compliance with IFC Performance Standards, especially IFC PS1 and PS 6, is often the decisive test in lender due diligence for offshore wind projects with potential marine biodiversity sensitivities, particularly where critical habitat, migratory species, or cumulative marine impacts are concerned.

The differences outlined above have practical implications for offshore wind projects in Vietnam:

- Developers may face duplication of assessment efforts if EIA and ESIA processes are conducted independently;
- Gaps in social assessment and stakeholder engagement may trigger additional lender requirements late in project development; and
- Misalignment between EIA outputs and ESIA expectations can affect project schedules, transaction costs, and overall bankability.

These implications further underscore the importance of a harmonised approach which builds on the strengths of the regulatory EIA framework while incorporating key ESIA elements in a structured and efficient manner.

While stakeholder engagement emerges as a prominent area of divergence between regulatory EIA and international ESIA practice, it is not the only material gap. Differences also arise in lifecycle integration of environmental and social risk management, the application of technical standards and management systems, cumulative impact assessment, biodiversity risk screening, and the integration of ESMPs across development phases.

Stakeholder Consultation Feedback

4 Stakeholder Consultation Feedback

4.1 Purpose and Scope of Stakeholder Consultation

Stakeholder engagement practices differ between the EIA framework and ESIA standards. While consultation is a mandatory component of the EIA process with some single activities, stakeholder consultation under international standards places substantially greater emphasis on the process, continuity, and outcomes of stakeholder engagement before and during the ESIA in development phase and continues throughout the full project lifecycle.

This section draws on a detailed stakeholder mapping and consultation analysis to:

I. Clarify how stakeholder engagement is currently structured under Vietnamese EIA regulations.

II. Identify gaps relative to international ESIA expectations; and

III. Highlight practical opportunities to align the two approaches without requiring legal reform.

4.2 Stakeholders under Vietnam's Regulatory EIA Framework

4.2.1 Legal Basis for Stakeholder Consultation

Stakeholder consultation in the regulatory EIA process is governed by the Law on Environmental Protection 2020 and its related instruments, notably Decree No. 08/2022/ND-CP and Circular No. 02/2022/TT-BTNMT. These instruments define:

- Which projects are subject to EIA and consultation requirements.
- Categories of stakeholders which should be consulted.
- Forms of consultation (meetings[2], written consultation, website disclosure); and
- Responsibilities of project owners and appraisal authorities.

[2] Consultation activities in the EIA are not a process with a specific pathway, but case-by-case as a single event. In practice, the consultation of stakeholders of EIA only takes place in one or two consultations meetings at the commune level.

Under this framework, developers/ project owners are responsible for identifying related stakeholders in consultation with local authorities and the consultation focuses primarily on individuals and organisations directly affected by project-related environmental impacts, as well as relevant local authorities and sectoral agencies.

National Regulation on Consultation in Environmental Impact Assessment

Article 26 of Decree 08/2022/ND-CP. Consultation in Environmental Impact Assessment 1.

Subjects of consultation:

A. Population communities and individuals directly affected by environmental impacts caused by project activities, including: residential communities and individuals living, producing and doing business in land areas, water surfaces, land with water surface and sea areas occupied for project investment; residential communities and individuals located within the scope of direct impacts of wastewater, exhaust gas, dust, noise, solid waste, hazardous waste caused by the project; residential communities and individuals affected by subsidence, landslides, and sedimentation of riverbanks and coasts caused by the project; other affected communities and individuals, which are determined through the process of environmental impact assessment. The consultation with the population community and individuals directly affected is carried out in the form of consultation meetings.

B. Agencies and organisations directly related to the investment project, including: commune-level People's Committees and commune-level Vietnam Fatherland Front Committees where the projects are implemented; Management boards, investors in construction and business of infrastructure of concentrated production, business and service zones and industrial clusters where the projects are located within the management boundaries; state agencies managing irrigation works, for projects that discharge wastewater into irrigation works or occupy irrigation works; state management agencies assigned to manage areas with environmentally sensitive factors (if any); the Ministry of National Defence, the Ministry of Public Security or the provincial-level military command or the provincial-level police for projects related to security and Defence elements (if any).

In practice, EIA consultation is typically implemented as a discrete, compliance-driven activity, often limited to one or two consultation meetings at the commune level and written consultation with relevant agencies. Consultation outcomes are documented in standardised minutes and incorporated into the EIA report, usually as a relatively small section compared to the overall length of the document.

Stakeholder engagement under EIA therefore tends to focus on:

- Physical impacts (e.g. land acquisition, infrastructure location).
- Confirmation of local authority awareness; and
- Formal fulfilment of statutory consultation requirements[3].

Social dimensions such as impacts on livelihoods, community awareness and engagement, vulnerable groups, gender considerations, and cumulative effects are generally addressed at a high level and are not the primary focus of consultation documentation.

4.2.2 Limitations in Practice

Stakeholder feedback and previous project experience indicate several practical limitations in the current EIA consultation approach:

- Consultation is commonly treated as a single event rather than a continuing process.
- Information presented during consultation meetings may be technical and not easily understood by impacted communities, particularly ethnic minority groups[4].
- Informal or non-legally recognised stakeholder groups (e.g. fishing associations, informal community leaders, religious or cultural groups) are not explicitly encouraged to participate; and

[3] For the stakeholder engagement under EIA, for example at community level, legal regulation only requires one consultation meeting per one commune and meeting minutes are required (not outcome such as issues and solutions). So, consultation under EIA is only to meet this requirement rather than identifying issues and solutions. The results of the consultation will be integrated into EIA report (and normally, the section on consultations are only about 3-4 pages of about 500 pages of the whole report)

[4] Due to a lack of specific guidance on how to conduct consultations and lack of facilitation/consultation skills, the community consultation is not a key activity under the EIA assessment process, the information presented in the consultation meetings was often not understood by the local people, especially ethnic minority people. Therefore, the consultation minutes are usually very brief, mainly related to the issue such as land clearance (if any).

- Limitations in consultation planning and facilitation are often observed during stakeholder engagement meetings. Directly affected individuals and organisations have limited pre-notification about the consultation meeting (meetings are only announced in the notice board of the commune people committee) and as a result, not all affected people participate in the meeting, facilitation can be inadequate to get enough information/feedback from the people, and time and duration of the meeting may not be suitable, especially for fishing people. As a result, key responders may be mainly leaders of communes and villages rather than the impacted persons.

These limitations can reduce community understanding of offshore wind projects and jeopardise long-term stakeholder ownership and cooperation during project implementation.

Figure 4 Place of Worship of the Khmer people - Scoping Visit, Soc Trang Offshore Wind Project

The worship place of the Khmer people in Soc Trang Wind Farm project is a typical example of the difference between EIA and ESIA. The worship place was built by the fishing community, where they offer prayers before heading out to sea. Under the EIA, as the worship place built in the public forest land (and as social issues are often not focuses of the EIA), there would be no attention or consultation of the worship place affected by the project. However, for ESIA, as requirement of IFC's PS 7, this is a particularly important and the project needs to pay special attention to it as a part of FPIC process.

4.3 Stakeholder Engagement under International ESIA Standards

4.3.1 Core Principles

ESIA standards, including those required by international lenders, define stakeholder engagement as a continuous, two-way process which builds trust and facilitates informed decision-making, and effective social risk management.

Key elements of ESIA-aligned stakeholder engagement include:

- Early identification and analysis of interested and impacted stakeholders.
- Development and implementation of a Stakeholder Engagement Plan (SEP).
- Timely disclosure of accessible information.
- Iterative consultation and participation.
- Establishment of grievance redress mechanisms; and
- Monitoring and disclosure of engagement outcomes.

In contrast to EIA, ESIA evaluates not only consultation outputs (such as meeting minutes), but also the quality of the engagement process and its outcomes.

4.3.2 Stakeholder Engagement across the Project Lifecycle

Stakeholder Engagement in ESIA is a crucial, ongoing process of two-way communication to identify, understand, share information, and address concerns of affected parties, ensuring their input influences project design and mitigation, fostering transparency, building trust, and meeting legal/policy requirements for positive social and environmental outcomes.

Under ESIA requirements, stakeholder engagement should be conducted across project phases, from early development through to construction, operation, and, where relevant, decommissioning Engagement activities, tools, and intensity are adapted over time based on project risks, stakeholder concerns, and evolving impacts.

This lifecycle-based approach is particularly relevant for offshore wind projects, where social and livelihood impacts, especially those affecting fishing communities, may evolve over extended periods.

4.4 Free, Prior and Informed Consent (FPIC) and Vulnerable Groups

4.4.1 FPIC in International ESIA

Free, Prior and Informed Consent (FPIC) is a specific requirement under ESIA standards for projects impacting Indigenous Peoples or equivalent vulnerable groups. FPIC builds broader stakeholder engagement processes and requires good-faith negotiation, culturally appropriate engagement, and meaningful participation in project decision-making.

FPIC is characterised by:

- Free: absence of coercion or manipulation.
- Prior: engagement sufficiently in advance of key project decisions.
- Informed: provision of accessible, relevant, and comprehensive information; and
- Consent: the ability of affected communities to agree to, influence, or withhold consent under defined circumstances.

Figure 5 Individual Consultation in FPIC, Soc Trang Offshore Wind Project

Figure 6 Group Consultation meeting in FPIC, Soc Trang Offshore Wind Project

4.4.2 Application in the Vietnamese Context

Vietnam does not formally recognise Indigenous Peoples as a legal category, and concerns relating to ethnic minority groups are governed by a distinct legal framework. However, international lenders commonly apply FPIC principles to ethnic minority communities in Vietnam where project impacts meet defined thresholds.

The authors' previous project experience in offshore wind development in Sóc Trăng Province has demonstrated that FPIC-aligned stakeholder engagement can be implemented in Vietnam in a culturally appropriate and effective manner. In these cases, early engagement, bilingual consultation, involvement of community representatives, and iterative dialogue enabled meaningful participation and broad community support.

These experiences highlight both the feasibility and value of integrating FPIC principles alongside the EIA process for offshore wind projects.

4.5 Stakeholder Mapping and Alignment: EIA versus ESIA

Comparative analysis of EIA and ESIA stakeholder requirements indicates significant differences in stakeholder breadth, categorisation, and engagement intensity.

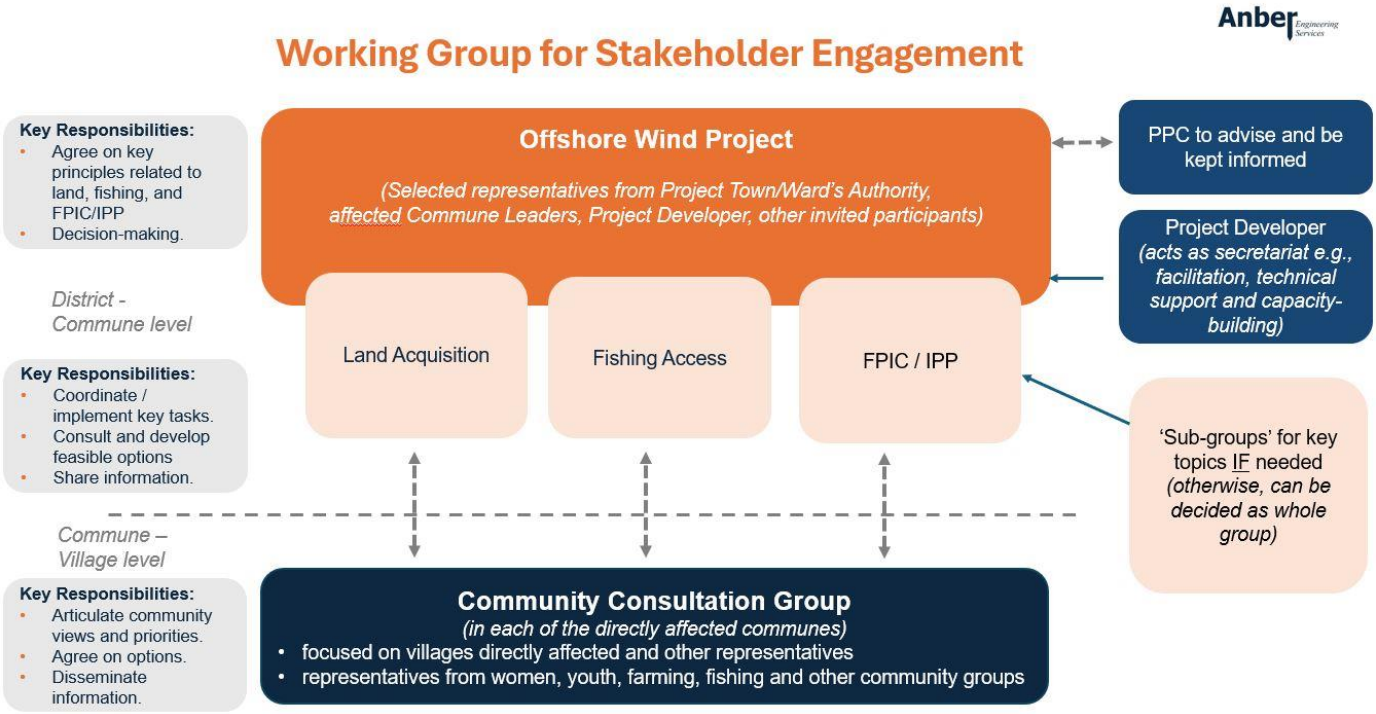
Under EIA, stakeholders are primarily defined by legal relevance and direct impact. Under ESIA, stakeholders include those with both direct and indirect impacts from the project. To define stakeholders and determine relevant approaches, they can be categorised based on interest and influence, and engagement strategies are tailored accordingly (e.g. monitor, inform, engage, leverage).

For offshore wind projects, ESIA stakeholder mapping typically includes:

- National and provincial authorities across multiple sectors.
- Developers, contractors, and supply chain actors.
- Lenders and financiers.
- Fishing communities and marine-based livelihood groups.
- Ethnic minority communities where applicable; and
- Informal community organisations and leaders.
- The general public.

This broader stakeholder lens enables more effective identification and management of social risks but is not explicitly required under the EIA framework.

Figure 7 Working Group for Stakeholder Engagement – Soc Trang Wind Farm Project



4.6 Implications for Harmonisation

Findings from the stakeholder consultations[5] carried out for this report indicate that there is no legal barrier to integrating ESIA-aligned stakeholder engagement practices within the existing EIA framework, particularly for privately financed offshore wind projects.

Key implications include:

- Regulatory EIA can serve as the formal approval mechanism, while ESIA-aligned engagement enhances social risk management;
- Early and continuous engagement can reduce implementation risks and long-term costs; and
- Capacity building workshops and practical guidance are required to support developers and authorities in applying ESIA-aligned stakeholder engagement practices, including FPIC where relevant.

These findings directly inform the harmonisation framework presented in Section 5, which proposes practical measures to align EIA and ESIA stakeholder engagement in a manner that is legally compliant, operationally feasible, and supportive of offshore wind bankability.

[5] Including National Government agencies, UN agencies, Research Institution, technical and social organisations and experts

Harmonisation of the EIA and ESIA Process in Vietnam

5 Harmonisation of the EIA and ESIA Process in Vietnam

5.1 Rationale for Harmonisation

The comparative analysis and stakeholder consultation findings presented in Sections 3 and 4 demonstrate that the EIA framework in Vietnam and ESIA standards are not inherently incompatible. Rather, they are designed to serve different, but complementary, purposes.

EIA provides a legally binding mechanism to assess and mitigate environmental impacts and to enable project approval under Vietnamese law. In contrast, ESIA supports comprehensive environmental and social risk management throughout the project lifecycle and to meet international financing requirements.

For offshore wind projects, the coexistence without harmonisation of these two frameworks can lead to duplication, misalignment, and uncertainty if they are applied independently. Harmonisation therefore aims to bridge the two approaches by integrating key ESIA principles into the EIA process in a manner that is legally compliant, operationally feasible, and supportive of project bankability.

It is important to clarify that this study does not advocate the rigid transplantation of mature Western European offshore wind environmental assessment practice into the Vietnamese context. Western European models have evolved within specific institutional, regulatory, market, and financing environments that differ significantly from Vietnam's current stage of offshore wind market development.

The objective of this report is not convergence for its own sake, but proportional alignment with internationally recognised ESIA expectations where these are material to project bankability and risk management. Any harmonisation approach must therefore be context-sensitive, phased, and responsive to Vietnam's regulatory maturity, institutional capacity, and market readiness.

5.2 Principles Guiding the Harmonisation Approach

The proposed harmonisation approach is guided by the following principles:

- **No requirement for legal or regulatory reform:** The regulatory EIA remains the sole statutory approval instrument. Harmonisation focuses on complementary practices rather than changes to Vietnamese law.
- **Lifecycle-based risk management:** Environmental and social risks should be identified and managed across the full project lifecycle, not only at the EIA approval stage.
- **Proportionality and risk-based focus:** Additional ESIA-aligned measures should be applied proportionately, based on project risk and stakeholder sensitivity.
- **Clarity of roles and responsibilities:** Responsibilities of developers, consultants, authorities, and lenders should be clearly defined to avoid overlap and confusion.
- **Practical implementability:** The approach should be implementable by project developers and authorities using existing institutional arrangements and capacities, with targeted capacity building where needed[6].

[6] Including how to harmonise EIA and ESIA, the value of participation/consultation, guidance on how to determine the ethnic minority groups in Vietnam's coastal areas, meeting international standards such as those of the IFC or ADB, how to carry out community consultation and FPIC.

5.3 Harmonised EIA-ESIA Workflow

The proposed harmonised approach positions the regulatory EIA as the core approval milestone, while embedding ESIA-aligned elements at appropriate stages of project development.

Table 4 Phase 1 Preparation

Phase of Project Lifecycle	Actions	Permitting and Legal Document	Regulatory ESIA	International ESIA	Potential Activities that can be Harmonised
Phase 1 - Preparation	Site Selection Project Site Survey and Study	Site survey and Study Licence		Initial ESIA Screening (IFC PS1) Baseline Scoping	Conduct a joint desktop screening (sensitive receptors, land use constraints, biodiversity “red flags”) to inform both EIA and ESIA early decisions.
			Baseline Biodiversity Survey	ESIA Baseline (Bio & Social)	Run one integrated scoping and reconnaissance campaign to define baseline needs, survey boundaries, and methods acceptable for both tracks. Design baseline to the higher (ESIA) standard first, then extract the regulatory EIA-required datasets (avoid double fieldwork).

Table 5 Phase 2 Project Development

Phase of Project Lifecycle	Actions	Permitting and Legal Document	Regulatory ESIA	International ESIA	Potential Activities that can be Harmonised
Phase 2 – Project Development	Preliminary Feasibility Study	Investment Approval	Pre-EIA	ESIA Scoping Report	Combine Pre-EIA and ESIA scoping into one integrated scoping package, with a dual-compliance checklist for deliverables. Use a single baseline database and impact identification workshop, then apply two assessment lenses (VN QCVN limits vs. IFC significance). Develop one “master” ESMP framework aligned with IFC, then tailor/streamline into the EIA/permit-required EMP sections and formats.
	Feasibility Study and Basic Design	Basic Design Appraisal	EIA	Draft ESIA	
	Detailed Technical Design	Detailed Technical Design Appraisal; Fire Prevention and Fighting Design Approval		ESMP Framework	

Table 6 Phase 3 Construction

Phase of Project Lifecycle	Actions	Permitting and Legal Document	Regulatory ESIA	International ESIA	Potential Activities that can be Harmonised
Phase 3 – Construction	Construction Drawings	Construction Licence		C-ESMP	Prepare one integrated Construction ESMP (C-ESMP); map each control measure to both legal requirements and lender standards. Implement one monitoring programme and dataset (sampling, QA/QC, chain-of-custody), then produce separate reporting outputs to meet VN and lender formats.
	Construction	Water Resource Exploitation Permit	Environmental Monitoring	Monitoring and Audits	

Table 7 Phase 4 Operation

Phase of Project Lifecycle	Actions	Permitting and Legal Document	Regulatory ESIA	International ESIA	Potential Activities that can be Harmonised
Phase 4 – Operation	Prior to Commercial Operation Date (COD) Commercial Operation	Power Activity Licence Fire Prevention and Fighting Certificate Approval Letter for Acceptance; COD Certificate Water Resource Exploitation Permit	Environmental Licence Environmental Monitoring	O-ESMP Ongoing Monitoring and Reporting	Finalise one Operational ESMP (O-ESMP) with dual compliance mapping; align operational procedures, emergency response, and incident reporting. Maintain one integrated monitoring and reporting system; generate regulatory compliance reports and lender ESG reports from the same data source.

Table 8 Phase 5 - Decommissioning

Phase of Project Lifecycle	Actions	Permitting and Legal Document	Regulatory ESIA	International ESIA	Potential Activities that can be Harmonised
Phase 5 – Decommissioning	Decommissioning and Demolition	Demolition Plan Approval	Environmental Monitoring	Decommissioning ESMP	Prepare one integrated decommissioning Framework (waste, hazardous materials, site restoration, stakeholder communication) and extract required submissions for approvals.

5.3.1 Early Project Development

Developers are advised to apply ESIA-aligned screening and scoping practices alongside regulatory requirements during early project stages. This includes early identification of environmental and social risks, preliminary stakeholder mapping, and initial engagement with impacted communities and authorities.

These activities do not replace regulatory procedures; rather, they are designed to enhance informed decision-making and serve as an input into EIA preparation.

5.3.2 EIA Preparation and Appraisal

When preparing for EIA, ESIA-aligned elements can be integrated into the regulatory EIA documentation, including:

- Enhanced social baseline assessment for offshore wind-specific risks.
- Structured analysis of livelihood impacts, particularly for fishing communities and marine-based users; recommend approach and principle for mitigations and/or compensation mechanisms.
- Clear documentation of stakeholder engagement processes and outcomes; and
- Development of environmental and social management measures which extend beyond construction and into operation.

Where appropriate, supplementary ESIA-aligned documents, for instance, SEPs or Livelihood Management Plans (LMPs) can be prepared in parallel to the EIA, without impacting the statutory appraisal process.

5.3.3 Post Approval and Implementation

Following EIA approval, the harmonised approach emphasises continuity of environmental and social management. ESIA-aligned Environmental and Social Management Plans (ESMPs), grievance mechanisms, and monitoring frameworks can be implemented alongside regulatory compliance obligations.

This ensures that commitments made during the EIA and ESIA processes are carried into operational practice and adapted over time as project risks evolve.

5.4 Harmonisation of Stakeholder Engagement and FPIC

Stakeholder engagement is a central pillar of the harmonised approach.

Under the proposed framework:

- EIA consultation remains mandatory and fulfils legal requirements.
- ESIA-aligned stakeholder engagement practices are applied to enhance continuity, transparency, and responsiveness; and
- FPIC principles are integrated where international standards apply, particularly in projects impacting ethnic minority communities or other vulnerable groups.

Practical measures include early engagement, culturally appropriate communication, documentation of feedback loops, and establishment of grievance redress mechanisms which remain applicable and revisited continually throughout the project lifecycle.

5.5 Managing Regulatory Density and Sectoral Interfaces

Harmonisation also addresses the complexity arising from multiple sectoral regulations affecting offshore wind projects in Vietnam, including marine space management, fisheries, energy development, and labour requirements.

Rather than consolidating these requirements into a single legal instrument, the harmonised approach provides a coordination framework which:

- Clarifies how EIA outputs interface with other permitting processes.
- Ensures environmental and social risks falling outside the formal EIA scope are systematically identified and managed; and
- Supports consistency between regulatory approvals and lender expectations.

This approach recognises regulatory diversity while improving coherence and predictability for project developers.

5.6 Roles and Responsibilities

To achieve effective EIA-ESIA harmonisation, a clear allocation of roles is essential:

- Developers should be responsible for integrating ESIA-aligned practices into project planning and implementation, in addition to meeting regulatory EIA requirements.
- Consultants should support developers by applying harmonised methodologies and preparing aligned documentation.
- Authorities retain their statutory roles in EIA appraisal and approval and may benefit from harmonised documentation which improves clarity and completeness.
- Lenders should apply international ESIA requirements and can rely on harmonised outputs to streamline due diligence.

5.7 Benefits of the Harmonised Approach

Significant benefits result from the harmonised EIA-ESIA approach:

- Reduced duplication and redesign of regulatory and lender-driven assessments.
- Improved predictability and efficiency in project development timelines.
- Enhanced management of social and environmental risks; improved community awareness, engagement and improved project social licence to operate and
- Increased confidence among international lenders and investors.

These benefits support the broader objective of accelerating offshore wind development in Vietnam in a socially responsible and environmentally sustainable manner.

5.8 Our Recommendations

This harmonisation framework provides the foundation for the next steps described in Section 6. These next steps focus on practical implementation, including the development of guidance materials, capacity building, and potential piloting of the harmonised approach in future offshore wind projects.

Recommendations and Implementation Roadmap

6 Recommendations and Implementation Roadmap

6.1 Purpose of the Recommendations

The harmonised EIA-ESIA approach provides a practical framework for aligning Vietnamese regulatory requirements with the expectations of international finance bodies. To move this framework towards effective practice, a phased and proportionate implementation roadmap is required.

The following next steps are designed to support gradual adoption of the harmonised approach, minimise any impact on existing regulatory processes, and build confidence among authorities, developers, communities and lenders alike.

The recommendations below distinguish between actions to be led by (i) project developers and sponsors, (ii) Vietnamese authorities, (iii) international lenders and development partners, and (iv) technical consultants. While some measures require coordination across actors, primary responsibility is indicated to clarify implementation pathways and avoid duplication.

In addition, the development of detailed and practical Terms of Reference (ToR) in Phase 2 is expected to further support market uptake. By translating the harmonisation framework into concrete scope requirements and deliverable structures, the ToR can provide clarity to developers, consultants, and lenders on how Regulatory EIA and International ESIA processes may be aligned in practice.

Greater procedural clarity is anticipated to reduce uncertainty and facilitate broader and more consistent application across future offshore wind projects.

6.2 Short-Term Actions (0-6 Months)

Short-term actions focus on consolidation, clarification, and early adoption of harmonised practices within existing project development activities.

Key actions include:

- **Finalisation of harmonised guidance materials.**

  Lead: Technical consultants, supported by development partners.

  Prepare concise guidance notes and tools which translate the harmonised EIA-ESIA framework into practical steps for developers and consultants, including checklists and process flow diagrams.

- **Internal Alignment within project teams:**

  Lead: Project developers and sponsors, supported by technical consultants

  Encourage developers and consultants to integrate ESIA-aligned screening, stakeholder mapping and engagement, and risk identification into early project planning alongside regulatory EIA preparation.

- **Targeted Stakeholder Communication:**

  Lead: Technical consultants and Project developers, supported by development partners

  Share key findings and principles of the harmonised approach with selected authorities and industry stakeholders to build awareness and manage expectations.

These actions can be undertaken without formal endorsement or regulatory change and are intended to demonstrate early value and feasibility.

6.3 Medium-Term Actions (6-18 Months)

Medium-term actions focus on strengthening consistency, capacity, and practical application of the harmonised approach.

Key actions include:

- **Capacity Building and Knowledge Sharing:**

  Lead: Technical consultants and international lenders

  Identify needs and organise targeted workshops or technical sessions for authorities, developers, and consultants to improve understanding of ESIA-aligned practices and their integration with EIA.

- **Development of Standardised Templates:**

  Lead: Technical consultants, supported by development partners

  Prepare voluntary templates for SEPs, grievance mechanisms, and environmental and social management documentation aligned with and combining both EIA and ESIA requirements.

- **Pilot Application:**

  Lead: Project developers and sponsors, supported by lenders and consultants

  Apply the harmonised approach on a limited number of offshore wind projects to test practicality, refine guidance, and capture lessons learnt.

These actions support institutional learning while maintaining flexibility for project-specific adaptation.

6.4 Longer-Term Actions (Beyond 18 Months)

Longer-term actions focus on embedding harmonised practices into standard project development workflows.

Key actions include:

- **Documentation of Lessons Learnt:**

  Lead: Development partners and technical consultants

  Systematically document outcomes from pilot applications to drive continuous improvement in harmonised guidance.

- **Integration into Project Development norms:**

  Lead: Project developers and sponsors, with support from lenders

  Encourage voluntary adoption of harmonised EIA-ESIA practices as part of standard offshore wind project planning, particularly for projects seeking international financing.

- **Ongoing dialogue with stakeholders:**

  Lead: Project developer, supported by Vietnamese authorities

  Maintain engagement with authorities, industry, and financing institutions to ensure the harmonised approach remains aligned with evolving regulatory, market, and lending contexts.

These actions are intended to support sustained improvement without imposing formal regulatory obligations.

6.5 Roles and Responsibilities for Implementation

Effective implementation of the next steps requires coordinated roles between:

- Developers, who lead adoption of harmonised practices within project planning and implementation.
- Consultants, who support developers by applying harmonised methodologies and preparing aligned documentation.
- Authorities, who engage on a voluntary basis to improve understanding and consistency in EIA appraisal.
- Development partners and lenders, who provide feedback and technical perspectives to support alignment with international expectations.

Clear communication and clarity on roles are essential to avoid duplication and maintain regulatory integrity.

6.6 Monitoring Progress and Adaptive Improvement

Implementation of the harmonised approach should be monitored through qualitative indicators, with primary responsibility resting with project developers and technical consultants, and supported by feedback from authorities, development partners, and lenders, including:

- Uptake of harmonised guidance by developers and consultants.
- Feedback from authorities on clarity and usability of documentation; and
- Reduction in duplication or rework between regulatory EIA and lender-driven ESIA processes.

The harmonised framework should remain flexible, allowing for adjustments in response to regulatory developments, stakeholder feedback, and practical experience from ensuing offshore wind projects.

6.7 Concluding Remarks

This study demonstrates that Vietnam's regulatory EIA framework and international ESIA requirements are not fundamentally incompatible. Rather, they reflect different institutional objectives: regulatory compliance on one hand, and lifecycle environmental and social risk management on the other.

For offshore wind projects seeking international financing, the practical challenge is therefore not regulatory reform, but coordination. The harmonised approach presented in this report illustrates how developers can integrate key ESIA elements alongside the regulatory EIA process in a manner that remains legally compliant while improving alignment with international lender expectations.

As Vietnam moves towards large-scale offshore wind deployment, early adoption of such harmonised practices can reduce project uncertainty, strengthen social licence to operate, and facilitate more efficient engagement with international finance institutions. In this sense, the framework presented in this report should be viewed not as a prescriptive model, but as a practical starting point for continued learning, refinement, and collaboration between developers, authorities, and financing partners.

Ocean Energy Pathway

About Ocean Energy Pathway

Ocean Energy Pathway accelerates global offshore wind growth through programmes which support the energy transition, enhance marine ecosystems and empower local communities. We provide expert, independent support to governments and key decision makers to fast-track offshore wind worldwide. Through collaboration with leaders in policy, industry, and conservation, we help shape sustainable solutions for the long-term growth of offshore wind. Ocean Energy Pathway owns the offshore wind POWER Library, in collaboration with Climate Policy Radar, to help policymakers easily find curated reports and policies related to offshore wind. Headquartered in the UK, we work in Australia, Brazil, Colombia, India, Japan, Mexico, the Philippines, South Korea, and Vietnam with ongoing projects in several other countries.

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Anber Engineering Services

About Anber Engineering Services

Anber Engineering Services is a multi-disciplinary renewable energy consultancy providing environmental and regulatory advisory services, alongside energy analysis and engineering design across civil, geotechnical, structural, electrical and grid disciplines.

Anber has extensive experience in the global offshore wind sector, supporting both nearshore and far-shore developments across a range of complex project conditions. Building on this international expertise, the Vietnam-based team brings strong in-country experience, integrating technical design with environmental and social considerations. With a detailed understanding of Vietnam's regulatory framework, Anber aligns projects with both national requirements and international lender standards to support bankable, deliverable offshore wind projects.

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