

THE GOVERNMENT

**DECREE No. 62/1999/ND-CP OF JULY 31, 1999
PROMULGATING THE REGULATION ON
FLOOD DIVERSION AND SLOWING IN THE
RED RIVER SYSTEM TO PROTECT THE
SAFETY OF HANOI CAPITAL**

THE GOVERNMENT

*Pursuant to the Law on Organization of the
Government of September 30, 1992;*

*Pursuant to the Law on Water Resource of May
20, 1998;*

*Pursuant to the Ordinance on Dikes of November
9, 1989 and the Ordinance on Flood and Storm
Prevention and Combat of March 8, 1993;*

*At the proposals of the Minister of Agriculture
and Rural Development and the Head of the Central
Steering Committee for Flood and Storm Prevention
and Combat,*

DECREES:

Article 1.- To promulgate together with this Decree the Regulation on flood diversion and slowing in the Red river system to protect the safety of Hanoi capital.

Article 2.- This Decree takes effect after its signing. All previous stipulations which are contrary to this Decree are now annulled.

The Minister-Head of the Central Steering Committee for Flood and Storm Prevention and Combat, the ministers, the heads of the ministerial-level agencies, the heads of the agencies attached to the Government and the presidents of the People's Committees of the provinces and centrally-run cities in the Red river delta shall, within their respective functions and tasks, have to guide and organize the implementation of this Decree.

Article 3.- The ministers, the heads of the ministerial-level agencies, the heads of the agencies attached to the Government and the presidents of the People's Committees of the provinces and centrally-run cities shall have to implement this Decree.

On behalf of the Government
Prime Minister
PHAN VAN KHAI

THE REGULATION ON FLOOD DIVERSION AND SLOWING IN THE RED RIVER SYSTEM TO PROTECT THE SAFETY OF HANOI CAPITAL

*(Issued together with Decree No.62/1999/ND-CP of
July 31, 1999 of the Government)*

Article 1.- Protection objectives:

The flood diversion and slowing in the Red river system upon the occurrence of big floods are special measures taken to protect the safety of Hanoi capital and minimize human and material losses for the people and the State.

Article 2.- Management of flood diversion and slowing:

1. Dike protection

- The dike protection must be regularly carried out as the most essential and important measure among the system of flood prevention and combat measures. When big floods occur, the dike protection must be organized in a constant and enduring manner with maximum efforts, and at the same time the dikes must be consolidated or protected to stand up to floods with the water level of 13.40 m in Hanoi and even higher level.

- The secondary dikes shall be built to stand the alarm-mark No.2 and not beyond the alarm-mark No.3, so that when big floods occur, the flood water shall be let to spill over such dikes.

2. Regulation of water levels of Hoa Binh and Thac Ba reservoirs relieve floods:

During the flood season, Hoa Binh and Thac Ba reservoirs must be regulated to relieve floods for lowland regions.

The flood relief for lowland regions must ensure the absolute safety of these very projects according to their operation procedures already approved.

3. Emergency flood alarms:

Whenever the water level in Hanoi reaches 13.10 m, which as forecasted by the General Department of Meteorology and Hydrology, continues to rise quickly, the Head of the Central Steering Committee for Flood and Storm Prevention and Combat shall have to propose the Prime Minister to decide to announce the emergency flood alarm.

4. Diversion of floods into Day river:

When Hoa Binh and Thac Ba reservoirs operate at their full flood-relieving capacity but the water level of the Red river in Hanoi keeps rising quickly, thus threatening the safety of Hanoi capital, the floods must be diverted into Day river.

Basis for decision to divert floods into Day river: When the water level in Hanoi already reaches 13.40 m, while the General Department of Meteorology and Hydrology predicts that the flood water level continues to rise quickly due to one of the following 2 reasons:

- The water level of Hoa Binh reservoir has already reached 115.00 m, while Da river's flood continues to rise quickly, thus compelling the major flood discharge according to its operation procedures, in order to protect the safety of the project itself.

- Though the water level of Hoa Binh reservoir is below 115.00 m, floods in Thao and Lo rivers are high and, as predicted, quickly rise as predicted to the level that despite of the flood relief by Hoa Binh reservoir, water level in Hanoi is likely to exceed the level of 13.40 m.

5. Use of flood-slowing areas:

To take initiative in coping with big floods and flooding contingencies that may occur, the following areas are decided to be used as flood-slowing areas:

- Tam Thanh area (Phu Tho province);
- Lap Thach area (Vinh Phuc province);
- Luong Phu and Quang Oai areas (Ba Vi district, Ha Tay province).

These flood-slowing areas shall be used only when floods have already been diverted into Day river but the water level of the Red river in Hanoi is still at 13.40 m and the General Department of Meteorology and Hydrology forecasts that the flood water level keeps on rising quickly. The decision on flood slowing by diverting floods into each area shall be based on the actual flood development.

Article 3.- Responsibilities of the ministries and central branches:

1. The Central Steering Committee for Flood and Storm Prevention and Combat shall have to:

- Closely monitor the flood development, direct and coordinate activities with the ministries, branches and localities in order to promptly deal with incidents caused by floods.

- Control the flood relief by Hoa Binh and Thac Ba reservoirs according to their operation procedures so as to ensure the absolute safety for these works.

- When the flood reaches the levels mentioned in Clauses 3, 4 and 5, Article 2 of this Regulation, the head of The Central Steering Committee for Flood and Storm Prevention and Combat shall propose the Prime Minister to decide to announce the emergency flood alarm, flood diversion and flood slowing orders.

- Regularly coordinate activities with the ministries, branches and localities in order to promptly handle matters arising in the flood diversion or flood

slowing period; and report those matters beyond its competence to the Prime Minister for consideration and decision.

2. The General Department of Meteorology and Hydrology shall have to forecast, warn and promptly provide data on rain and flood (on a hourly basis), which shall serve as basis for announcing orders on emergency flood alarm, flood diversion or flood slowing.

3. The Ministry of Industry shall have to direct the Directors of Hoa Binh and Thac Ba hydroelectric power plants in carrying out the flood relief by the orders of the head of The Central Steering Committee for Flood and Storm Prevention and Combat. In cases where the reservoirs operate at their full capacity of flood relief for lowland regions, but the flood is still forecasted to continue rising and likely to threaten such projects, it shall order the Directors of Hoa Binh and Thac Ba hydroelectric power plants to switch to anti-flood operation mode, in order to ensure the safety of such projects.

4. The Ministry of Agriculture and Rural Development shall have to:

- Examine the technical options for handling dike incidents and direct localities to handle such incidents.

- Operate flood diversion projects of Day and Van Coc dams according to the current technical procedures.

- Inspect, add more and manage key flood-slowing projects, thus ensuring safety and flood slowing efficiency.

- Mark off flooding areas and determine flooding level of the areas affected by flood diversion and flood slowing, so as to devise appropriate plans for evacuation of inhabitants.

5. The Ministry of Defense shall have to dispose forces to carry out the flood slowing, as well as forces and means for dike salvage and protection, and evacuation of inhabitants from flood diversion and flood-slowing areas at the requests of the Central Steering Committee for Flood and Storm Prevention and Combat and the flood and storm prevention and combat commands in the concerned provinces and cities.

6. The Ministry of Public Security shall have to ensure the public order and security in cases of flood diversion and flood slowing.

7. The General Department of Post and Telecommunications shall have to ensure uninterrupted communications from the central level down to branches and localities.

8. The Ministry of Construction and the

Ministry of Communication and Transport shall have to supply transport means for transporting and evacuating people at requests of localities.

9. The Vietnam News Agency, the Nhan Dan (People) Daily Newspaper, the Radio Voice of Vietnam, the Vietnam Television Station and the mass media agencies at central and local levels shall have to promptly report on handling measures taken by the Government, the Prime Minister, the ministries, branches and localities.

The Radio Voice of Vietnam and the Vietnam Television Station shall broadcast and transmit hourly news in their news reports according to contents prepared by the Central Steering Committee for Flood and Storm Prevention and Combat.

10. The Ministry of Health, the Ministry of Trade, the Ministry of Science, Technology and Environment, the Ministry of Labor, War Invalids and Social Affairs, the Ministry of Planning and Investment, the Ministry of Finance and the concerned ministries and branches shall, according to their respective functions and tasks, have to coordinate with the People's Committees in the flood diversion and flood-slowing areas in sufficiently supplying essential necessities, medicines, medical instruments and water purifying and environmental hygiene chemicals; carrying out disease prevention and treatment, stamping out epidemics, giving hunger relief and stabilizing the people's life.

Article 4.- The People's Committees in the flood diversion and flood-slowing areas shall have to:

- Organize, direct and coordinate with mass organizations in carrying out the dissemination of flood diversion and flood-slowing policies among the people to make them thoroughly understand such policies.

- Organize the dike protection and flood combat in their respective localities. Pay special attention to the protection of dikes on the left bank of Day river in cases of flood diversion.

- Announce, warn, organize and instruct the people in flood prevention and combat.

- Normalize the production and people's life, and at the same time devise detailed plans and get ready for the evacuation, protection and rescue of people, thus ensuring the safety for the life and property of the people and the State in cases of flood diversion and flood slowing.

- Ensure the security and order and stabilize the people's life.

The localities shall work out, readjust and supplement planning and plans for stabilizing the

production and people's life in the flood diversion and flood-slowing areas; as well as flood prevention and avoidance plans, with a view to taking initiative in coping with possible floods and cases of flood diversion or slowing.

Article 5.- Regarding the mechanisms and policies toward the flood diversion and flood-slowing localities

The administrations of all levels and the people in the flood diversion and flood-slowing areas shall have to realize that the implementation of flood diversion and flood-slowing decisions is but an unwilling measure to protect the common interest and take initiative in promptly coping with possible big floods, and at the same time to minimize the human and material losses for the people and the State. In order to alleviate difficulties and damage caused by the flood diversion and flood slowing:

1. The concerned ministries and branches shall, according to their respective assigned functions and tasks, have to coordinate with the localities in organizing the direction, taking initiative in working out and implementing flood prevention and combat plans; as well as policies toward the flood diversion and flood-slowing areas.

2. The State shall devise policies to support the people in the flood diversion and flood-slowing areas in carrying out the evacuation of people, domestic animals and necessities; adequately supplying food, foodstuff, prophylactic and curative drugs, plant seeds, etc., in order to stabilize the people's life and quickly overcome the flood consequences; thus preventing the outbreak of famine and diseases; and adopt policies on tax and loan preferences as well as other incentive policies to support the people in restoration and development of their production.

The Ministry of Labor, War Invalids and Social Affairs is assigned to assume the prime responsibility and coordinate with the Ministry of Planning and Investment, the Ministry of Agriculture and Rural Development and the People's Committees in the flood diversion and flood-slowing localities in elaborating specific support levels and preferential policies toward the people in such flood diversion and flood-slowing areas, then submitting them to the Prime Minister for decision. The Ministry of Finance shall supply sufficient funds to the concerned localities and branches in the course of organizing the performance of their flood diversion and flood-slowing tasks.

Article 6.- Regarding the immediate-future measures:

- Organizing the propaganda among the people in flood diversion and flood-slowing areas to make them thoroughly aware of their flood diversion or

flood-slowing task to be performed. Each family household and each locality shall have to concentrate efforts on promoting the production and take initiative in preparing for and adapting themselves with the flood diversion and flood slowing.

- Concentrating efforts on fulfilling the plans for construction and reinforcement of dikes before the rain-flood season, and ensuring sufficient quantities of all categories of reserve materials for timely handling of dike incidents.

- Organizing the inspection and strict handling of violations of the Ordinance on Dikes and the Ordinance on Flood and Storm Prevention and Combat.

- Enhancing and raising the meteorological and hydrological forecast capability, and adopting plans for cooperation with the regional countries to acquire more data for timely and accurate forecasts.

- Inspecting the elaboration of plans for natural calamity prevention and combat and exercising the dike salvage and protection drills.

Article 7.- Regarding the long-term measures:

- Formulating the socio-economic development strategy suitable to flooding circumstances in cases of flood diversion or flood slowing.

- Replanning population distribution and infrastructure in the deeply-submerged areas and areas obstructing the flood drainage in cases of flood diversion and flood slowing.

- Step by step upgrading such social welfare works as hospitals, medical stations, schools,... in order to enable them to resume their normal activities right after the flood diversion or flood slowing.

- The production establishments and State agencies located in the flood diversion and flood-slowing areas must also be built and developed in adaptability to circumstances of flood diversion and flood slowing.

- Planning, building and renovating flood diversion and flood-slowing projects.

- Installing water-level posts in each village and commune to forewarn the people in the flood diversion and flood-slowing areas.

- Studying the construction of water reservoirs for regulation of floods in combination with hydroelectricity generation in the upstream areas of Da and Lo rivers. Expediently applying effective measures to protect and develop protection forests in the basins of Da and Lo rivers and other tributaries.

On behalf of the Government
Prime Minister
PHAN VAN KHAI