

# The Missing “JUST”

## in Vietnam’s Just Energy Transition Partnership (JETP)

A report by **International Rivers**  
and the **Vietnam Climate Defenders Coalition**

JUNE 2024







## Acknowledgements

This report is the product of a collaboration between International Rivers and members of the Vietnam Climate Defenders Coalition. Primary research for the report was conducted by Manisha Regalla. Maureen Harris, Senior Advisor, and Guneet Kaur, Environmental Defenders Campaign Coordinator, International Rivers, conducted additional desk research. Shayna Samuels, Ripple Strategies, provided editorial and production support.

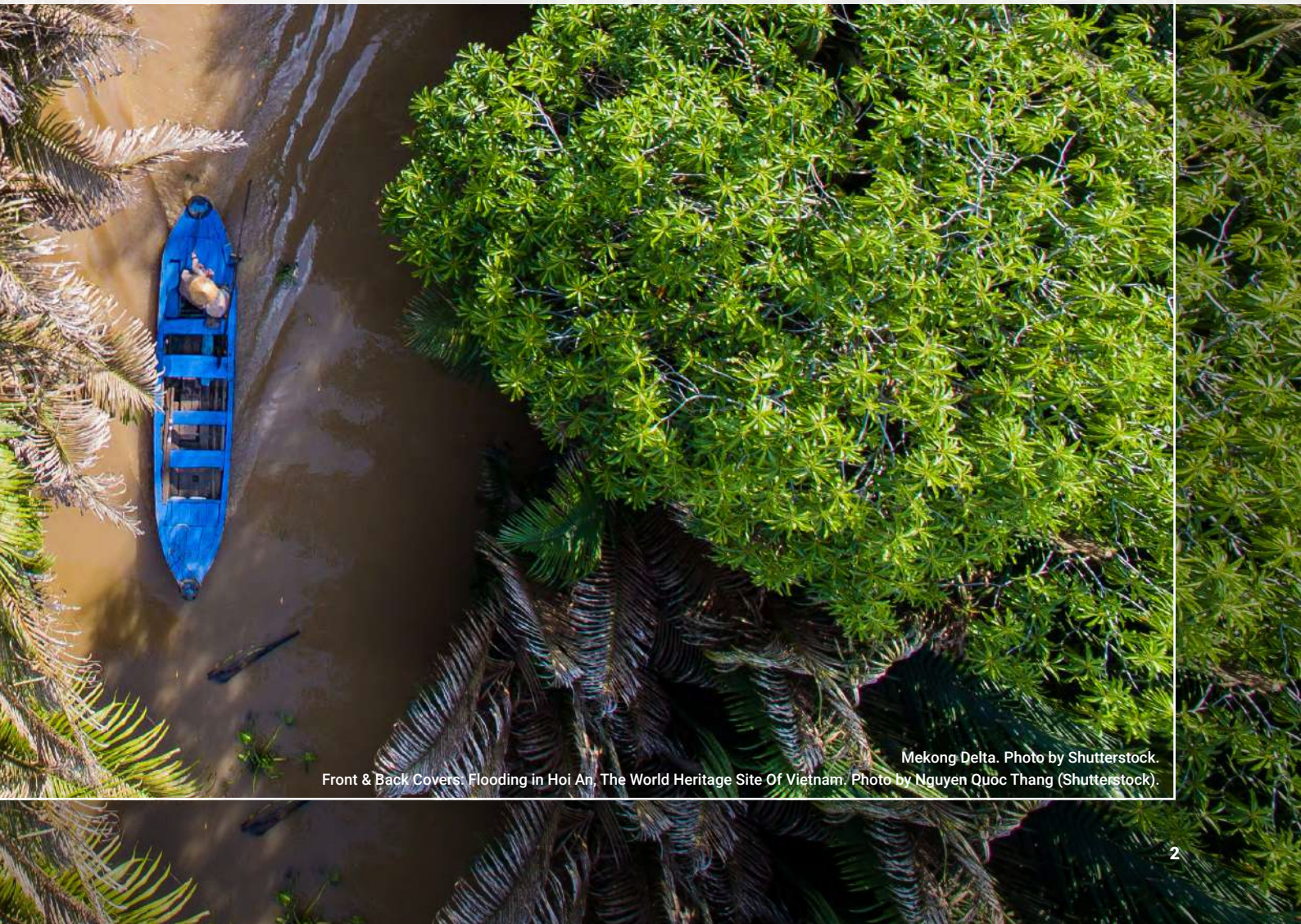
Expert reviews and inputs were provided by Tanya L. Roberts-Davis, Senior Energy Campaign Manager (Southeast Asia Program), International Rivers; Joshua Klemm, Co-Executive Director, International Rivers; Gerry Arances, Executive Director at the Center for Energy, Ecology, and Development (CEED); Joshua Miguel Lopez, Senior Policy Analyst at CEED; Camilla Fenning, Programme Lead, Fossil Fuel Transition team, E3G; Dr. Johnnie Chamberlin, Scientist, Climate and the Environment, ELAW; Satoko Endo, Policy Coordinator, Mekong Watch; Liangyi Chang, Asia Managing Director, 350.org, and others contributing anonymously.

Report design and layout by Eliza Sherpa.



# Table of Contents

Glossary . . . . .	03
Executive Summary . . . . .	04
1. Introduction to Vietnam’s Just Energy Transition Partnership (JETP) . . . . .	07
2. Finance: Funding the JETP . . . . .	11
3. Governance: Implementing the JETP . . . . .	19
4. Energy & Technology: Risk of False Solutions . . . . .	26
5. Participation: Repression of Civil Society . . . . .	33
6. Conclusions and Recommendations . . . . .	40



Mekong Delta. Photo by Shutterstock.  
Front & Back Covers: Flooding in Hoi An, The World Heritage Site Of Vietnam. Photo by Nguyen Quoc Thang (Shutterstock).



# Glossary

<b>ACCEPT</b>	ASEAN Climate Change and Energy Project	<b>MNE</b>	Multinational Enterprise
<b>ACE</b>	ASEAN Centre for Energy	<b>MOARD</b>	Ministry of Agriculture and Rural Development (Vietnam)
<b>ADB</b>	Asian Development Bank	<b>MOC</b>	Ministry of Construction (Vietnam)
<b>AFD</b>	Agence Française de Développement (France)	<b>MOF</b>	Ministry of Finance (Vietnam)
<b>ASEAN</b>	Association of Southeast Asian Nations	<b>MOIT</b>	Ministry of Industry and Trade (Vietnam)
<b>BMZ</b>	Federal Ministry for Economic Cooperation and Development (Germany)	<b>MOJ</b>	Ministry of Justice (Vietnam)
<b>CCUS</b>	Carbon Capture, Utilization, and Storage	<b>MOLISA</b>	Ministry of Labour, Invalids and Social Affairs (Vietnam)
<b>CFPP</b>	Coal Fired Power Plant	<b>MONRE</b>	Ministry of Natural Resources and Environment (Vietnam)
<b>CIC</b>	Central Inspection Commission	<b>MOST</b>	Ministry of Science and Technology (Vietnam)
<b>CMSCaE</b>	Committee for Management of State Capital at Enterprises	<b>MOT</b>	Ministry of Transport (Vietnam)
<b>CO2</b>	Carbon Dioxide	<b>MPI</b>	Ministry of Planning and Investment (Vietnam)
<b>COP</b>	Conference of Parties	<b>MPNE</b>	Master Plan for National Energy
<b>CPV</b>	Communist Party of Vietnam	<b>MPO</b>	Mass Political Organisation
<b>CSO</b>	Civil Society Organization	<b>MPS</b>	Ministry of Public Security (Vietnam)
<b>DAG</b>	Domestic Advisory Group	<b>Mt</b>	Megatons
<b>EIB</b>	European Investment Bank	<b>MtCO2e</b>	Metric tons of carbon dioxide equivalent
<b>ETM</b>	Energy Transition Mechanism	<b>NDC</b>	Nationally Determined Contribution
<b>ETP</b>	Energy Transition Partnership	<b>NGO</b>	Non-Governmental Organisation
<b>EU</b>	European Union	<b>ODA</b>	Official Development Assistance
<b>EVFTA</b>	EU-Vietnam Free Trade Agreement	<b>OHCHR</b>	United Nations Office of the High Commissioner for Human Rights
<b>EVN</b>	Vietnam Electricity	<b>OOG</b>	Office of Government (Vietnam)
<b>FIT</b>	Feed-in Tariffs	<b>PCC</b>	Presidential Climate Commission (South Africa)
<b>G7</b>	Group of Seven (countries)	<b>PDP</b>	Power Development Plan
<b>GFANZ</b>	Glasgow Financial Alliance for Net Zero	<b>PV</b>	Photovoltaic
<b>GHG</b>	Greenhouse Gas	<b>RMP</b>	Resource Mobilisation Plan
<b>GIZ</b>	Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (Germany)	<b>SBV</b>	State Bank of Vietnam
<b>GreenID</b>	Green Innovation and Development	<b>SDGs</b>	Sustainable Development Goals
<b>GW</b>	Gigawatts	<b>SES</b>	Social and Environmental Standards
<b>IEA</b>	International Energy Agency	<b>UK</b>	United Kingdom
<b>IFC</b>	International Financial Corporation	<b>UN</b>	United Nations
<b>ILO</b>	International Labour Organization	<b>UNDP</b>	United Nations Development Programme
<b>IPG</b>	International Partners Group	<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<b>ISPONRE</b>	Institute of Strategy, Policy on Natural Resources and Environment (Vietnam)	<b>UNGPs</b>	United Nations Guiding Principles on Business and Human Rights
<b>JBIC</b>	Japan Bank for International Cooperation	<b>UNOPS</b>	United Nations Office for Project Services
<b>JETP</b>	Just Energy Transition Partnership	<b>USA</b>	United States of America
<b>JICA</b>	Japan International Cooperation Agency	<b>VEPG</b>	Vietnam Energy Partnership Group
<b>LNG</b>	Liquefied Natural Gas	<b>VIETSE</b>	Vietnam Initiative for Energy Transition (Social Enterprise)
<b>LPSD</b>	Law and Policy of Sustainable Development Research Centre	<b>VUSTA</b>	Vietnam Union of Science and Technology
<b>MARD</b>	Ministry of Agriculture and Rural Development (Vietnam)	<b>VSEA</b>	Vietnam Sustainable Energy Alliance
<b>MDB</b>	Multinational Development Bank	<b>WBG</b>	World Bank Group
<b>MEC</b>	Media in Educating Community		
<b>MFA</b>	Ministry of Foreign Affairs (Vietnam)		



Extreme air pollution in Ho Chi Minh City, Vietnam. Photo by Paul Evan Green (Shutterstock).

# EXECUTIVE SUMMARY

Vietnam faces major challenges in the climate crisis. The country is among Southeast Asia’s fastest-growing economies, with energy demands projected to increase at least six times by 2050 from 2020 levels.<sup>1</sup> Heavily dependent on coal, Vietnam is one of the fastest growing per capita GHG emitters worldwide, with emissions quadrupling from 2000-2015.<sup>2</sup> At the same time, the country is among five of the most vulnerable in the world to the impacts of climate change.<sup>3</sup> More than 100 new high temperature records were broken across Vietnam in April 2024 alone.<sup>4</sup> Together, these factors mean Vietnam’s energy transition is both critical and urgent. A sustainable and resilient energy system is crucial to limit Vietnam’s contributions to climate change and mitigate its adverse impacts within the country.

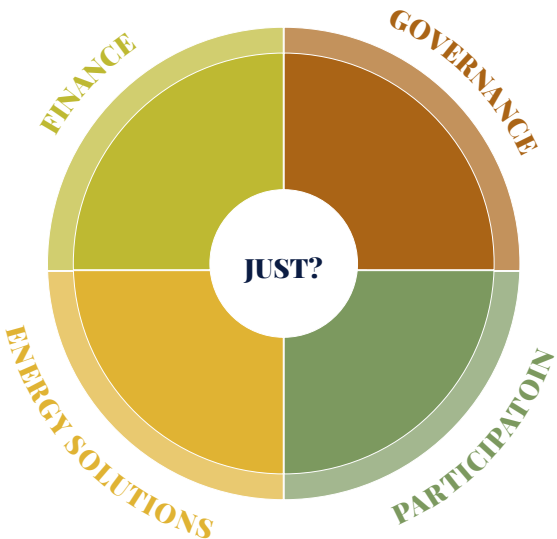
In light of Vietnam’s tremendous clean energy potential, as well as the need for international support for the country’s climate ambitions, the International Partners Group (IPG) – comprised of the European Union (EU), United Kingdom (UK), United States of America (USA), Japan, Germany, France, Italy, Canada, Denmark, and Norway – established the Just Energy Transition Partnership (JETP) with Vietnam in December 2022. JETPs are a relatively new financing mechanism aimed at accelerating

clean energy transitions in developing countries. Additional financing partners for Vietnam include multilateral and national development banks and private financial institutions coordinated by the Glasgow Financial Alliance for Net Zero (GFANZ).

This report examines the details and development of the Vietnam JETP as well as the challenges in achieving a truly just and effective energy transition away from dependence on fossil fuels and other destructive energy sources. It was commissioned on behalf of the Vietnam Climate Defenders Coalition, a group of over 30 international and regional environmental, climate justice, and human rights organizations.

The report explores the “just” aspect of the JETP in relation to four key areas: finance; governance and implementation; technology and energy solutions; and public and civil society participation.

**“ Heavily dependent on coal, Vietnam is considered one of the fastest growing per capita GHG emitters worldwide, with emissions quadrupling from 2000-2015.”**





**Suppression of climate and environmental activists in Vietnam has drawn concern about the ability of the JETP to achieve its objectives and utilize funds as intended.**

**Over the last few years, Vietnamese authorities have unjustly arrested and imprisoned six prominent climate leaders, experts, and advocates, and increased crackdowns on independent organizations working on environmental and energy issues in the country.”**

The proposed US \$15.5 billion JETP financing for Vietnam represents only a small fraction of the estimated US \$135 billion needed by 2030 just to implement Vietnam’s power development plans, and a projected US \$364 to \$511 billion required to implement the country’s energy transition by 2050.<sup>5</sup> Nonetheless, the JETP has potential to establish a governance framework that will kickstart planning towards a comprehensive, fair, funded, and fossil fuel-free energy transition. This includes the goal of achieving a “just” and inclusive transition through participation and “broad social consensus.”<sup>6</sup>

However, the suppression of climate and environmental activists in Vietnam has drawn concern about the ability of the JETP to achieve its objectives and utilize funds as intended. Over the last few years, Vietnamese authorities have unjustly arrested and imprisoned six prominent climate leaders, experts, and advocates, and increased crackdowns on independent organizations working on environmental and energy issues in the country.

This has severely limited — perhaps eliminated — genuine opportunities for consultation with civil society, an essential part of the JETP as set out in the Political Declaration on Establishing the Vietnam JETP<sup>7</sup> (Political Declaration). The arrests and wider fears of persecution in the environmental and energy sectors have also restricted access to information and public participation in Vietnam’s energy transition. Without civil society involvement in the process, it is difficult to see how the Vietnamese government can be held accountable in implementing a truly just energy transition or ensuring that the country meets its climate ambitions and targets.

There are additional challenges for the Vietnam JETP to achieve a “just” transition at the pace and scale needed to meet the threats posed by climate change. Firstly, the vast majority of the financing has been offered in the form of market rate loans rather than grants. This arguably contradicts the “just” aspect of the JETP by compelling Vietnam — and the Vietnamese people — to incur debt in order to finance the energy transition.

Further, there is an overall lack of clarity or guiding principles in defining what is required to achieve a “just” transition, reflected in both the JETP financing and its implementing framework. Little specific financing is dedicated to the “just” aspect of the JETP, including funding for the research necessary to understand key challenges, ensure wide consultation, monitor implementation, and achieve a broad consensus.

The Resource Mobilisation Plan (RMP), which sets out plans for implementing the JETP, addresses the “just” aspect largely as an afterthought rather than an integral aspect of the governance framework. Lack of coordination domestically within key ministries in Vietnam, and with and between international partners, also contributes to an overall lack of transparency, accountability, and consensus building in the JETP design and implementation.

Concerns extend to energy solutions that will be directly supported or facilitated by the JETP. While the Vietnamese government has made high level commitments to shift the country away from coal,<sup>9</sup> reflected in the JETP Political Declaration,<sup>9</sup> implementation plans do not currently include a concrete timeline for phasing out coal or specific plans for retiring any of the country’s coal plants. Further, Vietnam’s energy plans include proposals to scale up other carbon-intensive and environmentally destructive energy options associated with onerous economic costs, including reliance on imported liquified natural gas (LNG), hydropower expansion, and untested plans to convert coal plants to biomass and ammonia co-firing.

Given the urgent infrastructure and policy investments needed to develop and utilize Vietnam’s vast potential for solar and wind energy, there is a risk that investments in false solutions will take priority over those needed to build a truly just, sustainable, and resilient energy system in a manner that safeguards the livelihoods, energy security, and wellbeing of Vietnam’s people.

“ **Despite high level targets aimed at shifting Vietnam away from coal, implementation plans do not currently include a concrete timeline for phasing out coal or specific plans for retiring any of the country’s coal plants.**”

**This report makes the following recommendations to the Vietnamese government, JETP IPG and institutional partners, and public and private financiers and investors:**

- Immediately **secure the release of the climate and environmental defenders** unjustly imprisoned in Vietnam.
- **Center civil society and vulnerable groups** in the energy transition by enabling them to participate freely and safely in JETP planning and implementation processes.
- Develop **clear principles on “just transition” for JETPs**, based on a broad participatory process and consistent with obligations of both Vietnam and IPG countries to international human rights, labor rights and environmental conventions as well as with environmental and social safeguard policies and commitments of international financing institutions.
- **Prioritize grants over debt financing** in JETP funding pledges in line with principles of climate justice, including the polluter pays principle and reparations for harms, losses and damages.
- **Strengthen coordination and transparency** between relevant agencies and international partners and organizations, including on defining and implementing a just transition.
- **Ensure clear commitments, including a timeline, for coal phaseout and investment in truly clean, sustainable, and resilient energy projects.** In addition to investment in renewable energy facilities, this should include rapid investment in essential support systems, such as robust power grids, grid flexibility and upgrades, battery storage options, and enabling policy mechanisms. Plans developed under the JETP must be unequivocally aligned with a 1.5°C emissions pathway, consistent with the Paris Agreement.
- Establish **oversight mechanisms and adequate resourcing** to ensure a robust policy framework for implementing and monitoring a just energy transition in Vietnam.







# 1. INTRODUCTION TO VIETNAM'S JETP

Launched in 2021 at the 26<sup>th</sup> UN Climate Change Conference in Glasgow (COP26), Just Energy Transition Partnerships (JETPs) are financing mechanisms established between largely G7 countries and emerging coal- and fossil fuel-dependent economies. The stated aim of the JETP is to rapidly spur a shift away from carbon-intensive energy sources while addressing the massive social consequences of the decarbonization process.<sup>10</sup> Following the Paris Agreement and other international agreements, the just aspect reflects the need for energy and climate financing to address historic inequalities and injustice as part of the transition away from dependence on fossil fuels and associated infrastructure. Four JETPs are currently in place: South Africa, Indonesia, Vietnam, and Senegal, with additional agreements reportedly under negotiation.

JETP signatories are typically the host country and an 'International Partners Group' (IPG), which, in the case of Vietnam, comprises the United Kingdom (UK), the European Union (EU), the United States of America (USA), Germany, Japan, France, Italy, Canada, Denmark, and Norway. Additional financing partners in the Vietnam JETP include multilateral development banks, such as the Asian Development Bank (ADB) and International Finance Corporation (IFC), plus national development banks, development finance agencies, and private financial institutions coordinated by the Glasgow Financial Alliance for Net Zero (GFANZ). JETPs are not legally binding agreements and may therefore be subject to unilateral modifications by any party involved.

The Vietnam JETP was announced in December 2022 at the EU-ASEAN (Association of Southeast Asian Nations) summit in Brussels and outlined in the 'Political Declaration establishing the Vietnam JETP' (hereinafter the 'Political Declaration').<sup>11</sup> The Political Declaration commits Vietnam to establishing a Secretariat and Resource Mobilisation Plan (RMP) to catalyze financing, and to improving regulatory

frameworks on renewable energy and the energy transition in order to expand both public and private investment. In turn, the IPG commits to mobilizing US \$15.5 billion over the next three to five years through a combination of financial instruments. The Political Declaration also stipulates a biennial review process to assess adherence to top-line targets and policy reforms, and adjusting targets where necessary.<sup>12</sup>

**“...for the transition to be just and equitable, regular consultation is required, including with media, NGOs and other stakeholders so as to ensure a broad social consensus.”**

**—JETP Political Declaration**

A distinctive factor of the JETP is that its stated aim is to ensure a “just” energy transition, as compared with many other domestic and international efforts to boost the transition to green energy at all costs.<sup>13</sup> The importance of ensuring a just energy transition is enshrined in the 2015 Paris Agreement<sup>14</sup> and has been emphasized by governments, civil society organizations, and international partners involved in the Vietnam JETP.<sup>15</sup>

The JETP Political Declaration states that “...for the transition to be just and equitable, regular consultation is required, including with media, NGOs and other stakeholders so as to ensure a broad social consensus.”<sup>16</sup> It therefore commits the partners to: “...lead[ing] a just transition, in line with, inter alia, the ILO Declaration on Fundamental Principles and Rights at Work, to ensure all of society can benefit from a green transition to increase access to affordable energy and engage with relevant organizations and stakeholders to help meet the needs of those most affected by the green transition...”<sup>17</sup>

While Vietnam has been lauded for the timely achievement of certain JETP deliverables in its first year of implementation, including establishing a Secretariat in July 2023 and launching the RMP at COP28 in December 2023, significant concerns have been raised over the just aspect of JETP implementation. A key driver of these concerns is the pattern of arrests and imprisonment in Vietnam of prominent climate leaders, advocates, and experts, along with an ongoing crackdown and repression of independent civil society organizations working on environmental and energy issues in the country. The constraints on civil society and public participation are examined in further detail in section 5 of this report.



## Vietnam's Climate Prisoners

Six prominent climate leaders and energy experts have been arrested and detained in Vietnam since mid-2021. Five of the six were handed lengthy prison sentences for tax evasion based on harsh and punitive interpretations of the country's ambiguous tax requirements for civil society organizations. At the time of report release, the sixth is in pre-trial detention on charges of "appropriation of information or documents."<sup>18</sup>

- **Dang Dinh Bach**, lawyer and former Director of the nonprofit Law and Policy of Sustainable Development Research Centre: arrested 24 June 2021 and currently serving a five-year sentence.<sup>19</sup>
- **Mai Phan Loi**, journalist and former Director of the nonprofit Media in Educating Community (MEC): arrested 24 June 2021 and released 10 September 2023.
- **Bach Hung Duong**, lawyer and former staff of the non-profit Media in Educating Community: arrested 24 June 2021 and released September 2023.
- **Nguy Thi Khanh**, founder and former Executive Director, Green Innovation and Development (GreenID): arrested 11 January 2022 and released 12 May 2023.
- **Hoang Thi Minh Hong**, founder and former Director of nonprofit CHANGE Vietnam: arrested 31 May 2023 and currently serving a three-year sentence.
- **Ngo Thi To Nhien**, Executive Director of the Vietnam Initiative for Energy Transition Social Enterprise (VIETSE); arrested 15 September 2023 and currently in pre-trial detention.<sup>20</sup>

Prior to their arrests, each of these individuals was engaged in high-profile advocacy efforts to mobilize a shift away from coal in Vietnam or in research and policy work aimed at facilitating a just transition. **Several were members of the Vietnam Sustainable Energy Alliance (VSEA), which was instrumental in securing Vietnam's commitment to net zero emissions by 2050, announced at COP26<sup>21</sup>, paving the way for the JETP.**

Common patterns observed in these cases include: violations of due process; lengthy pre-trial and periods of incommunicado detention; restricted access to legal representation and family visits; closed trials; and disproportionately heavy prison sentences compared to similar cases and charges among the general population.<sup>22</sup>



Dang Dinh Bach (left) and Hoang Thi Minh Hong. Photo by StandWithBach.org (left) and 350.org (right).



**“ The ILO and OHCHR [have] emphasized that achieving a just transition requires adherence to the international human rights framework, including guarantees for access to information, participation, and justice in the transition and protection of environmental human rights defenders.”**

## Defining a “just” transition

Despite commonalities in objectives, financing partners, and challenges across diverse host countries, there are currently no guiding frameworks or shared principles for ensuring justice and equity in JETPs. This lack of clarity with respect to “just” is reflected in the Vietnam JETP Political Declaration, which references an obligation to maintain justice in the energy transition, but fails to clearly define what this means.

This is due, in part, to the absence of international consensus on what constitutes a “just transition” and the key elements required to achieve it. Varying socio-political and economic circumstances among countries and communities make a one-size-fits-all approach unsuitable. Widely diverse visions of a “just transition” are promoted by a range of interests, from commercial banks and fossil fuel-based energy companies, which do not stray from business-as-usual and current extractivist economic models, to community-led and bottom-up approaches that view just transition in terms of both principles and process, with a focus on economies of care, regeneration, and broad participation.<sup>23</sup>

The concept of a just energy transition is stated in the Paris Agreement. It requires state parties to consider the imperatives of creating decent work and

quality jobs in accordance with nationally defined development priorities.<sup>24</sup> The International Labour Organization (ILO) has also done considerable work in the field, building on the 1998 ILO *Declaration on Fundamental Principles and Rights at Work*, which is referenced in the JETP Political Declaration. The ILO defines a “just transition” as: “promoting a green economy in a way that is as fair and inclusive as possible to everyone concerned – workers, enterprises and communities – by creating decent work opportunities and leaving no one behind.”<sup>25</sup>

More recently, the ILO, together with the United Nations Office of the High Commissioner for Human Rights (OHCHR), issued guidance on human rights and a just transition. They stated that a just transition is one that is: “... fair, equitable, inclusive and sustainable, creates decent work opportunities, reduces inequalities and poverty, as well as upholds the human rights of workers and affected communities, in particular Indigenous Peoples and communities affected by environmental degradation and by the measures that are needed to address it.”<sup>26</sup>

Importantly, the ILO and OHCHR emphasized that achieving a just transition requires adherence to the international human rights framework, including guarantees for access to information, participation, and justice in the transition<sup>27</sup> and protection of environmental human rights defenders.<sup>28</sup>

## Civil Society ‘Principles for a Fair JETP’

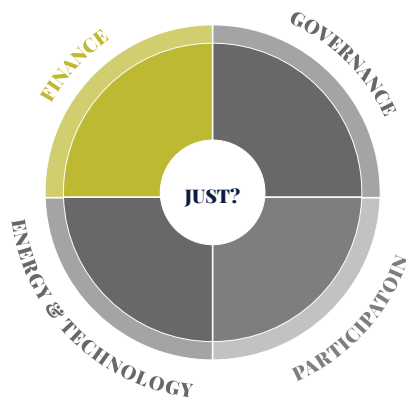
On 10 June 2024, a group of CSOs from JETP recipient countries (excluding Vietnam)<sup>29</sup> released the ‘Principles for a Fair JETP’. The Principles were developed through a collective process; they are intended to be a living document and a tool for organizing, applicable at global, national and local levels. The Principles reflect the need for accountability, transparency and equity in both JETP funding and implementation. They demand that JETP donor countries craft JETPs within an ‘economic, environmental and social justice’ framework.

The Principles state Donor countries should refrain from debt-based offers and conditional grants that infringe on national sovereignty and community agency. A Fair JETP should involve and engage with local leadership, center human rights, including protection of environmental and climate defenders, and be gender-responsive. JETPs should provide access to information and exclusively promote the development of renewable energy solutions. JETPs should not promote false solutions such as co-firing, coal gasification and liquefaction, blue hydrogen, gas, carbon capture utility storage/carbon capture storage, nuclear and geothermal, which are built by displacing people and destroying the environment.

The Principles for a Fair JETP can be accessed at: [350.org/jetp/](https://350.org/jetp/)



## 2. FINANCE: FUNDING THE JETP



The 'Political Declaration on Establishing the Vietnam JETP' (Political Declaration) sets out the financing arrangements as follows:

- **US\$ 7.75 billion in public funds** will be made available by IPG members;

- **US\$ 7.75 billion in private funds** will be secured with the help of GFANZ subject to the mobilization of public funds, as well as progress in domestic policy implementation.

Since the JETP Declaration, these numbers have been updated, with the RMP providing the latest and most accurate representation of the breakdown of public funds mobilized by each IPG member and other JETP partners and the financial instruments in each contribution.<sup>30</sup>

The relatively small amount of US\$ 15.5 billion in financing committed under the JETP is only an initial amount aimed at accelerating Vietnam's energy transition. Estimates indicate that a total of US\$ 135 billion in investments will be needed by 2030 just to execute Vietnam's power development plans,



Climate action in Vietnam. Photo by 350.org



excluding additional financing for research and technical capacity-building.<sup>31</sup> Despite its relatively small financing contribution, the JETP has the potential to support necessary legal and policy reforms to facilitate further investments in the country's wider energy transition.

Vietnam's latest power development plans indicate that another US\$ 364 to \$511 billion will be required to implement energy plans from 2031 to 2050.<sup>32</sup> However, it is important to note that this is based on planned investments in costly energy options, such as fossil gas infrastructure, coal plant repurposing, and destructive hydropower, as discussed further in section 4 of this report.

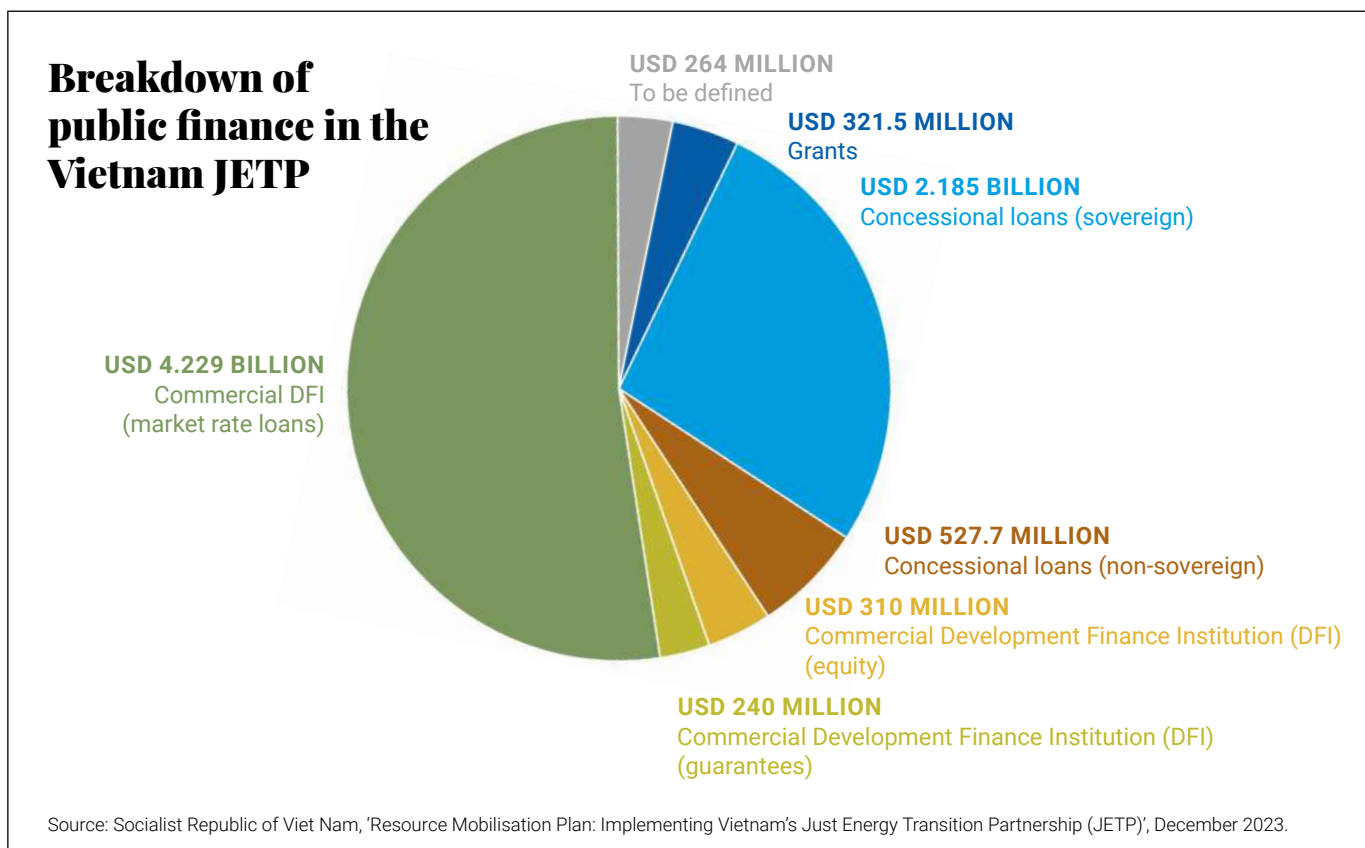
## Reparations not debt

An aspect of the financing that is subject to contention is the higher proportions of market rate loans compared to grants that have been committed to Vietnam under the JETP. As shown in the chart below, very little of the public financing committed under the JETP is in the form of grants. Only about a quarter is in the form of concessional loans. Almost half is committed as commercial financial loans at market rates.<sup>33</sup> Experts conclude that taking into account interest rates, the IPG countries will recover the cost of the grants or technical assistance provided, while placing Vietnam – and the

Vietnamese people – in a debt financing model of energy transition.<sup>34</sup>

This contradicts an important rationale for the JETP, which is intended to address historical inequities by transferring the financial burden of the transition in developing and emerging economies to wealthy developed nations that have significantly contributed to the global climate crisis with disproportionately higher CO2 emissions propelling their growth for decades. Critiques of the JETP debt financing model have been voiced by civil society groups in Indonesia and South Africa,<sup>35</sup> arguing that financing through commercial and concessional loans can aggravate the debt burden of developing countries and risk creating debt traps.<sup>36</sup>

Just transition financing should, instead, be based on principles of environmental and climate justice, including the polluter pays principle and reparations for harms, losses and damages. Many of the financiers of the JETP, from IPG governments and multilateral development banks to commercial banks, have financed and supported coal and fossil-fuel expansion in Vietnam for decades. Given this reality, these actors hold responsibilities under this rubric to provide grants to support the shift away from carbon intensive and polluting technologies, as well as to support clean-up and reparations.





## Key financial actors in Vietnam's JETP

### International Partners Group (IPG)

The IPG is leading the mobilization of finance for the JETP, with negotiations being led by the UK and EU. However, in general, there appears to be a lack of structured approach to the IPG's role in financing and implementation of the JETP. The Political Declaration provides little additional guidance on responsibilities beyond IPG commitments to mobilize public and private financing on favorable terms to support the energy transition.<sup>37</sup>

The RMP provides some additional information on IPG member responsibilities. This includes, inter alia: participation in activities of the JETP Secretariat and resourcing of its functions; support for the development of a legal and policy framework for the transition; and ensuring implementation of a just transition in line with the ILO Declaration of Fundamental Principles and Rights at Work.<sup>38</sup> However, there is little detail on how these responsibilities will be carried out.

At the time of writing, some IPG members have taken active steps to meet JETP commitments financially, as well as through provision of technical or policy assistance. For example, the UK,<sup>39</sup> EU,<sup>40</sup> and Germany<sup>41</sup> have all appointed specialized personnel or teams within the relevant arms of their governments to oversee their commitments under the Vietnam JETP. Some IPG members have commissioned external assistance. For example, Germany has appointed Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ), a German development organization, to provide advisory services on the JETP to the Federal Ministry for Economic Cooperation and Development (BMZ).<sup>42</sup> Most IPG member leaders have discussed JETP-related matters with the Vietnamese government in official state visits and bilateral meetings.<sup>43</sup>

Nonetheless, there are multiple issues and concerns with respect to IPG financing. While the RMP confirmed that US\$ 8.08 billion – more than the US\$ 7.75 billion originally pledged – had been mobilized or committed by IPG members as of December 2023, there is limited information on the timeline for the disbursement of these funds. In many cases, funds committed for existing projects are being re-packaged as energy transition financing under the JETP.<sup>44</sup> Other IPG financing is not directly provided to Vietnam at all, but to development companies

investing in privately developed infrastructure projects that may or may not come to fruition.<sup>45</sup>

While the RMP has provided details of how much each IPG member is contributing, there is little transparency on the negotiation process, or when and how funds will be released or administered. The details of the negotiations remain unclear and are left to the discretion of each IPG member. There are no publicly available records of discussions amongst IPG members on how to designate responsibilities and commitments – each member appears to be negotiating independently with the Vietnamese government. There does not appear to be a cohesive governance structure or guiding principles within the IPG, leading to poor coordination and lack of clarity on each member's role in JETP implementation. Each project and source of funding has specific criteria and operational requirements that the beneficiary country must meet.<sup>46</sup> This lack of coordination and transparency also arises in critiques of JETPs in other countries.<sup>47</sup>

The RMP indicates that the financial commitments for JETP do not take into account the specific funding necessary to adequately research the just aspects of the transition,<sup>48</sup> which is essential to developing an effective policy framework for implementation. However, very few of the various initiatives announced by IPG members since the signing of the JETP have focused explicitly on this aspect.

While several IPG members, including the United States,<sup>49</sup> the UK,<sup>50</sup> Germany,<sup>51</sup> and the EU,<sup>52</sup> have issued strong public statements of concern about the pattern of arrests and detentions of climate defenders in Vietnam, none have been willing to tie JETP funding or technical assistance to the release of those unjustly imprisoned, or to secure protections for climate and environmental defenders and civil society to participate in JETP processes. Beyond voicing concerns, there are currently no effective response mechanisms in place if Vietnam fails to deliver on any of its commitments or continues to target and repress energy and climate advocates.<sup>53</sup>

**“There does not appear to be a cohesive governance structure or guiding principles within the IPG, leading to poor coordination and lack of clarity on each member's role in JETP implementation.”**



## IPG financing through national aid and development agencies

National aid and development agencies are playing a key role in financing and supporting projects under the JETP. In Germany, for example, Vietnam is a global partner under BMZ's 2030 reform process and energy transition is a key area for BMZ-Vietnam cooperation.<sup>54</sup> The GIZ, along with several other financial institutions and agencies, is supporting the Shifting Investment Flows Towards Green Transformation in Viet Nam (SHIFT) project.<sup>55</sup> Further, the International Climate Initiative (IKI) under the Federal Ministry for Economic Affairs and Climate Action (BMWK) has supported work on a coal-phaseout roadmap for Vietnam.<sup>56</sup> IKI is also supporting Vinacom in their pre-feasibility study on biomass co-firing for a thermal plant in Vietnam.<sup>57</sup>

The French development agency, Agence Française de Développement (AFD), is providing a \$70 million loan to power company Vietnam Electricity (EVN) for the extension of the Hoa Binh hydropower plant<sup>58</sup> and is also supporting development of the Se San Solar Power Plant.<sup>59</sup> The AFD is also leading a consortium of EIB, KfW and JICA in an appraisal for financing of the Bac Ai pumped storage hydroelectric project.<sup>60</sup> Further, AFD and EVN have concluded a € 1 million Technical Cooperation agreement to develop an energy transition roadmap for EVN.<sup>61</sup>

### The Private Sector: GFANZ and Foreign Investors

The Glasgow Financial Alliance for Net Zero (GFANZ) describes itself as “a global coalition of leading financial institutions committed to accelerating the decarbonization of the economy.”<sup>62</sup> It is led by a principals group comprised of Chief Executive Officers (CEOs) from member financial institutions, UN representatives, chairs of the GFANZ regional networks, and the GFANZ Leadership Team. Despite its stated goals, GFANZ has been subject to criticism, because of the continued role of member banks in financing fossil fuel expansion<sup>63</sup> and flawed approaches to measuring transition finance among its members.<sup>64</sup>

GFANZ announced in December 2022, following the JETP Political Declaration, that it had established a working group consisting of 11 private banking institutions to support the mobilization of private finance for both the Indonesia and Vietnam JETPs.<sup>65</sup> According to the press release, the working group's priorities are to: identify barriers to sourcing necessary private investment; advocate for reforms needed to address financial barriers; and identify approaches that could help crowd-in private finance at scale.

Several GFANZ Working Group members have individually reiterated support and launched partnerships that mention or reference the Vietnam JETP. For example, Standard Chartered Bank announced the launch of its “Sustainability Incubator with Youth” program (in collaboration with the British Chamber of Commerce in Vietnam).<sup>66</sup> Mizuho Bank is co-financing with the Japan Bank for International Cooperation's (JBIC) US\$ 300 million credit line associated with the JETP.<sup>67</sup> However, there is limited information on GFANZ's role, and the institution itself has largely been silent on JETP activities. The RMP provides some additional insights, including:

- **GFANZ loans will be offered at market rates.** Projects for which GFANZ funding is offered will be assessed individually and are likely to be structured in different ways, depending on the needs of the projects.<sup>68</sup>
- **GFANZ funding is private, hence is subject to commercially bankable projects being proposed under the JETP.**<sup>69</sup> This means projects need to generate profits, and as a result, may not be designed to serve marginalized populations or remote communities due to lack of guaranteed returns on investments.

“Beyond voicing concerns, there are currently no effective response mechanisms in place if Vietnam fails to deliver on any of its commitments or continues to target and repress energy and climate advocates.”



- While not officially announced by GFANZ, Annex II of the RMP indicates that **the alliance is already offering technical support** for policy actions and task groups.

## Multilateral development banks

Multilateral development banks (MDBs) have been financing renewable energy projects in Vietnam and other emerging economies for decades. Several MDBs – including the Asian Development Bank (ADB) and the World Bank Group’s International Finance Corporation (IFC) – are identified in the JETP Political Declaration as having specific roles in financing the JETP. In addition, a number of national and regional development banks are involved in providing financing to the JETP through IPG members, including the European Investment Bank (EIB) and the Japan Bank for International Cooperation (JBIC).<sup>70</sup>

- **Asian Development Bank (ADB):** The ADB’s role in the JETP appears to be primarily through piloting its Energy Transition Mechanism (ETM), launched in 2021, with an aim to use concessional and commercial capital to accelerate the retirement or repurposing of fossil fuel power plants and ultimately replace them with clean energy sources.<sup>71</sup> According to the RMP, the ADB is contributing public financing (in the form of loans) for the JETP in the amount of US\$ 2.1 billion.<sup>72</sup> Annex I of the RMP indicates that, apart from piloting the ETM, ADB will use these funds to finance power transmission and energy storage projects.<sup>73</sup> Publicly available sources only indicate that the ADB conducted an ETM pre-feasibility study in Vietnam in 2021 and is currently “in discussions with key ministries to initiate a full ETM feasibility study”.<sup>74</sup> Sources interviewed for this report indicated that there are delays in completing the approval processes required for ADB to continue working on the ETM and JETP implementation in Vietnam.
- **World Bank Group (WBG):** While the World Bank is involved in financing energy projects in Vietnam generally through loans and grants,<sup>75</sup> and although meetings have included statements of support for Vietnam’s energy transition,<sup>76</sup> there is little public information on WBG’s role in the JETP. According to the RMP, specific WBG financial contributions to the Vietnam

JETP will be made through funds sourced from the Canadian government, but further details on this arrangement are not currently available. The WBG is supporting technical assistance projects related to the energy transition, including an assessment of legal frameworks to support the development of a renewable energy law in Vietnam.<sup>77</sup>

The World Bank in close coordination with the General Department of Energy (GDE) under the Vietnam Ministry of Industry and Trade (MOIT) conducted a case study on the repurposing of Vietnam’s oldest coal-fired power plant (CFPP), Ninh Binh, in 2017. They presented this study in March 2024 at the UNDP’s ‘Technical meeting on the assessment of scenarios of taking coal thermal power generation in Vietnam to net-zero GHG emissions by 2050’.<sup>78</sup>

- **The International Finance Corporation (IFC),** a member of the World Bank Group, also has a longstanding partnership with Vietnam. While the IFC’s involvement in financing was announced in the JETP Political Declaration, further details are not yet available. As a development finance institution committed to supporting private sector investment in emerging markets, the IFC is expected to be involved in financing private sector projects that meet JETP and IFC investment criteria.

---

“**Financial support for the JETP should require strict compliance with multilateral development bank safeguard policies.”**

## Environmental and Social Safeguards and Obligations

The ADB, the World Bank, and the IFC each have **environmental and social safeguard policies**, including policy statements and commitments on public participation, consultation with civil society,<sup>79</sup> and protection against retaliation and reprisals.<sup>80</sup>

The Asian Development Bank's guide to public participation states that participation "... fundamentally supports good governance, citizenship, and accountability of the state. It promotes social inclusion of disadvantaged groups and equitable economic growth... The participation of civil society particularly promotes innovation and responsiveness and is directly linked to more positive development effectiveness."<sup>81</sup>

The IFC's Performance Standards include requirements for IFC and IFC clients to ensure information disclosure and transparency; engagement and consultation with affected communities and other stakeholders, including civil society representatives; and effective grievance mechanisms and avenues for redress.<sup>82</sup> The IFC's zero-tolerance policy on reprisals states that it does not tolerate any action by an IFC client that amounts to retaliation.<sup>83</sup>

Although the identified MDBs have yet to make public statements of concern over the pattern of arrests and detention of climate defenders in Vietnam, the situation may arise as a hurdle for MDB-related financing under the JETP as implementation progresses. Financial support for the JETP should require strict compliance with MDB safeguard policies.

In the lead-up to COP26, eight MDBs, including the Asian Development Bank and the European

Investment Bank, released a joint set of high-level principles on just transition, focusing on connecting climate action with the sustainable development goals.<sup>84</sup> Principle 5 states, "MDB support for a just transition encourages transparent and inclusive planning, implementation and monitoring processes that involve all relevant stakeholders and affected groups, and that further inclusion and gender equality."<sup>85</sup>

The IPG governments, the Vietnamese government, and other JETP financing partners also have obligations to ensure adherence to the **international human rights framework** in energy transition financing.

Given the diverse private sector and business actors involved in financing and developing projects under the JETP, the **United Nations Guiding Principles on Business and Human Rights (UNGPs)**<sup>86</sup> and accompanying guidance developed by the Business and Human Rights Working Group<sup>87</sup> provide important reference points for compliance with international human rights standards. The UNGPs include the responsibility to respect human rights for business and private sector enterprises and the responsibility of governments to protect human rights in the context of business and public and private sector investment and activities.

None of the above appear to have been considered in the development of the JETP framework to date. Vietnam has recently developed a National Action Plan on Responsible Business Conduct with reference to the UNGPs, but it has been subject to criticism for failing to ensure stakeholder participation and lack of compliance with international human rights standards.<sup>88</sup>



## Other actors: Multinational Enterprises (MNEs)

In recent years, Vietnam has become crucial to global supply chains. A growing number of MNEs have set up regional headquarters or major manufacturing facilities in Vietnam, while also pledging to make their business operations more responsive to the climate crisis. These developments have led to a strain on Vietnam's power sector while increasing demand for low-carbon energy.

For example, in 2022, Apple announced an important manufacturing shift from China to Vietnam.<sup>89</sup> This followed the company's 2020 commitment to ensuring that its products and supply chain would be carbon neutral by 2030.<sup>90</sup> In 2022, LEGO announced its intention to open a new US\$ 1 billion factory in Vietnam,<sup>91</sup> and in August 2023, the company pledged to achieve net zero by 2050.<sup>92</sup> However, other companies have canceled proposed expansions in


the country amid challenges in the power sector. In November 2023, US chip manufacturer Intel shelved plans for a major expansion of its semiconductor operations in Vietnam, while expressing concerns over the stability of the country's power supply.<sup>93</sup> Intel has a target of achieving net zero in its operations by 2040.<sup>94</sup>

The JETP is intended to help Vietnam attract further international investors and the energy sector has massive rollover effects into other parts of any major supply chain. Corporate investors, therefore, have an important stake in the implementation of the JETP and Vietnam's energy transition in order to meet their climate goals. The role of extensive private investment through MNEs and its involvement in the Vietnamese economy are not explicitly addressed in the JETP framework. It remains to be seen whether, and how, MNEs will be involved in the JETP planning and implementation process.

---

## MNEs with major investments in Vietnam

Vietnam is an important production hub for major multinational corporations, in particular in the technology and textiles sectors. A number of major companies have increased investments in Vietnam in recent years, along with pledges to align their activities with the 2015 Paris Agreement and achieve net zero across company operations and supply chains. Major corporate players and brands include:

COMPANY	CLIMATE COMMITMENTS
 <b>APPLE</b> Apple has invested US\$ 16 billion into local supply chains in Vietnam since 2019. On a visit to Vietnam in April 2024, Apple CEO Tim Cook announced plans to increase the company's investments in the country. <sup>95</sup>	Apple has committed to achieving net zero across its global business, manufacturing supply chain, and product life cycle by 2030 and a 90 percent reduction in emissions by 2050. <sup>96</sup>
<b>SAMSUNG</b> In 2023, Samsung made additional investments in Vietnam of US\$ 1.2 billion, bringing its total investments in the country to US\$ 22.4 billion. <sup>97</sup>	Samsung is committed to achieving net zero carbon emissions in the Device eXperience (DX) Division by 2030 and across all Scope 1 and 2 operations by 2050. <sup>98</sup>
<b>FOXCONN</b> In 2023, the company announced plans to invest US\$ 250 million to build two new plants in Vietnam, <sup>99</sup> bringing total investments to US\$ 3 billion. <sup>100</sup> Foxconn is a key supplier for Apple.	Foxconn is committed to reaching net zero emissions across its value chain by 2050. This includes reducing absolute Scope 1, 2 and 3 GHG emissions 42% by 2030 and 90% by 2050. <sup>101</sup>



The company sourced 42% of its manufacturing from Vietnam in 2023.<sup>102</sup>

Lululemon has committed to reaching net zero by 2050. This includes a commitment to 60% absolute reduction in Scope 1 & 2 emissions and 60% intensity reduction in Scope 3 emissions by 2030.<sup>103</sup>



The company sourced 29% of its manufacturing from Vietnam in 2023.<sup>104</sup>

The company has committed to achieving net zero emissions across its value chain by 2050. This includes a commitment to reduce absolute Scope 1 and 2 GHG emissions by 90% and Scope 3 GHG emissions from purchased goods and services by 30% by 2030.<sup>105</sup>



The company reported sourcing 50% of its footwear manufacturing and 29% of its clothing lines from Vietnam in 2023.<sup>106</sup>

Nike has committed to achieving net zero by 2050. This includes a commitment to an absolute reduction of Scope 1 and 2 emissions by 65% and Scope 3 emissions by 30% by 2030.<sup>107</sup>



Tapestry is a partner of Coach, Kate Spade New York, and other major brands. In 2023, the company reported that the majority of manufacturing for partners Coach and Kate Spade New York was sourced from Vietnam.<sup>108</sup>

The company has committed to achieving net zero emissions across the value chain by 2050. This includes a commitment to reducing absolute Scope 1 and 2 emissions 64% and Scope 3 emissions 42% by 2030.<sup>109</sup>



As of March 2024, Patagonia reported that 22 of 54 major suppliers for its clothing lines are located in Vietnam.<sup>110</sup>

The company has committed to reaching net zero emissions across the value chain by 2040. This includes a commitment to reducing absolute Scope 1 & 2 emissions 80% by 2030 and absolute Scope 3 emissions from purchased goods and services, upstream transportation and distribution, business travel and downstream transportation and distribution, 55% by 2030.<sup>111</sup>

**Net zero** refers to a state in which the GHG emissions going into the atmosphere are balanced by removal out of the atmosphere. It is supposed to be achieved by combining emissions reductions measures with so-called emissions removal activities. This is in contrast with civil society calls for commitments to achieving 'Real Zero', which would rule out resorting to false solutions that prolong reliance on fossil fuels.

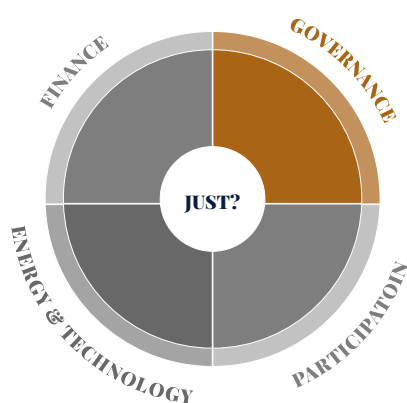
**Scope 1 and Scope 2 GHG emissions** refer, respectively, to direct and indirect emissions a company makes within its own operations. **Scope 3 GHG emissions** refers to emissions within a company's supply chain.

Despite high level commitments to align operations with the Paris Agreement, a number of these companies have already been criticized by civil society groups and independent climate watch dogs as not being on track to meet pledges. For example, Samsung continues to rely heavily on coal and fossil fuels in its operations.<sup>112</sup> Samsung and Foxconn received low ratings on a 2023 global climate integrity scorecard; Apple also did not score a 'reasonable' level of integrity.<sup>113</sup> Lululemon received a failing grade in a climate report that found the company's emissions grew in 2022 despite commitments to reduce them.<sup>114</sup>



# 3.

## GOVERNANCE: IMPLEMENTING THE JETP



Vietnam's energy transition was well underway by the time the JETP was signed in 2022. However, bureaucratic difficulties, lack of legal clarity, and technical gaps arising from the varied interests and government agencies involved have all hampered progress.<sup>115</sup> The JETP has potential to establish a governance framework for the energy transition that will align different components of the country's institutional and policy framework and help catalyze further investment. In order to meet its objectives, this should include a clear framework for achieving a "just" and inclusive transition through "broad social consensus."<sup>116</sup>

Internal disputes among Vietnam's political and business leaders over future policy directions also pose significant challenges for the energy transition. There have been several political shakeups in recent years, including leadership challenges within Vietnam's Politburo, the highest body in the ruling Communist Party of Vietnam (CPV). They include the resignation of President Nguyen Xuan Phuc and two deputy prime ministers in early 2023,<sup>117</sup> followed only a year later by the resignation of his successor, President Vo Van Thuong.<sup>118</sup>

The resignations are linked to an ongoing and high-level anti-corruption campaign driven by the General-Secretary of the CPV, Nguyen Phu Trong.<sup>119</sup> The energy sector, which in Vietnam, as elsewhere, is highly centralized and susceptible to opaque decision making,<sup>120</sup> is a key target. Media reported that over 80% of those disciplined in January 2024 by the Central Inspection Commission (CIC), the lead agency conducting anti-corruption probes of senior party members, were from state-owned enterprises or government ministries involved in the energy sector.<sup>121</sup> Linked to the anti-corruption drive is a wider crackdown on foreign funding and influence, including among civil society, which, according to watchdog organizations, reflects efforts to stifle perspectives that run counter to the CPV's ideological dominance.<sup>122</sup>

### Governing Framework

Along with the **Political Declaration**, several key instruments set out the governance framework for the Vietnam JETP and its implementation.

The 'Scheme for the Implementation of the Political Declaration on Establishing the Just Energy Transition Partnership',<sup>123</sup> or the **JETP Scheme**, officially approved by the Deputy Prime Minister of Vietnam, identifies the government ministries involved in implementing the JETP Political Declaration. The Ministry of Natural Resources and Environment (MONRE) is designated as the lead agency for the JETP, responsible for leading coordination among the other ministries and working groups. The JETP Scheme sets out key priorities but does not include details or timelines for specific deliverables.

The **Resource Mobilisation Plan (RMP)**, launched in December 2023 at COP28, is the primary document that clarifies the financial mechanisms through which the JETP will be implemented, the priority projects under the JETP, and policy reforms and actions to support its implementation.<sup>124</sup> Development of the RMP was led by MONRE, with input from other ministries, in consultation with the IPG, GFANZ, and external partners, including the United Nations Development Programme (UNDP). The RMP is intended as a living document, to be adapted and updated as the JETP progresses, with a biennial review process for assessing and updating priorities and progress.

While not part of the JETP framework, a key instrument in Vietnam's energy transition is the 'National Electricity Development Plan 2021-2030

with a vision to 2050' (commonly known as the **Power Development Plan 8 or PDP8**).<sup>125</sup> The PDP8 is the latest version of Vietnam's national power development plans, which sets out the country's energy generation and development goals and targets for the period of 2021-2030. PDPs have been a part of Vietnam's energy planning for decades, and are therefore independent of the JETP, but integral to Vietnam's wider energy transition. The final version of the PDP8 was released in May 2023, after a lengthy and contested drafting process, which included multiple iterations.<sup>126</sup> The PDP8 references the JETP and includes several energy policy and capacity targets for 2030 that are in line with and conditional on the full implementation of the JETP. It notes that success may depend on the JETP being "adequately and practically adhered to by international partners."<sup>127</sup>



Climate action in Vietnam. Photo by 350.org.



The Vietnam Sustainable Energy Alliance (VSEA), a civil society network, publicly critiqued earlier drafts of the PDP8 due to its continued emphasis on coal; highlighting contradictions between the PDP8 draft and the country's national and international commitments to achieving net zero. This included advocacy through media, public campaigns and direct communication with the government. Members of VSEA, including Khanh, Bach, Loi and Duong, were arrested soon after these efforts.<sup>128</sup>

The PDP8 is administered by Vietnam's Ministry of Industry and Trade (MOIT), while MONRE is responsible for overseeing the implementation of the JETP. Given the major role and influence of MOIT across Vietnam's energy sector, this is a significant challenge for the JETP and for ensuring policy coherence within Vietnam's energy transition plans.

The **Master Plan for National Energy (MPNE)** for 2021-2030, also administered by MOIT, integrates the PDP8 into a broader energy sector roadmap aligned with Vietnam's commitment to net zero by 2050.<sup>129</sup> As with the PDP8, it contains significant emphasis on fossil fuels, including coal, oil, and fossil gas, with less attention to developing clean and renewable energy sources. It includes specific targets and metrics for alternative fuels, such as biofuels and hydrogen, as well as carbon capture, utilization, and storage (CCUS).<sup>130</sup>

Vietnam's overall climate action framework to 2050 is set out in the **National Climate Change Strategy**, which states the goal of reaching net zero by 2050. It was issued by the Prime Minister of Vietnam in July 2022 at the request of the Minister of Natural Resources and Environment.<sup>131</sup> Vietnam's **National Determined Contribution (NDC)**, updated every five years, contains its commitments and targets under the 2015 Paris Agreement. Vietnam's latest NDC proposes that more than half of its emissions reductions through 2030 will come from the energy sector.<sup>132</sup>

---

“ **Ministries appear to be working largely in silos and without a comprehensive framework to guide these processes.**”

## Key Ministries and Government Bodies

The Vietnam JETP is implemented through the JETP Secretariat, established in July 2023 and hosted and led by MONRE, in consultation with other key national and international stakeholders. Unlike the lead implementing bodies in Indonesia and South Africa, the JETP Secretariat is not an independent agency.

Three other key ministries each lead a JETP working group, respectively:

- **Coordination Working Group** (led by MONRE)
- **Governance, Policy, and Investment Working Group** (led by Ministry of Planning and Investment, or MPI)
- **Technology and Energy Working Group** (led by the Ministry of Industry and Trade, or MOIT)
- **Finance Working Group** (led by Ministry of Finance, or MOF)<sup>133</sup>

A range of ministries and government agencies are involved in the implementation of the JETP, through participation in the Secretariat and Working Groups, as well as other responsibilities designated under the RMP. However, these ministries appear to be working largely in silos and without a comprehensive framework to guide these processes. The RMP does not adequately address the issue of effective coordination between relevant ministries and agencies involved in energy transition planning and implementation. Annex III of the RMP, for example, provides a list of policy actions that should be undertaken from 2024-2028, but does not identify mechanisms or common platforms through which coordinated efforts will be carried out.

The JETP Secretariat is perhaps best suited to develop and lead such coordination between various ministries and departments. It has a mandate broad enough to encompass this role, but its work has not been made public. It remains to be seen how effective MONRE, in leading the Secretariat, will be in exerting influence over the other ministries and government agencies involved in JETP implementation, including the powerful MOIT.

## Roles of ministries and other government agencies

### Ministry of Natural Resources and Environment (MONRE)

- Leads JETP Secretariat and RMP the major instrument for JETP implementation.
- Leads Coordination Working Group.
- Receives guidance from and reports on progress to the Prime Minister's Office and the National Committee for Implementation of COP26 Commitments.
- Updates various legislation and regulations within its ambit to enable the energy transition.

### Ministry of Industry and Trade (MOIT)

- Leads overall energy transition planning in Vietnam.
- Leads Technology and Energy Working Group and supports the development of the RMP.
- Develops and implements legislation and policies under its ambit to create an enabling environment for investment in the energy transition.
- Tasked with establishing the International Center of Renewable Energy in Vietnam in 2024-2025, with support from the IPG and other ministries.

### Ministry of Planning and Investment (MPI)

- Leads Institutional and Policy Working Group and coordinates with the Ministry of Finance (MOF) to identify need for aid and private investment.

### Ministry of Finance (MOF)

- Leads Finance Working Group, coordinates official development assistance (ODA), concessional loans, and development of financial mechanisms and policies to catalyze private investment.

### Ministry of Labour, War Invalids and Social Affairs (MOLISA)

- Leads and coordinates with ministries, sectors and agencies to develop mechanisms, policies and solutions **to promote a just transition for disadvantaged and vulnerable groups**.
- Participates in working groups with a mandate to ensure a just transition in line with ILO Principles.

### Ministry of Foreign Affairs (MFA)

- Attracts international resources, learns international experiences and models for just transition.
- Leads involvement in multilateral frameworks and initiatives.

### State Bank of Vietnam (SBV)

- Leads and coordinates efforts to obtain and manage non-refundable ODA, implements the RMP in coordination with MONRE.<sup>134</sup>
- Works to pass domestic financial regulations that aid implementation of energy transition plans.<sup>135</sup>

**Other Ministries / Secretariat members:** Ministry of Public Security (MPS), Office of Government (OOG), Ministry of Transport (MOT), Ministry of Agriculture and Rural Development (MARD), Ministry of Justice (MOJ), Ministry of Science and Technology (MOST), Ministry of Construction (MOC), Committee for Management of State Capital at Enterprises (CMSCaE).



## International partners and organizations

Several international and multilateral organizations are working with the Vietnamese government to implement the JETP and the country's wider energy transition plans. Although their role is not explicitly detailed in the RMP or other JETP instruments, key institutions are listed below:

**The United Nations Development Programme (UNDP)** is the arm of the United Nations that assists countries in achieving long-term sustainable growth to eliminate poverty. The UNDP has had a sustained presence in Vietnam for over 45 years<sup>136</sup> and has made a public commitment to support JETP implementation through technical support. The UNDP co-hosted a workshop with the Ministry of Foreign Affairs of Vietnam and other JETP signatory countries in May 2023 to enhance cooperation and knowledge-sharing on the just energy transition.<sup>137</sup> UNDP also played a key consulting role in the RMP drafting process and was closely involved in both RMP consultation workshops held in August and October 2023.<sup>138</sup> The RMP notes that the UNDP is serving as a Secretariat Support Agency (SSA).<sup>139</sup>

The UNDP has Social and Environmental Standards (SES), which include requirements to “ensure access to information;”<sup>140</sup> “create enabling environments, capacity development, and support for civil society;”<sup>141</sup> and “ensure meaningful, effective, and informed participation of stakeholders in the formulation and implementation of UNDP programmes and projects.”<sup>142</sup> The UNDP must also “identify, reduce, and address the risk of retaliation and reprisals against environmental defenders and activists.”<sup>143</sup> UNDP programs and projects are required to be informed by human rights analysis, including from UN Special Procedures. This includes statements from OHCHR and Special Procedures mandate-holders on the arrests and imprisonment of climate defenders and threats to civic space and freedom of expression and association in Vietnam, in the context of the country's energy transition.

It is unclear how the SES requirements are specifically informing UNDP's technical assistance and support for the development of the JETP framework.

**The United Nations Office for Project Services (UNOPS)** is the arm of the UN that works globally to provide infrastructure, procurement, and project management services for countries to develop in a manner aligned with the Sustainable Development

Goals (SDGs). In Vietnam, the UNOPS has been working with the Southeast Asia Energy Transition Partnership (ETP) to provide technical expertise and support for the implementation of the JETP. The UNOPS also sent representatives to participate in both of the RMP consultation workshops and has led on energy transition-related events held since the establishment of the JETP.

**The Southeast Asia Energy Transition Partnership (ETP)** is a platform funded by various governmental and philanthropic organizations working to accelerate sustainable energy transition in the region in line with the Paris Agreement and SDGs. The ETP has been engaged by MONRE to consult on the JETP implementation in Vietnam.<sup>144</sup> As of April 2023, the platform had delivered: a draft JETP RMP outline;<sup>145</sup> a report highlighting lessons learned from the Indonesian and South African JETP that are relevant for Vietnam;<sup>146</sup> and a series of policy briefs.<sup>147</sup>

One such policy brief was published by the UNOPs and the ETP on achieving a just and equitable transition in Vietnam recommends that Vietnam prioritize defining a “just transition” and establishing guiding principles for its implementation in collaboration with key stakeholders, including groups affected by the reduction of coal mining and closure of coal plants. The brief also recommends that the definition and principles for a “just transition” be included in the RMP, as a basis for negotiating the allocation of finances with IPG members.<sup>148</sup>

**Vietnam Energy Partnership Group (VEPG)** is a country-level platform set up with the assistance of the EU in 2017 to strengthen cooperation and capacity building in the country's energy sector,<sup>149</sup> including high-level policy dialogues between the Vietnamese government, development partners, state-owned companies and non-state actors. Public statements indicate that VEPG has been involved with the JETP, including in meetings and discussions with other JETP partners, such as MDBs.

The VEPG is linked to the EU-Vietnam Free Trade Agreement (EVFTA) established in August 2020. The EVFTA established EU and Vietnam Domestic Advisory Groups (DAGs) to monitor adherence to the EVFTA's sustainability and human rights standards. In its statement issued in November 2023, the EU-DAG expressed deep concern over the imprisonment of environmental defenders and threats to civil society in Vietnam.<sup>150</sup>

Other international and regional organizations to potentially be involved in JETP implementation

include the **ASEAN Centre for Energy (ACE)**, which sits under the ASEAN Economic Community. The ACE plays a central role in the region's energy sector, working with authorities and ministries through its agencies to advance energy security and transition in the ten ASEAN member states.<sup>151</sup> While the ACE's involvement in JETP-related conversations in both Vietnam and Indonesia appear limited to date, the JETP was discussed during the ACE's ASEAN Climate Change and Energy Project (ACCEPT).<sup>152</sup>

## A “just” policy framework for Vietnam

There is a dearth of analysis aimed at understanding the specific needs of Vietnam in implementing a just transition, with respect to both negative and positive impacts on people, sectors, and the economy.<sup>153</sup> This includes the rights and opportunities that should be made available to low-skilled workers and other vulnerable populations who will be affected by the rapid and sweeping changes required by the decarbonization process.

In Vietnam, roughly 47% of electricity was produced from coal in 2023.<sup>154</sup> With over 40 active coal power plants, the industry employs a vast number of workers. Exact numbers are difficult to ascertain, as many workers are unreported or informal, but it is estimated that each coal power plant officially employs between 400 and 1200 people.<sup>155</sup> Urgently decommissioning these facilities in a just manner — ensuring redress for the communities and workers whose health has been impacted by coal ash from past operations, as well as access to affordable, dependable sources of energy and jobs, while remediating contaminated areas — is a massive, but crucial, undertaking.

Decisions about phasing out and repurposing coal plants also raise questions of justice, including addressing the harmful health and social impacts faced by populations living nearby. The energy sources and siting of new or converted power plants proposed for development in the name of the energy transition, such as hydropower, conversion of coal plants to co-firing with biomass or ammonia, and vast solar and wind farms, have implications as well.<sup>156</sup> These have the potential to be resource-intensive, with associated consequences of displacement, loss of land and livelihoods, contaminated or depleted watersheds, and other harmful impacts to host and surrounding communities. If not considered and avoided through robust alternatives assessments that center the rights and well-being of communities

and ecological health, blindly pursuing a simplistic fuel-switching agenda will inevitably undermine efforts to ensure a just and equitable transition.

At the RMP consultation workshops, the UNDP recommended that Vietnam identify needs and set aside funding to assess and develop a just policy framework for the JETP,<sup>157</sup> but it is currently unclear whether the necessary resources will be available. The RMP indicates that the financial commitments for JETP do not take into account the specific funding needed to adequately research the just aspects of the transition.<sup>158</sup> These funding needs are also not addressed in Vietnam's domestic instruments, such as the PDP8 and Nationally Determined Contribution (NDC) under the Paris Agreement.

The just aspect of the JETP, as reflected in the Political Declaration and RMP, is currently under-developed. The RMP only addresses the question of a just transition relatively briefly, and it appears as an afterthought, rather than integral to the entire JETP framework.

The RMP sets out a “just transition” pillar for JETP investments based on the following priorities:

- **Strengthening the capacity of workers** and local people affected by transition
- **Creation of jobs** through industrial development and local and regional economic development
- Policy mechanisms to ensure **access to affordable energy for all**.<sup>159</sup>

In addition to social and environmental assessment criteria, the RMP proposes a set of “just” criteria for use in prioritizing and assessing JETP investment projects.<sup>160</sup> However, there are no details as to how the proposed criteria were developed and who was involved in providing input, including consultation with key stakeholders. The criteria are:

- **Livelihood/income diversification** (training opportunities, vocational training, job creation support)
- **Market connectivity/linkage**
- **Resilience to shocks** (insurance, social protection)
- **Participation of vulnerable groups** (assessed by gender, age, dependency status, informal employment status)
- **Impacts along the value chain** (pervasive, indirect impacts, outside the project scope).



In the RMP, the question of a just transition focuses almost exclusively on substantive issues of employment, retraining, and affordable access to electricity. While these are important, the procedural elements of ensuring justice — including information transparency, public participation and accountability — are overlooked. These elements are crucial to enable affected people to have a say, to participate in decisions about the energy transition and how it will affect their lives and communities.

The JETP and RMP are also critically lacking in addressing the issue of gender equality in the just energy transition, which is fundamental to ensuring effective climate action.<sup>161</sup> At COP28 in Dubai, 70 countries, including Vietnam, signed the ‘Gender Responsive Just Transitions and Climate Action Partnership’, pledging to “drive gender-responsive just transitions, which strengthen all women’s and girls’ leadership and meaningful participation, decision making, capacities, and livelihoods in climate action...”.<sup>162</sup> Despite this, the RMP only includes a brief reference to strengthening gender equality in “work, jobs, and career change” in its project selection criteria<sup>163</sup> and none of the listed proposed projects has a gender focus.<sup>164</sup>

While the RMP does identify several policy priorities for 2024 and beyond, including for the development of a just policy framework for the energy transition, there is little information as to how they will be developed, the form they will take, or the actors or stakeholders involved in leading their implementation. The priorities include:

- Revise current **regulations on environmental and social impact assessment**, to enhance with the just criteria applied to JETP projects (in 2024);
- Develop a mechanism for data collection and dialogue to **address impacts caused by the energy transition process** beyond the project level (in 2024);
- Develop policy to **enable a social dialogue mechanism** on the transition (beyond 2024).<sup>165</sup>

To be successful, the just aspect of the transition must be integrated across broader JETP plans, policies and programs. This requires effective coordination and prioritization within the work plans of the various ministries and agencies involved. Beyond the Secretariat, there is no specific platform in Vietnam that would serve this purpose. There is no dedicated Working Group for planning and implementing the just aspect of the transition, or mechanism to obtain input and guidance from civil society and non-government stakeholders. The RMP, and external partners, highlight the role of MOLISA in leading efforts towards a just transition and achieving a broad consensus,<sup>166</sup> but there is limited reported progress to date.

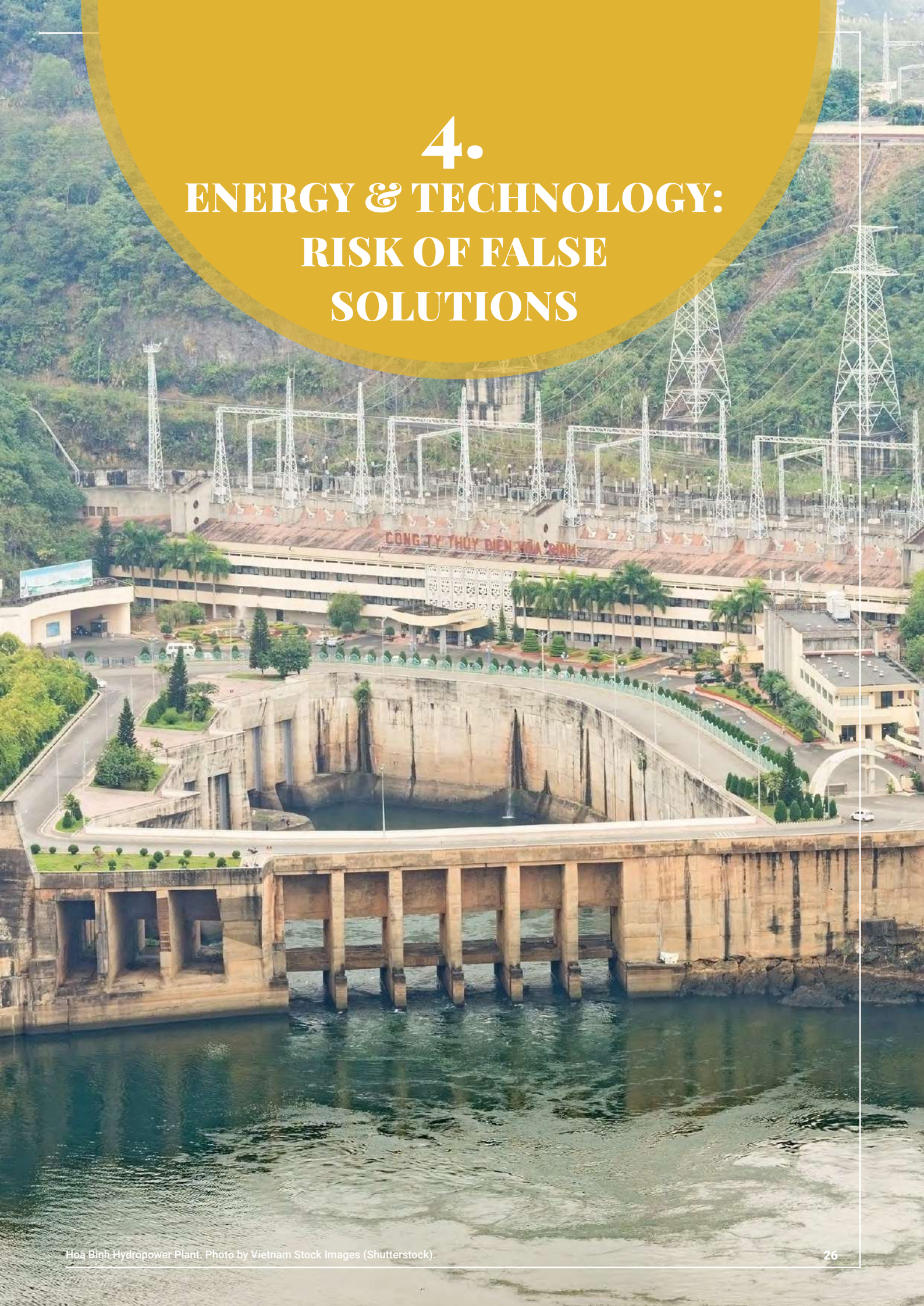
In contrast, other JETP countries have offered a degree of openness to consider steps that would ensure that the just aspects of the transition are addressed from the outset with input and guidance from a range of stakeholders and rightsholders. In South Africa, for example, the Presidential Climate Commission (PCC) comprising representatives of government, civil society, academia and the business community,<sup>167</sup> is involved in facilitating implementation of the JETP and other climate investments. It is an independent body with a mandate to oversee and facilitate a just and equitable transition to a low-emissions and climate-resilient economy and society.<sup>168</sup>

“**There is no dedicated Working Group for planning and implementing the just aspect of the transition, or mechanism to obtain input and guidance from civil society and non-government stakeholders.**”

“**In the RMP, the question of a just transition focuses almost exclusively on substantive issues of employment, retraining, and affordable access to electricity. While these are important, the procedural elements of ensuring justice — including information transparency, public participation and accountability — are overlooked.**”



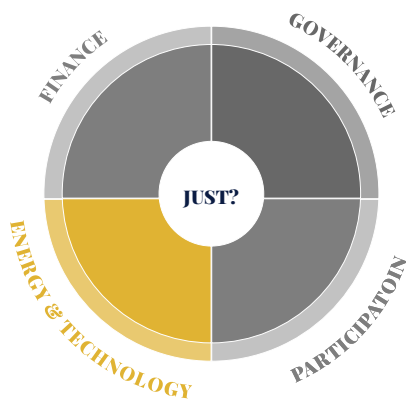
# 4. ENERGY & TECHNOLOGY: RISK OF FALSE SOLUTIONS







Piles of coal. Photo by Thor Jorgen Udvang (Shutterstock).



Current energy supply in Vietnam is similar to what is seen in most countries in Southeast Asia with a high reliance on fossil fuels. According to the PDP8, Vietnam plans to more than double its total power generation capacity from 60 gigawatts (GW) in 2020 to over 150 GW in 2030.<sup>169</sup> As of December 2023, Vietnam’s energy market was dominated by coal, which supplied roughly a third of its energy needs, followed by hydropower and fossil gas.<sup>170</sup> The energy sector accounted for close to 80% of Vietnam’s greenhouse gas (GHG) emissions in 2023.<sup>171</sup>

**“ While a primary focus of the JETP is to eliminate coal from Vietnam’s power generation, there is no concrete timeline for phasing out coal and no specific commitments to retiring any of Vietnam’s existing coal plants. ”**

Decarbonizing the energy sector has become a focus of the Vietnamese government’s energy policy in recent years, with ratification of the Paris Agreement during COP26 in 2021 marking an important turn in the country’s climate ambitions.<sup>172</sup> The ratification was accompanied by other commitments and measures, including: updating the country’s Nationally Determined Contribution (NDC),<sup>173</sup> joining the Global Methane Pledge and committing to reducing

methane emissions by 30% by 2030 (from 2020 levels),<sup>174</sup> and committing to accelerate a transition away from unabated coal power generation through upscaling of clean power technologies and policies, domestically and internationally.<sup>175</sup>

The JETP Declaration sets out several targets, to be reviewed biennially:

- **Bringing forward Vietnam’s peak emissions target from 2035 to 2030**, with power sector emissions to peak at 170 metric tons of carbon dioxide equivalent (MtCO<sub>2</sub>e) in 2030;
- **Limiting Vietnam’s peak coal capacity to 30.2 GW**, down from a previous planning figure of 37 GW;
- **A targeted share of 47% of renewable energy generation by 2030** (up from the previous planned generation share of 36%), with a goal of 75% by 2050.<sup>176</sup>

The PDP8 defines both general targets and additional emissions and renewable targets for 2030 that reflect JETP targets and are contingent on the “full and substantial” implementation of the JETP. The successful implementation of the JETP is projected to reduce total emissions by 4-18% compared to emissions under current policies.<sup>177</sup>

However, the RMP does not offer clear measures for ensuring accountability with respect to the JETP objectives or a roadmap of investment priorities for reaching these targets. While a primary focus of the JETP is to eliminate coal from Vietnam’s power generation, there is no concrete timeline for phasing out coal and no specific commitments to retiring any of Vietnam’s existing coal plants.<sup>178</sup> Further, it will not be possible to wean the country off coal without sufficient investment in the policy and infrastructure necessary to upscale renewables, which is currently not underway.<sup>179</sup>

## JETP priorities

In addition to the high-level targets noted above, the RMP identifies key challenges that must be addressed to facilitate Vietnam's energy transition and deployment of clean energy sources to replace reliance on coal. These include electricity grid upgrades, developing storage technologies and infrastructure, and setting up regulatory and management mechanisms to facilitate investments in renewables. The RMP also identifies increased energy efficiency as a priority, an important issue for Vietnam's energy sector. Because the financing pledged under the JETP is far from sufficient to achieve these objectives, the RMP highlights the need to prioritize development of the legal and policy framework to attract private investment, including through technical assistance projects.

The RMP sets out four general principles to assess projects that should be prioritized for JETP funding:

- **Promote the development of renewable energy or energy saving** and energy efficiency; contribute to the achievement of greenhouse gas emission reduction objectives; ensure national energy security;
- **Provide clear socio-economic benefits** for communities, businesses; and/or workers affected by the transition;
- **Be catalytic in nature**, and encourage additional, future JETP investments;
- Have **significant positive impact** on the just energy transition.<sup>180</sup>

## Vietnam's energy sources and planning targets



### Coal

Vietnam had 27 GW of installed coal capacity in 2023,<sup>181</sup> 30% of the country's total installed capacity. Coal will continue to play a key role in the energy mix through 2030, with a capacity target of 30 GW (20% of total capacity) by 2030. There are currently 76 coal-fired power plants and plans to build at least 7 more.<sup>182</sup> Others not currently factored into power plans may still secure approvals.<sup>183</sup> After 2030, no new coal plants will be built, and plants 20 years or older are proposed for conversion to biomass or ammonia co-firing facilities, contingent on financial feasibility.<sup>184</sup>

Vietnam has been a net importer of coal since 2015, as domestic production is insufficient to meet rising demand. The MPNE proposes to increase coal imports from 55 megatons (Mt) in 2021 to 85 Mt by 2035, before decreasing to 50 Mt by 2045 and to zero by 2050. The ratio of domestically produced to imported coal will shift from 46% in 2021 to 36-39% in 2030.<sup>185</sup>

### ISSUES / RISKS

**There is no specified timeline for coal phase-out or plant retirement.** The RMP states: "[Coal fire power plant (CFPP)] phase-out at large scale in Vietnam is not feasible in the near-term, but some older CFPPs may be able to transition to alternative energy sources..."<sup>186</sup> The speed and feasibility of coal phase-out in Vietnam is unclear and inconsistent with the decarbonization necessary to limit warming to 1.5°C.<sup>187</sup>

**Plans to convert coal plants to biomass and ammonia present significant risks.** These plans prolong coal phase-out by supporting existing operations with costly conversions that remain GHG intensive and produce damaging impacts on people living in surrounding areas. As co-firing requires blending other fuel sources with coal, this option depends on continued reliance on coal for decades to come, undermining climate ambitions to limit global warming to 1.5°C. Extensive sourcing of biomass pellets from natural forests and plantations carries threats to biodiversity and food security, climate and local populations due to deforestation and the conversion of natural forests to monocultures.<sup>188</sup> Ammonia produced from fossil fuels can increase GHG emissions and is incompatible with emissions targets. Ammonia co-firing is also costly, and presents risks to air quality, health and safety.<sup>189</sup>





## Fossil gas

Fossil gas is proposed as a bridging fuel that will support a shift from coal to renewable energy while keeping pace with rapidly rising energy demand.<sup>190</sup> Fossil gas currently plays a minor role in Vietnam’s energy mix, producing 8 GW or 11% of power generation in 2021.<sup>191</sup> The PDP8 projects a huge increase to 37 GW of power produced from fossil gas by 2030. Planned reduction of coal is reliant on this rapid growth in fossil gas, largely through imported liquified natural gas (LNG).

By 2030, 60% of total fossil gas generation will be from imports,<sup>192</sup> with planned construction of 13 LNG-fired power plants and 7 LNG terminals. The first terminal opened in October 2023.<sup>193</sup> According to the PDP8, fossil gas will be replaced by hydrogen by 2035 or when financial conditions allow; however, the mode of production for hydrogen is unspecified.

---

**“Fossil gas should not be considered as a transition fuel because it produces significant GHG emissions.”**

---



## Hydropower

Vietnam’s rivers are already among the most energy exploited in the world, with over 700 small, medium, and large hydropower facilities country-wide, concentrated in the north.<sup>196</sup> In 2021, Vietnam had an installed capacity of 22 GW of hydropower – 16% of Vietnam’s primary energy supply and 31% of the electricity generation mix.<sup>197</sup>

### ISSUES AND RISKS

**Developing the gas sector is not compatible with climate goals.** Fossil gas should not be considered a transition fuel because it produces significant GHG emissions. Leakage of methane – a potent greenhouse gas – occurs in the production, processing, transport, liquefaction, cooling, regasification, and consumption of gas. Methane is 83 to 86 times stronger a greenhouse gas over a 20-year period than carbon dioxide (CO<sub>2</sub>). The International Energy Agency (IEA) has declared that global methane emissions will need to fall 75% by 2030 to meet a 1.5°C warming pathway.<sup>194</sup> Fossil gas also produces air pollution that is hazardous to the environment and human health. The investments required to develop the gas sector risk deferring or delaying those needed to rapidly develop and deploy true renewables, such as solar and wind.

**Reliance on gas raises risks of stranded assets and threats to energy security.** Fossil gas infrastructure has an operational span of 30-40 years, locking the country into a carbon intensive energy pathway for decades to come. Vietnam’s plans to convert gas plants to hydrogen are contingent on questionable financial and technological viability.<sup>195</sup> Notably, infrastructure built to transport fossil gas cannot be used interchangeably to transport hydrogen, therefore such a shift implies further infrastructure retrofitting. This raises the risk of stranded assets, which occurs when infrastructure is rendered obsolete by factors such as sudden changes in policy, technology, markets, or consumer preferences. Dependency on imported LNG also heightens exposure to a highly volatile spot market, especially in the context of current geopolitical tensions. The ever-increasing cost of purchasing LNG on the spot market is making it inaccessible to many countries in the region, meaning LNG terminals and connected gas power plants may be left idle, failing to generate power due to lack of available or affordable fuel.

### ISSUES / RISKS

**Hydropower contributes to climate change and is environmentally destructive.** Hydropower projects can produce substantial GHG emissions,<sup>199</sup> especially in tropical regions, due to carbon dioxide, methane, and nitrous oxide released from dam reservoirs and turbines and the extensive deforestation and land use change<sup>200</sup> that accompany dam-building. The GHG emissions from Vietnam’s existing hydropower fleet are underassessed and not well understood. Hydropower alters flow regimes, with significant impacts on riverine ecologies and biodiversity. Dams also cause major

The PDP8 commits Vietnam to continuing to exploit its hydropower potential, with projected total hydropower capacity reaching 29 GW in 2030 and 36 GW by 2050. Vietnam's National Climate Change Strategy also includes development of small plants and expansion of medium and large projects.<sup>198</sup>

---

**“Given a limited capacity to support growing energy needs compared to the massive and largely untapped potential for solar and wind, critics question the economic viability of hydropower expansion in Vietnam.”**

---



### Solar and Wind

Solar photovoltaic (PV) deployment in Vietnam grew rapidly in recent years, reaching 16.7 GW of installed capacity in 2021, including 7.6 GW of rooftop solar.<sup>206</sup> Targeted policies, including generous feed-in-tariffs (FiTs) and tax exemptions, helped drive a solar boom, with Vietnam adding more solar capacity than all other ASEAN countries combined in 2020. While successful in encouraging investment, lack of planning in transmission and distribution resulted in severe grid failures, leading to a pause in new capacity deployments in 2022.

In contrast, the PDP8 projects a significant slowdown in new solar capacity, with a target of 12.8 GW (excluding rooftop solar), or 8.5% of total installed capacity, by 2030, rising to 35-37% by 2050. Plans also mention deployment of 2.6 GW of rooftop solar, but do not include a target for installed capacity in the 2030 generation mix. The PDP8 emphasizes rooftop solar for individual consumption by homes and businesses over connection to the grid.

social impacts through displacement, loss of land, livelihoods, and food sources, that can result in impoverishment and breakdown of communities. A 2014 study found that 90% of social impacts from dams in Vietnam were borne by Indigenous peoples / ethnic minorities.<sup>201</sup> Dams constructed upstream on the Mekong mainstream and within the basin pose major and well documented threats to the population and food systems of the Mekong delta in Vietnam.<sup>202</sup>

**The viability of hydropower expansion is questionable.** Climate change is expected to disrupt water flows and intensify seasons and extreme weather, including floods and droughts. In 2023, drought caused water levels in dam reservoirs across Vietnam to drop below operational levels, contributing to power shortages and blackouts.<sup>203</sup> Dams can also heighten flood risk when not designed or operated for heavy flows, including risks of dam breach or failure that threaten populations downstream.<sup>204</sup> Given a limited capacity to support growing energy needs compared to the massive and largely untapped potential for solar and wind, critics question the economic viability of hydropower expansion in Vietnam.<sup>205</sup>

### ISSUES / RISKS

**Renewables targets are underwhelming despite vast potential.** According to the PDP8, solar energy has a technical potential of 963 GW; onshore wind is estimated at 221 GW; offshore wind at 600 GW. This combined potential is more than 24 times larger than Vietnam's total installed power capacity in 2021.<sup>208</sup> Solar and wind deployments to date have been concentrated in central and south Vietnam. To bring more solar and wind online and fully harness the tremendous potential, there is an urgent need to upgrade the grid for transmission and distribution, including interconnectivity between regions,<sup>209</sup> and develop energy storage infrastructure and supporting policies.<sup>210</sup>

**Investment priorities trend toward large-scale facilities over small and decentralized options.** Vietnam's solar boom demonstrates the country's potential for solar PV and other small-scale and decentralized energy options which require further support through policy and regulatory development. Building large-scale facilities risks increasing deforestation and clearing important habitat and biodiverse areas.<sup>211</sup> In addition, Indigenous Peoples and ethnic minority populations face disproportionate threats of livelihood and resource dispossession.



The implementation of FiT mechanisms for wind energy has also attracted new investments in wind power projects in recent years. Installed capacity for onshore wind energy reached 4.1 GW at the end of 2021, with the PDP8 projecting 21.9 GW by 2030.<sup>207</sup> The PDP8 includes a target of 6 GW of offshore wind capacity by 2030, with total wind power capacity expected to increase to 130-169 GW by 2050, including 70-92 GW of offshore wind.

---

**“To bring more solar and wind online and fully harness the tremendous potential, there is an urgent need to upgrade the grid for transmission and distribution, including interconnectivity between regions, and develop energy storage infrastructure and supporting policies.”**

---

Generous feed-in tariffs (FiTs) introduced in 2017 allowed solar and wind companies to sell their electricity to the Electricity of Vietnam (EVN) at a much higher price than coal or hydropower. These attractive terms sparked fierce competition – regardless of track record in the energy sector.<sup>212</sup> The surge in renewables generation strained Vietnam’s transmission grid and several energy generation projects were halted or forced to shut down.<sup>213</sup> Current energy regulations prevent consumers from directly purchasing renewables and smaller consumers remain disincentivized from transitioning to renewables.<sup>214</sup> Consultation and inputs from civil society climate and energy policy experts can help identify decentralized, small-scale and non-commercial solutions for renewable energy generation that can navigate the limitations of current grid capacity.

**“Critics suggest that focused investment in fewer, game-changing projects, such as grid infrastructure and energy storage, would create a better foundation for catalyzing the energy transition over the long-term.”**

## **Companies and ownership**

Ownership of power production companies in Vietnam has previously been dominated by Vietnam Electricity (EVN), a state-owned enterprise, but, in recent years, with the introduction and expansion of private power generation companies, ownership has become more diversified.<sup>215</sup> Nonetheless, state-owned enterprises continue to retain a monopoly over the transmission, distribution, and end-user supply of power. Investments from the JETP are likely to play a role in disrupting the power production market by financing private sector renewable energy generation.

There is a risk that state-owned companies dominating the power sector will try to continue their carbon-intensive monopoly while using JETP investments to provide a veneer of support for the energy transition and green energy sources. For example, PetroVietnam, a major player in the domestic production of oil and gas, is also a significant beneficiary of the country’s plans to upscale LNG imports; its subsidiary PetroVietnam Gas built the country’s first LNG terminal in May 2023.<sup>216</sup> The company is also planning to develop offshore wind farms, and proposes to use wind turbines to power its continued exploration of oil and gas deposits.<sup>217</sup> Other state-owned companies, such as EVN, Petrolimex, and Vinacomin, are reportedly engaged in similar strategies.<sup>218</sup> While climate experts and advocates continue to be systematically targeted and repressed, it will be difficult to hold these companies accountable.

## What energy projects will the JETP support?

The JETP Scheme identifies power grids, battery energy storage, and offshore wind power as priorities for financing. At an RMP consultation workshop in August 2023, the JETP Secretariat issued a call for project proposals that are consistent with the PDP8 and the MPNE, in line with priorities of Vietnam and partners, and technologically and economically feasible. The call expressed priority for projects that would be groundbreaking and help create spillover effects that promote the energy transition in Vietnam.<sup>219</sup>

The RMP includes an initial list of prospective investment projects that have not yet been prioritized or have not secured approvals or capital.<sup>220</sup> They include “priority” projects that have been preliminarily approved and included in plans such as the PDP8<sup>221</sup> and “additional priority” projects proposed by JETP partners but not yet identified in domestic plans or regulations. The project categories are:

- (a) Transition of coal power generation** – Includes, for example, hydropower, solar farm, and biomass plants being commissioned between 2021 and 2030 to support the transition away from coal power;
- (b) Power transmission and energy storage** – Includes projects related to transmission line development under the PDP8;
- (c) Energy transition in the transport sector** – Includes infrastructure for electric vehicles and conversion of targeted vehicles to greener fuels;
- (d) Innovation, development, and technology transfer** – Includes, for example, pilots on the development of coal gasification technology, carbon recovery, and carbon capture.

The priorities reflected in the RMP’s lists of prospective projects are understood to reflect the divergent investment preferences of JETP partners and stakeholders.<sup>222</sup> This includes influence from powerful corporate and political interests in the country, as well as IPG member priorities.<sup>223</sup> This lack of clarity opens up the JETP to conflicting interests and visions as to how to achieve the energy transition. This could contradict transition targets and risk supporting projects that are neither economically feasible nor environmentally and

socially sustainable.<sup>224</sup> For example, the “additional priorities” list includes the proposed construction of 20 medium and small hydropower plants with a combined capacity of 3.6 GW and projects related to conversion of coal-fired power plants to biomass and ammonia.<sup>225</sup> As noted above, these projects are likely to produce further GHG emissions and well as other damaging environmental and social impacts.

Many of the listed projects appear questionable in terms of meeting criteria to have a “significant positive impact” on the energy transition. Critics suggest that focused investment in fewer, game-changing projects, such as grid infrastructure and energy storage, would create a better foundation for catalyzing the energy transition over the long-term.<sup>226</sup>

Financing is urgently needed to develop new facilities that provide accessible, affordable, non-resource- and carbon-intensive energy to people across the country, in which employee rights to dignified, healthy working conditions are respected and host communities’ rights to resources and a healthy environment are not undermined.

This requires clear commitments and a timeline for coal phase-out and decommissioning. In the case of donor countries and financial institutions (including those associated with GFANZ) that have contributed in the past to building out the coal fleet in Vietnam, there is an added responsibility to support the decommissioning and dismantling of these plants, along with remedial action to address outstanding grievances and clean-up of surrounding sites.

It also means moving away from plans for massive increases in gas consumption and LNG imports, hydropower expansion, and environmentally destructive and costly plans for coal plant conversion to co-firing with biomass and ammonia.

International partners should prioritize support for Vietnam to rapidly unlock its largely untapped and abundant solar and wind potential, including development of utility scale and small and decentralized energy solutions. Together with investment in renewable energy production facilities, this means rapid investment in necessary supporting systems, such as robust power grids, grid flexibility and upgrades, and battery storage options. These reforms must be implemented in a manner that positions questions of intergenerational health, climate, gender, environmental, and workplace justice at the center.

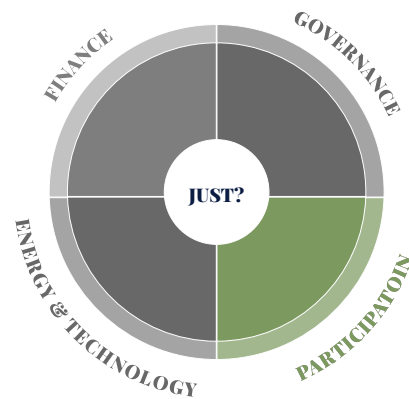


# RISE FOR CLIMATE



# 5.

## PARTICIPATION: REPRESSION OF CIVIL SOCIETY



The involvement of civil society is crucial to ensuring a just transition, as recognized in the JETP Political Declaration, international statements and guidance on implementing just transitions, and statements by IPG partners.

Civil society plays a key role in sharing information and ensuring transparency and accountability. Independent experts also provide deep, evidence-based analysis and technical information to support transition planning and the development of sustainable solutions. Finally, civil society is essential in providing independent monitoring of the energy transition from a social and environmental perspective, understanding on-the-ground impacts, and supporting communities that are affected by the transition to advocate for their rights.





## Civil Society in Vietnam

Vietnam is a one-party state that has been under the leadership of the Communist Party of Vietnam (CPV) since the 1970s. The landscape for civil society in Vietnam includes diverse groups and entities, with varying degrees of independence from the government and ruling CPV. Civil society organizations (CSOs) are not officially recognized outside of the party and state. Social mobilization is directed top-down, through mass political organizations (MPOs). These broad-based groups tend to have strong grassroots links and large memberships. However, because of their close ties to the CPV, their efficacy in representing diverse viewpoints is questionable. MPOs generally operate under the leadership of the Vietnam Fatherland Front and include groups such as the Farmers Union, the Women's Union, and Labor and Youth Unions.

Nonetheless, CSOs and non-governmental organizations (NGOs) are highly active in Vietnam and operate relatively independently, typically taking the form of nonprofit associations or social enterprises. Some play a policy advocacy and watchdog role and are most closely equivalent to

NGOs in other countries. However, they are required to register with a relevant government ministry or department, and, if they receive funding from foreign sources, obtain approvals for their activities from the Ministry of Public Security (MPS).

In recent years, the CPV has grown increasingly hostile towards independent CSOs. State agencies, including the Ministry of Public Security, have increased control, restrictions, and monitoring of civil society operations and activities and, using legal and extra-legal measures, have closed down and criminalized policy activism and civil society movements.<sup>227</sup>

Tax laws for civil society organizations in Vietnam are vaguely worded, arbitrarily enforced and place unreasonably burdensome registration and approval requirements on non-governmental organizations. As such, these laws impose unjust and disproportionate restrictions on freedom of association and are in violation of Articles 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR) and Article 8 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).<sup>228</sup>

There is limited information regarding participation by civil society organizations in Vietnam in the design and development of the JETP. Several research institutions and organizations, including think tanks affiliated with universities and government departments, are carrying out capacity-building work linked to the JETP and energy transition. One example is the Institute of Strategy and Policy on Natural Resources and Environment (ISPONRE), a body headed by MONRE with a mandate to conduct research on social policies and propose strategies related to Vietnam's natural resources and the environment.<sup>229</sup>

Given their extensive membership and grassroots presence, mass political organizations (MPOs) are

likely to play a role in engaging the public in the energy transition and building social consensus and inclusion. However, little information is currently available about their role. One MPO with a relevant mandate is the Vietnam Union of Science and Technology Associations (VUSTA),<sup>230</sup> the largest network of non-governmental science and technology organizations in Vietnam. It consists of hundreds of individuals and organizations, and acts as a go-between for the science community and the government.<sup>231</sup> VUSTA has been actively reporting on JETP developments, but there is little information on its own activities or role.<sup>232</sup> VUSTA was investigated in 2022 for the management and use of foreign aid<sup>233</sup> and, in a law passed in August 2023, was put under the control of the Central Propaganda Committee.<sup>234</sup>



Climate action in Vietnam. Photo by 350.org.

## Organizations of the Imprisoned Climate Leaders

### Law and Policy of Sustainable Development

**Research Center (LPSD)** was a nonprofit organization and public interest law firm that worked to help communities assert their rights and use the law to protect the environment and human health. LPSD provided legal advice and advocacy, policy research, and capacity-building on cases, including those involving coal-fired power plants, hydropower dams, industrial pollution, and involuntary displacement and loss of land and livelihoods due to large-scale projects. LPSD was closed in 2021, following the arrest of its co-founder and director, Dang Dinh Bach, on tax evasion charges.

**CHANGE Vietnam** was a nonprofit established in 2013 to promote education on environmental and climate issues in Vietnam. CHANGE was highly active in engaging the public and policymakers on issues related to climate change, including advocating for a shift away from coal and fossil fuels in the country's energy mix. CHANGE was formally closed in 2022, following pressure from authorities. Former Executive Director Hong Thi Minh Hoang was arrested on tax evasion charges in May 2023.<sup>235</sup>

### Green Innovation and Development Centre (GreenID)

was a nonprofit established in 2011 to support the transition to a sustainable energy system, strong environmental governance, and inclusive decision-making.<sup>236</sup> GreenID was involved in policy advocacy promoting a shift away from coal, providing technical advice in support of local and regional energy planning, and developing rooftop solar PV and other sustainable community-based energy solutions. In January 2022, GreenID's founder, Nguy Thi Khanh, was arrested on tax evasion charges.<sup>237</sup> Following her arrest, GreenID restructured as a social enterprise and remains operational, although it is not involved in policy work or activities related to the JETP.

### The Center for Media in Educating Community (MEC)

was a nonprofit organization undertaking independent journalism and media-related initiatives. MEC had a communication channel, GTV, which aired popular talk shows aimed at engaging the public on key issues, such as climate change and the environment, gender justice, and public finance. MEC was closed following the arrests in June 2021 of its former director, Mai Phan Loi, and staff member Bach Hung Duong.

### Vietnam Initiative for Energy Transition Social Enterprise (VIETSE)

was an independent think tank working extensively with the government and other national and international partners to provide technical and policy research and analysis aimed at accelerating Vietnam's energy transition.<sup>238</sup> VIETSE was involved in developing the RMP and held MOUs with several institutions associated with the JETP, participating in RMP consultation workshops.<sup>239</sup> In October 2023, VIETSE announced that it had paused activities due to the unexpected arrest of its Executive Director, Ngo Thi To Nhien, in September 2023.<sup>240</sup> It has since been closed down.

### Vietnam Sustainable Energy Alliance (VSEA)

was established in 2012 as a coalition of 12 CSOs working to promote sustainable energy development and transition in Vietnam and advising the government on key issues. VSEA was instrumental in Vietnam's net zero pledge at COP26,<sup>241</sup> paving the way for the JETP. VSEA ceased operations following the arrest of leading members, including Dang Dinh Bach, Nguy Thi Khanh, and Mai Phan Loi.

### VNGO-EVFTA Network

was a coalition of CSOs established in November 2020 with the aim of monitoring the implementation of the EU-Vietnam Free Trade Agreement and holding the government accountable to the EVFTA's labor, human rights, and sustainability standards. The network ceased activities in 2021, following the arrests of founding members Dang Dinh Bach and Mai Phan Loi.

## Exclusion of civil society

The JETP Declaration and RMP state that in order to ensure a just energy transition in Vietnam, there must be “regular consultation with different stakeholders, including NGOs, so as to ensure a broad social consensus on critical policy measures and large-scale energy transition investments.”<sup>242</sup> Statements by IPG members have further emphasized the importance of civil society involvement in the JETP. The pattern of arrests and imprisonment of climate leaders and the wider crackdowns on the operations of civil society organizations in Vietnam point to clear non-compliance with this requirement.

While the RMP includes a brief section on consultation, there are no details on how consultations will take place or guarantees for inclusion of civil society. The RMP also states that it is important that all investment plans under JETP mainstream ‘just’ aspects in the project development stage. But with respect to mitigation of negative effects on communities, for example, there is no specific commitment to ensuring community and civil society input into the process.

Apart from official press releases from the first RMP Consultation Workshop, which states that it was “attended by” civil society,<sup>243</sup> there is little information about the inclusion of CSOs in the major JETP workstreams to date. Financing mechanisms supporting the JETP are also being developed in the absence of consultation and public participation. For example, a pre-feasibility study for development of the Asian Development Bank’s ETM in Vietnam was conducted as a desk study, with no opportunities for consultation and input.<sup>244</sup>

Meaningful and inclusive consultation from local to national levels is crucial. Not only is consultation a commitment under the JETP Declaration and a specific requirement of the safeguard policies of financing institutions, it is essential because the Vietnamese government currently lacks internal capacity to assess the risks surrounding the energy transition and ways to optimize the opportunities it presents for the benefit of all.

The wrongful arrests and forced dissolution of organizations working on environmental and energy issues in the country have created a climate of fear and disabling conditions for civil society leaders and organizations monitoring the energy transition in Vietnam. Even where avenues for consultation exist, in the current context, civil society is severely

constrained in its ability to participate. While a handful of civil society organizations have played some role in the JETP,<sup>245</sup> increasingly few are willing to do so due to the threat of targeting or imprisonment.

In the absence of input from independent civil society and the public oversight and the JETP process will lack independent scrutiny and expertise, leaving the door open to false energy and climate solutions that will exacerbate injustices and jeopardize the energy transition over the long-term. With energy security and long-term stability at risk for Vietnam’s citizens, the stakes are high. The failure to integrate civil society in the JETP threatens not just its ability to implement a just and equitable transition, but the success of the transition as a whole.

**“ The wrongful arrests and forced dissolution of organizations working on environmental and energy issues in the country have created a climate of fear and disabling conditions for civil society leaders and organizations monitoring the energy transition in Vietnam.**

**The failure to integrate civil society in the JETP threatens not just its ability to implement a just and equitable transition, but the success of the transition as a whole.”**



## Defending Labor Rights in the Context of a Just Transition

Globally, the trade union movement and labor rights advocates, working together with alliances of climate, environmental, and Indigenous Peoples' rights defenders, have had a key role in shaping bottom-up demands made to coal, oil and gas companies as well as those manufacturing garments and footwear, vehicles and electronics, including calling for adherence to the International Labour Organization (ILO) conventions as non-negotiable.

In all countries where JETP agreements are being planned and implemented, except Vietnam, global alliances of independent trade unions, such as the International Trade Union Confederation (ITUC) and Public Services International (PSI), have well established local affiliates. In Vietnam, as labor unions are required to affiliate with the government and the CPV, the option for independent organizing is simply not a reality. A significant development is "Directive 24," which was issued in mid-2023, giving Vietnam's government representatives a mandate to scrutinize labor groups, civil society, and foreign organizations – all as potential hostile actors, especially in the context of new trade agreements with other countries and agreements under discussion with the ILO.<sup>246</sup>

Although the rights to collective bargaining and to strike are legally recognized in Vietnam, the exercise of these rights in practice are highly restricted or non-existent. For instance, strikes are prohibited for workers involved in activities deemed as essential for the economy, public health, public order and national security/defense, including those involved in power production and transmission, and regulation of the national power system as well as those involved in the oil and gas sectors. Labor conditions for workers in facilities where electronics, garments, and footwear are manufactured as well as in mining (including for coal), are typically hazardous with minimal health and safety protections, requiring long hours of work that are poorly compensated. Labor rights advocates, similarly to climate and environmental defenders, also face repression, crackdowns, and arrests.<sup>247</sup>

In the context of ongoing negotiations shaping an agenda for energy transition and climate financing, it is therefore imperative to also highlight the silencing of labor rights advocates and the need for ILO Conventions to be respected in practice.

### **Lack of participation, transparency, and accountability**

The exclusion of civil society has heightened concerns over a lack of not just public participation, but also transparency and accountability in the Vietnam JETP. This was exemplified by the RMP drafting process: no draft versions were shared publicly until the RMP was officially launched in December 2023. This meant only a handful of experts and organizations present at the RMP consultation workshops were able to provide input and feedback.

Concerns about access to information and transparency with respect to the JETP and energy transition increased with the arrest in September 2023 of Ms. Ngo Thi To Nhien (Nhien), director of the Vietnam Initiative for Energy Transition (VIETSE), an independent energy think tank. The Ministry of

Public Security announced that she was arrested for "appropriation of information or documents" under Article 342 of the Penal Code.<sup>248</sup> The documents in question concerned Vietnam's electricity grids and were obtained for research in support of the energy transition. Nhien is not an activist, but a researcher and energy policy expert. At the time of her arrest, she was working closely with the Vietnamese government and JETP partners, playing an important role in providing technical and policy advice for development of the JETP.

Nhien's arrest indicates that the Vietnamese government is using criminal sanctions to prohibit access to information on matters related to energy grids and planning. Access to information is an essential component of public participation. Applying criminal sanctions to accessing information connected to the energy transition process will inhibit civil society and public as well as private sector

actors from making informed decisions. It is likely to fundamentally hamper the energy transition process itself.

Input and monitoring by independent experts and civil society organizations are also essential to ensuring adequate oversight and accountability. Human rights and climate activists have pointed out that without the active participation of climate and environmental leaders and their organizations, there is no way to ensure the proper use of financing to meet JETP objectives or to hold the Vietnamese government accountable to its commitments.

Several of the arrested climate leaders were involved in monitoring and policy advocacy of earlier drafts of PDP8 and were vocal about concerns and discrepancies in the drafting process, particularly related to Vietnam's ongoing reliance on coal.<sup>249</sup> Their work included delivering technical analysis and policy advice for planning the energy transition and developing community-based sustainable energy solutions. It also involved public education campaigns, disseminating information on climate and energy solutions, and empowering vulnerable communities to protect their rights against environmental harm and impacts of development projects – critical to ensuring a broad social consensus that leaves no one behind. Without such experts having the right to information and freedom to conduct their impartial assessment of energy transition programs and plans, there are limited means to ensure transparency and accountability in decision-making.

These issues are already leading key actors to raise critical questions. There have been several calls for a pause in JETP financing, pending the release of those unjustly imprisoned. In October 2023, the EU issued a statement saying that Vietnam's actions are inconsistent with its obligations under the JETP Declaration and called on Vietnam to respect rights to freedoms of expression and association for all persons in the country.<sup>250</sup> Similar concerns have been raised by the US, UK, and Germany, as well as the UN Office of the High Commissioner for Human Rights (OHCHR).<sup>251</sup> Both before and after the launch of the RMP, multiple organizations and observers have publicly criticized the Vietnamese government, as well as governments of IPG members, for their failure to address these human rights concerns.<sup>252</sup>

Issues with public participation, transparency, and accountability have also arisen in other JETP host countries. The first JETP, with South Africa, was subjected to criticism for failing to disclose

information in a timely manner and to meaningfully include civil society in the process.<sup>253</sup> In Indonesia, a range of civil society and labor union advocates have similarly denounced the JETP process as lacking in transparency and options for meaningful public engagement, setting the stage for corporations and other powerful interests to continue business as usual, while leaving local communities further marginalized.<sup>254</sup>

Yet, unlike in Vietnam, in South Africa and Indonesia some steps are reportedly being taken to address these issues and to include measures for participation, transparency, and accountability in the JETP framework. In South Africa, for example, civil society has participated in JETP planning, including through the Presidential Climate Commission (PCC), and has been effective in highlighting the need for greater transparency in IPG investment package terms. In Indonesia, accountability was built into the JETP Secretariat's governance by establishing it as an independent entity separate from the government.

**“ The JETP Declaration and RMP state that in order to ensure a just energy transition in Vietnam, there must be ‘regular consultation with different stakeholders, including NGOs, so as to ensure a broad social consensus on critical policy measures and large-scale energy transition investments.’ ... The pattern of arrests and imprisonment of climate leaders and the wider crackdowns on the operations of civil society organizations in Vietnam point to clear non-compliance with this requirement.”**



# 6.

## CONCLUSIONS AND RECOMMENDATIONS







Van Long Natural Reserve. Photo by John Bill (Shutterstock).

Energy transition mechanisms and financing frameworks are proliferating around the globe. The rationale for these initiatives is to rapidly reduce GHG emissions while meeting the rights of people – now and in the future – to access clean, affordable and sustainable energy. Financing frameworks such as JETPs, which employ the language of “justice”, have the potential to provide a platform for public engagement, especially in a country like Vietnam, where climate and environmental defenders – and civil society more broadly – are facing major threats to their fundamental rights.

The implications of ensuring just energy transition frameworks uphold principles of economic, social, environmental, climate and energy justice go far beyond Vietnam and specific JETP arrangements. JETPs are also underway in South Africa, Indonesia, and Senegal, and being considered elsewhere. Each country faces unique challenges in ensuring civil society participation, transparency, and accountability to achieve a transition that “leaves no one behind.” Protecting the vital role of climate, environmental, and human rights defenders – and addressing the threats faced by those applying independent scrutiny in the face of powerful interests – is fundamental. Without this critical perspective welcomed into the process, the “just” aspect of any energy transition is unattainable.

After decades of negotiating at an impasse, the unified efforts of civil society and some governments resulted in a breakthrough with the establishment of a loss and damage fund at COP 27, in recognition of the greater responsibility of wealthier Global North countries for contributing to the climate crisis through cumulative post-industrial revolution GHG emissions. It remains to be seen if JETPs, in making justice a core element of the financing partnership, have the potential to set a meaningful benchmark for other financing initiatives aimed at progressing climate justice and action under the Paris Agreement.

The Vietnam JETP Declaration sets out a biennial review process to ensure adherence to its targets. This review likely will be held in late 2024. It provides an opportunity for course correction in JETP implementation, especially in relation to justice and equity. There are already calls for Vietnam’s international partners to pull out of financial commitments under the JETP if Vietnam does not halt the pattern of arrests and does not meet the requirements to consult in a meaningful way with civil society.

With a view to developing a just policy framework for the JETP, the RMP proposes various policy development and reform priorities for 2024 and beyond. While insufficient on their own to address the challenges with the just aspect of the Vietnam JETP, these proposals can have the potential to be developed in accordance with human rights standards and to ensure meaningful consultation with affected communities, civil society organizations, and the public. This includes guaranteeing access to information, public participation and accountability, and protections against reprisals for environmental defenders as core elements of a just financing framework.

Overall, the Vietnamese government, the JETP IPG and institutional partners, and public and private financiers and investors must prioritize the missing “just” in Vietnam’s Just Energy Transition Partnership – and ensuring that justice and equity are not sidelined, but integral to the process. To this end, this report makes the following recommendations:

### **(1) Immediately secure the release of the climate and environmental defenders unjustly imprisoned in Vietnam.**

- Ensure a transparent and credible review of the cases and treatment of imprisoned climate and environmental defenders and the circumstances of their detention.

## **(2) Center civil society and vulnerable groups in the clean energy transition by enabling them to participate freely and safely in monitoring and decision-making throughout the JETP planning and implementation processes.**

- Establish an effective plan for public participation in the development of JETP plans, programs and projects. This must enable civil society involvement at each stage, including regular consultations with NGOs, marginalized communities, and affected stakeholders. The plan should include guarantees for information transparency and accountability and protections against reprisals for environmental defenders.
- Promote the necessary conditions for a safe and enabling environment for civil society to freely operate. This includes reform of laws and policies related to registration and tax requirements for civil society that are overly burdensome and incompatible with fundamental rights to freedom of assembly, association, and expression.
- Develop an independent authority or platform to oversee and monitor justice and transparency in the JETP, including representatives of civil society and other stakeholders. The platform should have the power to receive and address complaints regarding specific projects and processes associated with the JETP roll-out.

## **(3) Develop clear principles on “just transition” for JETPs, based on a broad participatory process and consistent with the international human rights obligations of government and business stakeholders and the safeguard policy commitments of financing institutions.**

- Establish a broad participatory process to define shared principles for a just transition, with input from civil society and affected peoples in recipient countries. This should, at a minimum, be consistent with obligations of Vietnam and IPG countries

to international human rights, labor rights and environmental conventions as well as with environmental and social safeguard policies and commitments of international financing institutions.

- Draw on shared principles to develop a framework for defining the “just” in Vietnam’s energy transition. Any “just” framework must include recognition of procedural rights, along with substantive issues of justice and equity, and protections for civil society participation and environmental defenders.
- Undertake periodic transparent and public reviews of the “just” framework with local civil society, affected communities, and other stakeholders, to test its efficacy and incorporate feedback as necessary.

## **(4) Prioritize grants over debt financing in just transition funding pledges.**

- Public financing in JETP financing packages should be additional to official development assistance (ODA), non-debt creating, and in line with principles of climate justice, including the polluter pays principle and recognition of the need for reparations for harms, losses and damages.
- Ensure adequate, dedicated funding in support of the just aspect of Vietnam’s energy transition, including grants for research and analysis, policy development, and institutional support.

## **(5) Consult and improve coordination with and between international partners.**

- Strengthen mechanisms for dialogue and coordination among IPG members on financing and support for the JETP, including on defining and implementing a just transition. This includes identifying gaps in funding and technical assistance, so there is no unfair burden on Vietnam.
- Leverage the work undertaken by international organizations, including the ILO’s guidelines for achieving a just transition. Ensure that efforts to support Vietnam in developing the JETP framework, including by UNDP and UNOPS, are informed by the work of other relevant



UN agencies and mandates, including the Office of the High Commissioner for Human Rights (OHCHR) and Special Procedures of the UN Human Rights Council, such as the UN Working Group on Business and Human Rights.

- Collaborate with other JETP host countries to learn from good practices which may inform and strengthen the Vietnam JETP framework, including the role of civil society in building transparency, accountability, and effective implementation.

## **(6) Ensure clear commitments, including a timeline, for coal phase-out and investment in truly clean, sustainable, and resilient energy projects over false solutions.**

- JETP partners should ensure they are not contributing in any way to the continued build out and operations of the coal fleet in Vietnam, including through undertaking a deep review of technical assistance, general financing, bonds, equity, insurance guarantees and financing via intermediary institutions.
- JETP partners should support a shift away from fossil fuels and other false solutions, including proposed reliance on a massive increase in fossil gas consumption, hydropower expansion, and environmentally destructive and costly plans for coal plant conversion to biomass or ammonia co-firing.
- JETP partners should support Vietnam to prioritize unlocking its largely untapped and abundant solar and wind potential, including both utility scale and small and decentralized energy solutions. With investment in renewable energy production facilities this means rapid investment in necessary support systems, such as robust power grids, grid flexibility, battery storage options, and supportive legal and policy mechanisms.
- Plans developed under the JETP must be unequivocally aligned with a 1.5°C emissions compatible pathway, consistent with the Paris Agreement.
- JETP partners that have historical/ current involvement in developing coal

mining or thermal power facilities must accept responsibility for supporting the roll-out of decommissioning plans, the full remediation of sites, and reparations for harms suffered by host communities.

## **(7) Establish oversight mechanisms and adequate resourcing to ensure a robust just policy framework for implementing and monitoring JETP associated projects and processes.**

- Establish a Working Group within the JETP Secretariat that is responsible for guiding and coordinating the just aspect of the energy transition. The Working Group should include representatives from the relevant ministries, including MOLISA, as well as members of the civil society and representatives from affected communities, including trade unions. The Working Group should receive and administer dedicated resources to undertake its mandate, coordinate with international partners, and undertake research and analysis to address current knowledge gaps.
- Develop and strengthen the policy framework for ensuring justice in the JETP and energy transition as a whole, based on the shared principles proposed above. The policy framework should incorporate consultation plans, updates to existing environmental and social impact assessment laws and regulations, and monitoring and accountability mechanisms, and be consistent with obligations of both Vietnam and IPG countries to international human rights, labor rights and environmental conventions as well as with environmental and social safeguard policies and commitments of international financing institutions.
- Advance and clarify the timeline for implementation for the just policy framework. Ministries tasked with justice- and equity-related work streams should be required to work on a tighter timeline, similar to those set out for the Secretariat and other ministries and Working Groups.







# ENDNOTES

- 1 'Vietnam Energy Outlook Report 2021', Danish Energy Agency, May 2022, [https://ens.dk/sites/ens.dk/files/Globalcooperation/vietnam\\_energy\\_outlook\\_report\\_2021\\_english.pdf](https://ens.dk/sites/ens.dk/files/Globalcooperation/vietnam_energy_outlook_report_2021_english.pdf).
- 2 Muthukumara Mani & Vinod Thomas, 'To fulfil Vietnam's economic ambitions, climate action is essential', World Bank Blogs, 5 June 2023, <https://blogs.worldbank.org/en/eastasiapacific/fulfil-vietnams-economic-ambitions-climate-action-essential#>.
- 3 Trang Nguyen, 'Vietnam's challenge to wean off coal', The Interpreter, 28 February 2023, <https://www.lowyinstitute.org/the-interpreter/vietnam-s-challenge-wean-coal>.
- 4 Gia Chinh, 'Over 100 Vietnam temperature records broken in April', VN Express International, 3 May 2024, <https://e.vnexpress.net/news/news/environment/over-100-vietnam-temperature-records-broken-in-april-4741275.html>.
- 5 Jörg Wischermann, 'Vietnam: The Just Energy Transition Partnership (JETP) has high political costs', Heinrich Böll Stiftung, 10 March 2024, <https://www.boell.de/en/2024/03/10/just-energy-transition-partnership-vietnam-jetp-has-high-political-costs>.
- 6 'Political Declaration on establishing the Just Energy Transition Partnership with Viet Nam', European Commission, 14 December 2022, at para. 15, [https://ec.europa.eu/commission/presscorner/detail/en/statement\\_22\\_7724](https://ec.europa.eu/commission/presscorner/detail/en/statement_22_7724).
- 7 *Ibid.*
- 8 Vietnam committed to the 'Global Coal to Clean Power Transition Statement' at COP26 in Glasgow, including a transition away from coal by the 2040s (or as soon as possible thereafter): United Kingdom National Archives, 'UN Climate Change Conference UK 2021: Global Coal to Clean Power Transition Statement', 4 November 2021, <https://webarchive.nationalarchives.gov.uk/ukgwa/20230313120149/https://ukcop26.org/global-coal-to-clean-power-transition-statement/>.
- 9 *Supra* note 6 at para. 5.
- 10 'Joint Statement - International Just Energy Transition Partnership', Élysée, France, 2 November 2021, <https://www.elysee.fr/en/emmanuel-macron/2021/11/02/joint-statement-international-just-energy-transition-partnership>.
- 11 *Supra* note 6.
- 12 *Supra* note 6, at para. 25.
- 13 It is important to note that understandings of a 'just energy transition' are highly divergent. For example, trade unions and workers, Indigenous peoples, project-affected communities, all offer very different perspectives on what a just transition entails.
- 14 *Paris Agreement to the United Nations Framework Convention on Climate Change*, 12 December 2015, T.I.A.S. No. 16-1104, at page 2.
- 15 Ceren Ayas, Michael Dolan, Trang Nguyen, Jannata (EGi) Giwangkara, 'Energy Transition in Vietnam and Indonesia: Building blocks for successful Just Energy Transition Partnerships', ClimateWorks Foundation, May 2023, <https://www.climateworkscentre.org/resource/energy-transitions-in-vietnam-and-indonesia-building-blocks-for-successful-just-energy-transition-partnerships/>.
- 16 *Supra* note 6, at para. 15.
- 17 *Supra* note 6, at para. 24(e).
- 18 Agence France-Presse (AFP), 'Vietnam detains energy thinktank chief in latest arrest of environmental expert', The Guardian, 1 October 2023, <https://www.theguardian.com/world/2023/oct/01/vietnam-detains-energy-thinktank-chief-in-latest-arrest-of-environmental-expert>.
- 19 For more information, see: <https://www.standwithbach.org/>.
- 20 For more information, see additional case details at Project 88: <https://the88project.org/>.

- 21 Climate Action Tracker, 'Viet Nam', <https://climateactiontracker.org/countries/vietnam/>.
- 22 Ben Swanton, 'Weaponizing the law to prosecute the Vietnam Four', Project 88, April 2023, at page 56, <https://the88project.org/wp-content/uploads/2023/04/Weaponizing-the-law-report-Project-88-ENG.pdf>.
- 23 See, for example: Climate Justice Alliance, 'Just Transition: A Framework for Change', <https://climatejusticealliance.org/just-transition/>.
- 24 *Supra* note 14, at page 2.
- 25 International Labour Organization (ILO), 'Achieving a just transition towards environmentally sustainable economies and societies for all', International Labour Conference 111th Session, 2023, ILC.111/Report VI, at para. 28.
- 26 United Nations Office of the High Commissioner for Human Rights & the International Labour Organization, 'Human Rights and a Just Transition', 2023, at page 1, <https://www.ohchr.org/sites/default/files/documents/issues/climatechange/information-materials/v4-key-messages-just-transition-human.pdf>.
- 27 *Ibid*, page 5.
- 28 *Ibid*, page 11.
- 29 Note that CSOs involved in developing the 'Principles for a Fair JETP' do not include CSOs from Vietnam because of their inability to participate due to security and safety concerns and repression of civic space in the country.
- 30 Socialist Republic of Viet Nam, 'Resource Mobilisation Plan: Implementing Vietnam's Just Energy Transition Partnership (JETP)', December 2023, at Table 12, page 96, [https://climate.ec.europa.eu/system/files/2023-12/RMP\\_Viet%20Nam\\_Eng\\_%28Final%20to%20publication%29.pdf](https://climate.ec.europa.eu/system/files/2023-12/RMP_Viet%20Nam_Eng_%28Final%20to%20publication%29.pdf).
- 31 Ramla Khalidi, 'Speech of the UNDP Resident Representative in Viet Nam to the Consultation workshop on the draft JETP – Resource Mobilization Plan', 11 August 2023, <https://www.undp.org/vietnam/speeches/consultation-workshop-draft-jetp-resource-mobilization-plan>.
- 32 *Supra* note 5.
- 33 *Supra* note 30, at pages 8, 97.
- 34 Center for Energy, Ecology, and Development (CEED), 'Analysis of the Vietnam JETP Resource Mobilization Plan', Energy Tracker Asia, 13 December 2023, <https://energytracker.asia/vietnam-jetp-resource-mobilisation-plan/>; The Energy and Resources Institute, 'Just Energy Transition Partnerships, Climate Action and Minilateralism', COP28 Compass, Act4Earth and World Sustainable Development Summit. New Delhi: The Energy and Resources Institute, 2023, <https://www.teriin.org/policy-brief/just-energy-transition-partnerships-climate-action-and-minilateralism>.
- 35 Muhammad Zulfikar Rakhmat, 'Concerns Amid JETP Funding for Indonesia in Climate Change Mitigation', Australian Institute of International Affairs, 23 June 2023, <https://www.internationalaffairs.org.au/australianoutlook/concerns-amid-jetp-funding-for-indonesia-in-climate-change-mitigation/>; Louise Naudé, 'Just Energy Transition Partnership offers should come as grants, not loans', World Wildlife Fund (WWF), 7 November 2022, <https://www.wwf.org.za/?41686/Just-Energy-Transition-Partnership-offers-should-come-as-grants-not-loans>.
- 36 Even if lending goes to the private sector, the risk of exacerbating sovereign debt is not ameliorated because in instances of bankruptcy or other major problems, liability is borne by the state..
- 37 *Supra* note 6, para. 18.
- 38 *Supra* note 30, pages 133-134.
- 39 'Vietnam, UK, EU push for JETP projects', Voice of Vietnam World, 6 October 2023, <https://vovworld.vn/en-US/news/vietnam-uk-eu-push-for-jetp-projects-1237869.vov>; 'Vietnam seeks support from UK, EU in just energy transition', Vietnam Plus, 17 April 2023, <https://en.vietnamplus.vn/vietnam-seeks-support-from-uk-eu-in-just-energy-transition/251689.vnp>.
- 40 'Deputy PM pledges to accelerate JETP implementation in Vietnam', Vietnam Plus, 6 October 2023, <https://en.vietnamplus.vn/deputy-pm-pledges-to-accelerate-jetp-implementation-in-vietnam/269217.vnp>.
- 41 'Just Energy Transition Partnership (JETP) with Viet Nam', German Federal Ministry for Economic Cooperation and Development (BMZ), 14 December 2022, <https://www.bmz.de/en/news/press-releases/just-energy-transition-partnership-jetp-with-vietnam-135514#>.
- 42 'Vietnam: achieving the energy turnaround', Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ), 10 May 2023, <https://www.giz.de/en/mediacenter/122835.html>.
- 43 See for example: Minh Nguyen, UK intensifies support for Vietnam's just energy transition, Hanoi Times, 2 Aug 2023, <https://hanoitimes.vn/uk-intensifies-support-for-vietnams-just-energy-transition-324380.html>; 'Consultation Workshop on the Draft Resource Mobilisation Plan for Implementing the Political Declaration on Establishing the Just Energy Transition Partnership', European Union External Action Service (EEAS), 11 August 2023, [https://www.eeas.europa.eu/jetp-consultation-workshop-aug2023\\_en?s=184](https://www.eeas.europa.eu/jetp-consultation-workshop-aug2023_en?s=184).



- 44 Grant Hauber, 'Financing the JETP: Making sense of the packages', Institute for Energy Economics and Financial Analysis, 22 December 2023, <https://ieefa.org/resources/financing-jetp-making-sense-packages>.
- 45 *Ibid.*
- 46 *Ibid.*
- 47 See, for example: Katherine Kramer, 'Making the Leap: The need for Just Energy Transition Partnerships to support leapfrogging fossil gas to a clean renewable energy future', International Institute for Sustainable Development (IISD), November 2022, <https://www.iisd.org/system/files/2022-11/just-energy-transition-partnerships.pdf>.
- 48 *Supra* note 30, pages 5, 44.
- 49 'Press Statement: On the Conviction and Sentencing of Vietnamese NGO Leader Hoang Thi Minh Hong', United States Department of State, 28 September 2023, <https://www.state.gov/on-the-conviction-and-sentencing-of-vietnamese-ngo-leader-hoang-thi-minh-hong/>.
- 50 'Arrest of Vietnamese climate advocate Hoang Thi Minh Hong: FCDO statement', UK Foreign, Commonwealth & Development Office, 14 June 2023, <https://www.gov.uk/government/news/fcdo-statement-arrest-of-vietnamese-climate-advocate>.
- 51 Frank Jordans, 'Germany alarmed by detention of Vietnam climate activist, warns on coal phase-out pact with Hanoi', AP News, 7 June 2023, <https://apnews.com/article/germany-vietnam-climate-activist-coal-6f588e675cb736b89a3652c3e4229b55>.
- 52 'Vietnam: Statement by the Spokesperson on the conviction of environmental activist Hoang Thi Minh Hong', European Union External Action Service (EEAS), 2 October 2023, [https://www.eeas.europa.eu/eeas/vietnam-statement-spokesperson-conviction-environmental-activist-hoang-thi-minh-hong\\_en](https://www.eeas.europa.eu/eeas/vietnam-statement-spokesperson-conviction-environmental-activist-hoang-thi-minh-hong_en).
- 53 *Supra* note 5.
- 54 GIZ, 'Viet Nam', <https://www.giz.de/en/worldwide/357.html>.
- 55 GIZ, 'Shifting investment flows towards a green transformation path', <https://www.giz.de/en/worldwide/135006.html>.
- 56 Suchart Charles Klaikaew, The Just Energy Transition in Coal Regions – Interregional Platform (JET-CR Platform), 13 September 2023, [https://unfccc.int/sites/default/files/resource/5\\_2\\_GIZ.pdf](https://unfccc.int/sites/default/files/resource/5_2_GIZ.pdf).
- 57 *Ibid.*
- 58 AFD, 'Green energy in Vietnam: Expanded Hoa Binh Hydropower Plant will Reduce CO2 Emissions, 18 November 2021, <https://www.afd.fr/en/actualites/green-energy-vietnam-expanded-hoa-binh-hydropower-plant-will-reduce-co2-emissions>.
- 59 AFD, 'Reducing Reliance on Carbon in Vietnam, and making it More Resilient to Climate Change, 24 November 2023', <https://www.afd.fr/en/actualites/working-vietnam-ensure-its-less-reliant-carbon-and-more-resilient-climate-change>.
- 60 AFD, 'AFD Group Chief Executive officer visits Vietnam', 18 February 2023, <https://www.afd.fr/en/actualites/communique-de-presse/afd-group-chief-executive-officer-visits-vietnam>.
- 61 *Ibid.*
- 62 Glasgow Financial Alliance for Net Zero (GFANZ), <https://www.gfanzero.com/>.
- 63 Reclaim Finance, 'Press Release: Throwing fuel on the fire: GFANZ members provide billions in finance for fossil fuel expansion', 17 January 2023, <https://reclaimfinance.org/site/en/2023/01/17/throwing-fuel-on-the-fire-gfanz-members-provide-billions-in-finance-for-fossil-fuel-expansion/>.
- 64 Reclaim Finance & Sierra Club, 'Press release: GFANZ proposes "fatally flawed" method for measuring transition finance', 10 November 2023, <https://reclaimfinance.org/site/en/2023/11/10/gfanz-proposes-fatally-flawed-method-for-measuring-transition-finance/>.
- 65 The Working Group consists of the Bank of America, Citi, Deutsche Bank, HSBC, Macquarie, Mizuho Financial Group, MUFG, Prudential Plc, Shinhan Financial Group, SMBC Group and Standard Chartered. See 'GFANZ Establishes Working Group to Support Capital Mobilization for the Viet Nam Just Energy Transition Partnership', Glasgow Financial Alliance for Net Zero (GFANZ), 14 December 2022, <https://www.gfanzero.com/press/gfanz-establishes-working-group-to-support-capital-mobilization-for-the-vietnam-just-energy-transition-partnership/>.
- 66 Phuong Hoa, 'Standard Chartered Vietnam empowers young future leaders', VN Economy, 4 August 2023, <https://vneconomy.vn/standard-chartered-vietnam-empowers-young-future-leaders.htm#>; Phi Nat, 'Standard Chartered Vietnam supports young leaders in Sustainability Incubator Program', Hanoi Times, 4 August 2023, <https://hanoitimes.vn/standard-chartered-vietnam-supports-young-leaders-in-sustainability-incubator-program-324397.html>.

- 67 Japan Bank for International Cooperation (JBIC), 'Press Release: Credit Line for Vietcombank under GREEN Operations', 29 March 2023, <https://www.jbic.go.jp/en/information/press/press-2022/0329-017547.html>.
- 68 *Supra* note 30, page 8.
- 69 *Supra* note 30, page 59.
- 70 *Supra* note 30, page 96.
- 71 'Energy Transition Mechanism', Asian Development Bank (ADB), <https://www.adb.org/what-we-do/energy-transition-mechanism-etm>; 'Energy Transition Mechanism (ETM) Program for Southeast Asia, Regional Knowledge Sharing Event: Air Quality and Climate Benefits of Energy Policies', ADB, 26 June 2023, <https://events.development.asia/system/files/materials/2023/06/202306-adbs-energy-transition-mechanism-etm.pdf>.
- 72 *Supra* note 30, Table 12, page 96.
- 73 *Supra* note 30, Annex I.
- 74 'Update on ADB's Energy Transition Mechanism', Asian Development Bank (ADB), 27 April 2023, <https://www.adb.org/news/features/update-energy-transition-mechanism-april-2023>.
- 75 See The World Bank, 'Projects - Vietnam', [https://projects.worldbank.org/en/projects-operations/projects-list?lang=en&countrycode\\_exact=VN&os=0](https://projects.worldbank.org/en/projects-operations/projects-list?lang=en&countrycode_exact=VN&os=0).
- 76 'Vietnam PM asks World Bank to prioritize funding for strategic transport projects', VN Express, 27 October 2023, <https://e.vnexpress.net/news/news/traffic/vietnam-pm-asks-world-bank-to-prioritize-funding-for-strategic-transport-projects-4670259.html>; 'PM: Vietnam considers WB significant development partner', Nhan Dan, 27 October 2023, <https://en.nhandan.vn/pm-vietnam-considers-wb-significant-development-partner-post130720.html>.
- 77 World Bank Group, 'Procurement Notice: Study on intl. experiences & assessment of legal framework to develop VN Renewable Energy Law', 25 June 2023, <https://wbgeprocure-rfxnow.worldbank.org/rfxnow/public/advertisement/1136/view.html>.
- 78 UNDP Vietnam, 'Transition pathways for Vietnam's major coal-thermal power plants', 28 March 2024, <https://www.undp.org/vietnam/press-releases/transition-pathways-vietnams-major-coal-thermal-power-plants>.
- 79 Asian Development Bank (ADB), 'Safeguard Policy Statement', June 2009, <https://www.adb.org/documents/safeguard-policy-statement>; International Finance Corporation 'Performance Standards on Environmental and Social Sustainability', 2012: <https://www.ifc.org/en/insights-reports/2012/ifc-performance-standards>.
- 80 International Finance Corporation (IFC), 'IFC Position Statement on Retaliation against Civil Society and Project Stakeholders', October 2018, <https://www.ifc.org/content/dam/ifc/doc/2023/201810-ifc-position-statement-on-reprisals-en.pdf>.
- 81 Asian Development Bank (ADB), 'Strengthening Participation for Development results: An Asian Development Bank Guide to Participation', 2012, [https://www.adb.org/sites/default/files/institutional-document/33349/strengthening-participation-development-results\\_0.pdf](https://www.adb.org/sites/default/files/institutional-document/33349/strengthening-participation-development-results_0.pdf).
- 82 IFC Performance Standard 1: Assessment and Management of Environmental and Social Risks and Impacts, <https://www.ifc.org/content/dam/ifc/doc/2010/2012-ifc-performance-standards-en.pdf>.
- 83 *Supra* note 80.
- 84 Asian Development Bank (ADB), 'Press Release: ADB Joins MDBs to Support Just Transition Toward Net-Zero Economies', 29 October 2021, <https://www.adb.org/news/adb-joins-mdb-support-just-transition-toward-net-zero-economies>.
- 85 MDB Group, 'MDB Just Transition High-Level Principles', 29 October 2021, <https://www.adb.org/sites/default/files/related/238191/MDBs-Just-Transition-High-Level-Principles-Statement.pdf>.
- 86 United Nations Guiding Principles on Business and Human Rights; Implementing the United Nations "Protect, Respect and Remedy" Framework, OHCHR 2011, [https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinessshr\\_en.pdf](https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinessshr_en.pdf).
- 87 See, for example: UN Working Group on Business and Human Rights, 'Thematic report on Extractive sector, just transition and human rights' OHCHR A/78/155, 11 July 2023, <https://www.ohchr.org/en/documents/thematic-reports/a78155-extractive-sector-just-transition-and-human-rights>.
- 88 See, for example: International Commission of Jurists (ICJ), 'Vietnam: National Action Plan on Responsible Business developed without adequate stakeholder participation', 15 March 2023, <https://www.icj.org/vietnam-national-action-plan-on-responsible-business-developed-without-adequate-stakeholder-participation/>.
- 89 Ashley Capoot, 'Apple will reportedly begin producing some MacBooks in Vietnam in 2023 as it shifts from China', CNBC, December 2022, <https://www.cnn.com/2022/12/20/apple-will-reportedly-begin-producing-some-macbooks-in-vietnam-in-2023.html>.



- 90 'Apple commits to be 100 percent carbon neutral for its supply chain and products by 2030', Apple, July 2020, <https://www.apple.com/sg/newsroom/2020/07/apple-commits-to-be-100-percent-carbon-neutral-for-its-supply-chain-and-products-by-2030/>.
- 91 'LEGO factory lays bricks for Vietnam clean energy transition', Context, 16 December, 2022: <https://www.context.news/just-transition/lego-factory-lays-bricks-for-vietnam-clean-energy-transition>.
- 92 'The LEGO Group pledges to achieve net-zero emissions by 2050', LEGO, 30 August 2023, <https://www.lego.com/en-cz/aboutus/news/2023/august/the-lego-group-pledges-to-achieve-net-zero-emissions-by-2050?locale=en-cz>.
- 93 Francesco Guarascio, 'Intel shelves planned chip operation expansion in Vietnam – source', Reuters, 7 November 2023, <https://www.reuters.com/technology/intel-shelves-planned-chip-operation-expansion-vietnam-source-2023-11-07/>.
- 94 'Intel Commits to Net-Zero Greenhouse Gas Emissions in its Global Operations by 2040', Intel, 13 April 2022, <https://www.intel.com/content/www/us/en/newsroom/news/net-zero-greenhouse-gas-emissions-operations.html#gs.9d9rgf>.
- 95 Alice Nunwick, 'Apple commits to increasing investment in Vietnam', Verdict, 16 April 2024, <https://www.verdict.co.uk/apple-commits-to-increasing-investment-in-vietnam/>.
- 96 "Apple commits to be 100 percent carbon neutral for its supply chain and products by 2030", Apple, July 2020, <https://www.apple.com/sg/newsroom/2020/07/apple-commits-to-be-100-percent-carbon-neutral-for-its-supply-chain-and-products-by-2030/>; Apple, 'Environmental Progress Report 2024', [https://www.apple.com/environment/pdf/Apple\\_Environmental\\_Progress\\_Report\\_2024.pdf](https://www.apple.com/environment/pdf/Apple_Environmental_Progress_Report_2024.pdf).
- 97 Ngoc Mai, 'Samsung to invest US\$1 billion annually in Vietnam', Hanoi Times, 4 March 2024, <https://hanoitimes.vn/samsung-to-pour-us1-billion-annually-into-vietnam-326825.html#>.
- 98 Samsung, 'Environmental Strategy', <https://www.samsung.com/global/sustainability/planet/environmental-strategy/>.
- 99 Yuji Nitta, "Foxconn" to invest \$250m in Vietnam to produce EV parts', Nikkei Asia, 4 July 2023, <https://asia.nikkei.com/Spotlight/Supply-Chain/Foxconn-to-invest-250m-in-Vietnam-to-produce-EV-parts#>.
- 100 'Foxconn to invest \$250 million to make EV, telecom parts in Vietnam', Reuters, 30 June 2023, <https://www.reuters.com/technology/foxconn-invest-246-mln-2-projects-northern-vietnam-2023-06-30/>.
- 101 'Hon Hai Technology Group (Foxconn) Net Zero 2050 Targets Validated by SBTi', Foxconn, 24 April 2024, <https://www.foxconn.com/en-us/press-center/events/csr-events/1324>.
- 102 Lululemon, 2023 Annual Report, [https://corporate.lululemon.com/~/\\_media/Files/L/Lululemon/investors/annual-reports/lululemon-2023-annual-report.pdf](https://corporate.lululemon.com/~/_media/Files/L/Lululemon/investors/annual-reports/lululemon-2023-annual-report.pdf).
- 103 Lululemon, 'Our Impact: Our Planet', <https://corporate.lululemon.com/our-impact/our-planet>.
- 104 Gap Inc, '2023 Annual Report', [https://s24.q4cdn.com/508879282/files/doc\\_financials/2023/ar/fy-2023-annual-report-to-broadridge.pdf](https://s24.q4cdn.com/508879282/files/doc_financials/2023/ar/fy-2023-annual-report-to-broadridge.pdf).
- 105 Gap Inc, 'Sustainability: Enriching Communities: Climate', <https://www.gapinc.com/en-us/values/sustainability/enriching-communities/climate#>.
- 106 Nike, '2023 Form 10-K', [https://s1.q4cdn.com/806093406/files/doc\\_downloads/2023/414759-1-5\\_Nike-NPS-Combo\\_Form-10-K\\_WR.pdf](https://s1.q4cdn.com/806093406/files/doc_downloads/2023/414759-1-5_Nike-NPS-Combo_Form-10-K_WR.pdf).
- 107 Nike, 'Reducing Our Carbon Footprint', <https://about.nike.com/en/impact/initiatives/reducing-our-carbon-footprint>.
- 108 Tapestry, '2023 Annual Report', <https://www.tapestry.com/investors/>.
- 109 Tapestry, 'Responsibility: Our Planet', <https://www.tapestry.com/responsibility/our-planet/>.
- 110 Patagonia, 'How We Work with Factories, Farms and Mills', <https://www.patagonia.com/working-with-factories-farms-mills/>.
- 111 Patagonia Works, 'The Climate Crisis is Our Business', 15 September 2023, <https://www.patagoniaworks.com/press/2023/9/15/the-climate-crisis-is-our-business>.
- 112 Greenpeace East Asia, Press Release: 'Samsung's 'together for tomorrow' CES keynote fails to mention reliance on coal', 5 January 2022, <https://www.greenpeace.org/eastasia/press/7188/samsungs-together-for-tomorrow-ces-keynote-fails-to-mention-continued-reliance-on-coal/>.
- 113 New Climate & Carbon Market Watch, 'Corporate Climate Responsibility Monitor 2023', [https://newclimate.org/sites/default/files/2023-02/NewClimate\\_CorporateClimateResponsibilityMonitor2023\\_Feb23.pdf](https://newclimate.org/sites/default/files/2023-02/NewClimate_CorporateClimateResponsibilityMonitor2023_Feb23.pdf).
- 114 Jordan Fleguel, 'Lululemon emissions 'travelling dangerously in the wrong direction': report', BNN Bloomberg, 27 December 2023, <https://www.bnnbloomberg.ca/lululemon-emissions-growing-despite-climate-commitments-report-1.2015843>.

- 115 Julia Behrens, 'Vietnam's JETP Agreement: Accelerating the Energy Transition in a Just Way?', ISEAS Yusof Ishak Institute, 27 July 2023, [https://www.iseas.edu.sg/wp-content/uploads/2023/06/ISEAS\\_Perspective\\_2023\\_62.pdf](https://www.iseas.edu.sg/wp-content/uploads/2023/06/ISEAS_Perspective_2023_62.pdf); Carbon Trust et al., 'Technical Assistance Consultant's Report: Opportunities to Accelerate Coal to Clean Power Transition in Selected Southeast Asian Developing Member Countries', ADB, September 2021, <https://www.adb.org/sites/default/files/project-documents/55024/55024-001-tacr-en.pdf>.
- 116 *Supra* note 6, at para. 15.
- 117 'Vietnam President Nguyen Xuan Phuc quits amid Communist Party corruption crackdown', Reuters, 17 January 2023, <https://edition.cnn.com/2023/01/17/asia/vietnam-president-nguyen-xuan-phuc-resign-communist-party-crackdown-intl-hnk/index.html#>.
- 118 Jonathan Head, 'Vietnam: President Vo Van Thuong resigns after a year in office', BBC, 21 March 2024, <https://www.bbc.com/news/world-asia-68622794>.
- 119 Nguyen Khac Giang, 'Vietnam's Anti-corruption Campaign: Economic and Political Impacts', ISEAS Yusof Ishak Institute, 18 May 2023, [https://www.iseas.edu.sg/wp-content/uploads/2023/04/ISEAS\\_Perspective\\_2023\\_41.pdf](https://www.iseas.edu.sg/wp-content/uploads/2023/04/ISEAS_Perspective_2023_41.pdf).
- 120 See for example, Laura Rimšaitė, 'Corruption risk mitigation in energy sector: Issues and challenges', Energy Policy, Volume 125, February 2019, pages 260-266.
- 121 Zachary Abuza, 'Cleaning house in the Communist Party of Vietnam ahead of Tet', Radio Free Asia, 10 February 2024, <https://www.rfa.org/english/commentaries/vietnam-tet-anticorruption-02102024073506.html>.
- 122 Ben Swanton & Michael Altman-Lupu, 'Vietnam's Leaders Declare War on Human Rights as a Matter of Official Policy: An Analysis of Directive 24', Project 88, 1 March 2024, <https://the88project.org/wp-content/uploads/2024/02/D24-report-final.pdf>.
- 123 Socialist Republic of Viet Nam, 'Prime Minister's Decision No: 1009/QD-TTg: Approving the Scheme for the Implementation of the Political Declaration on Establishing the Just Energy Transition Partnership', 31 August 2023, [https://vepg.vn/wp-content/uploads/2023/09/1009\\_QD-TTg\\_31082023\\_ENG.pdf](https://vepg.vn/wp-content/uploads/2023/09/1009_QD-TTg_31082023_ENG.pdf).
- 124 *Supra* note 6, para. 24.
- 125 Socialist Republic of Viet Nam, 'Prime Minister's Decision No: 500/QD-TTg: Approval of National Electricity Development Plan for the Period of 2021-2030, with a vision to 2050', 15 May 2023, <https://thuvienphapluat.vn/van-ban/Thuong-mai/Quy-dinh-500-QD-TTg-2023-Quy-hoach-phat-trien-dien-luc-quoc-gia-2021-2030-tam-nhin-2050-566461.aspx>.
- 126 *Supra* note 5.
- 127 'Price Waterhouse Coopers, 'Vietnam's Eighth National Power Development Plan (PDP VIII) Insights and key considerations for investors', PwC, August 2023, <https://www.pwc.com/vn/en/publications/2023/230803-pdp8-insights.pdf>. See also, Julia Behrens, 2023, *supra* note 115.
- 128 *Supra* note 22.
- 129 *Supra* note 21.
- 130 *Ibid*.
- 131 Socialist Republic of Viet Nam, 'Prime Minister's Decision No: No. 896/QD-TTg: Approving the National Strategy for Climate Change Until 2050', 26 July 2022, <https://thuvienphapluat.vn/van-ban/EN/Tai-nguyen-Moi-truong/Decision-896-QD-TTg-2022-approving-the-national-strategy-for-climate-change-until-2050/525126/tieng-anh.aspx>.
- 132 Socialist Republic of Viet Nam, 'Nationally Determined Contribution', October 2022, [https://unfccc.int/sites/default/files/NDC/2022-11/Viet%20Nam\\_NDC\\_2022\\_Eng.pdf](https://unfccc.int/sites/default/files/NDC/2022-11/Viet%20Nam_NDC_2022_Eng.pdf).
- 133 *Supra* note 30, at page 128. .
- 134 *Supra* note 30, Annex III. .
- 135 See *supra* note 123, at para. V(2)(k).
- 136 Le Hang, 'SBV Deputy Governor Pham Thanh Ha meets JBIC Governor', The State Bank of Vietnam, 10 Nov 2023, [https://www.sbv.gov.vn/webcenter/portal/m\\_en/home/sbv/news/news\\_chitiet?leftWidth=0%25&showFooter=false&showHeader=false&dDocName=SBV581620&rightWidth=0%25&centerWidth=100%25&\\_afLoop=53412275645840466#%40%3F\\_afLoop%3D53412275645840466%26centerWidth%3D100%2525%26dDocName%3DSBV581620%26leftWidth%3D0%2525%26rightWidth%3D0%2525%26showFooter%3Dfalse%26showHeader%3Dfalse%26\\_adf.ctrl-state%3Dht2wrt7jt\\_64](https://www.sbv.gov.vn/webcenter/portal/m_en/home/sbv/news/news_chitiet?leftWidth=0%25&showFooter=false&showHeader=false&dDocName=SBV581620&rightWidth=0%25&centerWidth=100%25&_afLoop=53412275645840466#%40%3F_afLoop%3D53412275645840466%26centerWidth%3D100%2525%26dDocName%3DSBV581620%26leftWidth%3D0%2525%26rightWidth%3D0%2525%26showFooter%3Dfalse%26showHeader%3Dfalse%26_adf.ctrl-state%3Dht2wrt7jt_64).
- 137 United Nations Development Programme (UNDP), 'Viet Nam', <https://www.undp.org/vietnam>.
- 138 UNDP, 'Viet Nam Hosts Workshop to Drive Global Just Energy Transition and Sustainable Development Goals', 26 May 2023, <https://www.undp.org/vietnam/press-releases/viet-nam-hosts-workshop-drive-global-just-energy-transition-and-sustainable-development-goals>.



- 139 *Supra* note 31; Ramla Khalidi, 'Remarks' by UNDP Resident Representative in Viet Nam to the Consultation workshop on the 2nd draft resource mobilisation plan for implementing the political declaration on establishing the JETP', UNDP, 27 October 2023, <https://www.undp.org/vietnam/speeches/consultation-workshop-2nd-draft-resource-mobilisation-plan-implementing-political-declaration-establishing-jetp>.
- 140 *Supra* note 30, page 130.
- 141 UNDP Social and Environment Standards, 1 January 2021: 'Part C: Social and Environmental Management System Requirements, No. 28, <https://www.undp.org/publications/undp-social-and-environmental-standards>.
- 142 *Ibid*, 'Part A: Programming Principles', No. 10.
- 143 *Ibid*, 'Part A: Programming Principles', No. 14.
- 144 *Ibid*, 'Part A: Programming Principles', No. 13.
- 145 Energy Transition Partnership, 'Vietnam', <https://www.energytransitionpartnership.org/country/vietnam/>.
- 146 'Draft Outline of the Viet Nam JETP Resource Mobilization Plan', Energy Transition Partnership, April 2023, <https://www.energytransitionpartnership.org/uploads/2023/05/Draft-JETP-Resources-Mobilization-Plan-RMP-outline.pdf>.
- 147 NH Quang & Associates, 'JETP experience in South Africa and Indonesia, and lessons learnt for Vietnam', Energy Transition Partnership, April 2023, <https://www.energytransitionpartnership.org/uploads/2023/05/Report-Analysis-of-JETP-experience-in-Indonesia-and-South-Africa.pdf>.
- 148 Vietnam Energy and Environment Consultancy (VNEEC), 'Policy Brief: For Preparation of Just Energy Transition Partnership Implementation in Vietnam (Just and Equity Aspect)', UNOPS & ETP, 6 April 2023, <https://www.energytransitionpartnership.org/uploads/2023/05/Policy-brief-on-Review-of-just-and-equitable-transition-in-developing-and-implementing-the-JETP-RMP.pdf>.
- 149 Vietnam Energy Partnership Group (VEPG), 'About Us', <https://vepg.vn/about-us/>.
- 150 EU Domestic Advisory Group under the EU-Vietnam FTA, 'Statement from the European Union Domestic Advisory Group', European Economic and Social Committee (EESC), November 2023, [https://www.eesc.europa.eu/sites/default/files/files/eu-vn\\_dag\\_-\\_3rd\\_dag-to-dag\\_meeting\\_2023\\_-\\_eu\\_dag\\_statement\\_final.pdf](https://www.eesc.europa.eu/sites/default/files/files/eu-vn_dag_-_3rd_dag-to-dag_meeting_2023_-_eu_dag_statement_final.pdf).
- 151 ASEAN Centre for Energy, 'Introductions', <https://aseanenergy.org/introductions/>.
- 152 'ACCEPT II has joined ADB's annual flagship event', Southeast Asia Development Solutions (SEADS) 2023: Imagining a Net Zero ASEAN', ASEAN Centre for Energy, <https://aseanenergy.org/accept-ii-has-joined-adbs-annual-flagship-event-southeast-asia-development-solutions-seads-2023-imagining-a-net-zero-asean/>.
- 153 *Supra* note 148; Julia Behrens, 2023, *supra* note 115.
- 154 EMBER, 'Vietnam', <https://ember-climate.org/countries-and-regions/countries/viet-nam/>.
- 155 *Supra* note 148.
- 156 Trung Thanh Nguyen, Thanh-Tung Nguyen, Viet-Ngu Hoang, Clevo Wilson, Shunsuke Managi, 'Energy transition, poverty and inequality in Vietnam', Energy Policy, Volume 132, 2019, pages 536-548, <https://doi.org/10.1016/j.enpol.2019.06.001>.
- 157 *Supra* note 31.
- 158 *Supra* note 30, pages 5, 44.
- 159 *Supra* note 30, pages 41-43.
- 160 *Supra* note 30, pages 80-82.
- 161 Razan Al Mubarak, 'Here's how to boost gender equality and climate action together', Eco-Business, 28 December 2023, <https://www.eco-business.com/opinion/heres-how-to-boost-gender-equality-and-climate-action-together/>.
- 162 'Gender Responsive Just Transitions and Climate Action Partnership', UNFCCC COP28 Dubai, December 2023, <https://www.cop28.com/en/cop28-gender-responsive-just-transitions-and-climate-action-partnership>.
- 163 *Supra* note 30, pages 46-48.
- 164 *Supra* note 5.
- 165 *Supra* note 30, at Annex II & Annex III.
- 166 See for example, *supra* note 31.
- 167 Presidential Climate Commission', <https://www.climatecommission.org.za/>.
- 168 ECDPM, 'Two years into South Africa's Just Energy Transition Partnership: How real is the deal?', 27 November 2023, <https://ecdpm.org/work/two-years-south-africas-just-energy-transition-partnership-how-real-deal>.
- 169 *Supra* note 5
- 170 International Energy Agency, 'Energy Statistics Data Browser', 21 December 2023, <https://www.iea.org/data-and-statistics/data-tools/energy-statistics-data-browser?country=VIETNAM&fuel=Energy%20supply&indicator=ElecGenByFuel>.

- 171 World Wildlife Fund (WWF), 'Viet Nam's Energy Sector Vision: Towards 100% Renewable Energy by 2050', WWF Asia, March 2023, [https://wwfasia.awsassets.panda.org/downloads/en-scenario-report\\_100re-map.pdf](https://wwfasia.awsassets.panda.org/downloads/en-scenario-report_100re-map.pdf).
- 172 'Ministry of Industry and Trade (MOIT), 'Climate change adaptation: Viet Nam is making concrete actions to go green', MOIT, 1 November 2021, <https://moit.gov.vn/en/news/energy/climate-change-adaptation-viet-nam-is-making-concrete-actions-to-go-green.html>.
- 173 *Supra* note 132.
- 174 Socialist Republic of Viet Nam: Government News, 'COP26: PM attends launch ceremony of Global Methane Pledge', 2 November 2021, <https://en.baochinhphu.vn/cop26-pm-attends-launch-ceremony-of-global-methane-pledge-11142638.htm>.
- 175 'United Nations Climate Change, 'Press Release: End of Coal in Sight at COP26', UNFCCC, 4 November 2021, <https://unfccc.int/news/end-of-coal-in-sight-at-cop26>.
- 176 *Supra* note 5.
- 177 *Supra* note 21.
- 178 It should be noted that the ADB, World Bank and donor-country based companies have also not given any indication about plans to decommission coal projects in Vietnam that they have financed or supported.
- 179 *Supra* note 47.
- 180 *Supra* note 30, Table 6.
- 181 Global Energy Monitor, 'Global Coal Plant Tracker: Vietnam', <https://globalenergymonitor.org/projects/global-coal-plant-tracker/dashboard/>.
- 182 *Ibid*.
- 183 *Supra* note 21.
- 184 *Supra* note 5.
- 185 *Supra* note 21.
- 186 *Supra* note 30, page 65.
- 187 *Supra* note 34.
- 188 *Supra* note 21.
- 189 Sofia Esquivel-Elizondo & Ilissa Ocko, 'Why using ammonia in power generation is risky for the climate', Environmental Defense Fund, 12 October 2023, <https://blogs.edf.org/energyexchange/2023/10/12/why-using-ammonia-in-power-generation-is-risky-for-the-climate/>.
- 190 *Supra* note 21.
- 191 Energy Institute, 'Statistical Review of World Energy 2023', <https://www.energyinst.org/statistical-review>.
- 192 *Supra* note 21.
- 193 *Ibid*.
- 194 International Energy Agency (IEA), 'Net Zero by 2050: A Roadmap for the Global Energy Sector', IEA, revised May 2021, [https://iea.blob.core.windows.net/assets/7ebafc81-74ed-412b-9c60-5cc32c8396e4/NetZero-by2050-ARoadmapfortheGlobalEnergySector-SummaryforPolicyMakers\\_CORR.pdf](https://iea.blob.core.windows.net/assets/7ebafc81-74ed-412b-9c60-5cc32c8396e4/NetZero-by2050-ARoadmapfortheGlobalEnergySector-SummaryforPolicyMakers_CORR.pdf).
- 195 Jeff St. John, 'The problem with making green hydrogen to fuel power plants', Canary Media, 10 October 2023, <https://www.canarymedia.com/articles/hydrogen/the-problem-with-making-green-hydrogen-to-fuel-power-plants#>.
- 196 Gerard Sasges & Alan D. Ziegler, 'We Have Eaten the Rivers: The Past, Present, and Unsustainable Future of Hydroelectricity in Vietnam', Sustainability 15(11), June 2023: 8969.
- 197 *Supra* note 21.
- 198 *Supra* note 131.
- 199 These emissions can often be as bad or even worse than emissions from coal and gas plants: Laura Scherer & Stephan Pfister, 'Hydropower's Biogenic Carbon Footprint', PLOS ONE 11(9): e0161947, <https://doi.org/10.1371/journal.pone.0161947>.
- 200 An additional climate impact of dams is the "albedo-climate penalty". Reservoirs often have a lower albedo (solar reflectivity) than the land they inundated. Less solar radiation being reflected back into space means more heating of the Earth's surface and atmosphere. For roughly one third of dams examined in a study published in Nature Energy, it would take more than 40 years for the climate benefits of the dam replacing fossil fuels to compensate for the albedo penalty: Georg Wohlfahrt, Enrico Tomelleri & Albin Hammerle, 'The albedo-climate penalty of hydropower reservoirs', Nat Energy. 2021 Apr; 6(4): 372–377, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7610662/>
- 201 *Supra* note 196.
- 202 Akarath Soukhaphon, Ian G. Baird & Zeb S. Hogan, 'The Impacts of Hydropower Dams in the Mekong River Basin: A Review', Water 2021, 13(3), 265, <https://doi.org/10.3390/w13030265>.



- 203 AFP, 'There is nothing for me': Vietnam drought dries up income', Phys.org, 16 June 2023, <https://phys.org/news/2023-06-vietnam-drought-dries-income.html>.
- 204 *Supra* note 196
- 205 *Ibid.*
- 206 *Supra* note 154.
- 207 *Supra* note 21.
- 208 *Supra* note 154.
- 209 World Bank, 'Making Public Investment Work for Growth', World Bank Group, 2023, <https://documents1.worldbank.org/curated/en/099408408092319382/pdf/IDU0301a3e760c732046e509d3106e81810de4b9.pdf>.
- 210 *Supra* note 21.
- 211 *Supra* note 34
- 212 Sasha Lee, 'Vietnam's Renewables Surge, but Serious Pollution Concerns Persist', 6 March 2024, <https://www.asiapacific.ca/publication/vietnams-renewables-surge-serious-pollution-concerns-persist>.
- 213 Le Hong Hiep, 'The unexpected twist in Vietnam's renewable energy saga', 8 January 2024, <https://www.eco-business.com/opinion/the-unexpected-twist-in-vietnams-renewable-energy-saga/#>.
- 214 Reccessary, 'EVN will pay nothing for excess rooftop solar power', 14 December 2023, <https://www.reccessary.com/en/news/vn-regulation/evn-will-pay-nothing-excess-rooftop-solar-power>.
- 215 'Vietnam – Country Commercial Guide', International Trade Administration, <https://www.trade.gov/country-commercial-guides/vietnam-power-generation-transmission-and-distribution>.
- 216 Enerdata, 'Vietnam completes the construction of its first LNG import terminal (1 Mt/year)', 11 May 2023, <https://www.enerdata.net/publications/daily-energy-news/vietnam-completes-construction-its-first-lng-import-terminal-1-mtyear.html>.
- 217 *Supra* note 5.
- 218 *Ibid.*
- 219 Delegation of the European Union to Vietnam, 'Consultation Workshop on the Draft Resource Mobilisation Plan for Implementing the Political Declaration on Establishing the Just Energy Transition Partnership', European Union External Action Service (EEAS), 11 August 2023, [https://www.eeas.europa.eu/jetp-consultation-workshop-aug2023\\_en?s=184](https://www.eeas.europa.eu/jetp-consultation-workshop-aug2023_en?s=184).
- 220 *Supra* note 30, Annex 1.
- 221 *Supra* note 127.
- 222 *Supra* note 44.
- 223 *Supra* note 5.
- 224 *Ibid.*
- 225 *Ibid.*
- 226 *Ibid.*
- 227 *Supra* note 22.
- 228 Resolution adopted by the Human Rights Council, 'The rights to freedom of peaceful assembly and of association', A/HRC/RES/24/5, 8 October 2013, para 7 (2013) as mentioned in Communication from Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, 10 December, 2021, p. 6, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=26885>.
- 229 ISPONRE, 'About', <https://isponre.gov.vn/en/about/>.
- 230 Vietnam Union of Science and Technology Associations (VUSTA), <https://vusta.vn/>.
- 231 UNCCD Knowledge Sharing Systems, Vietnam Union of Science and Technology Associations (VUSTA), <https://www.unccd.int/resources/knowledge-sharing-system/vietnam-union-science-and-technology-associations-vusta>.
- 232 Pham Huyen, 'Vietnam's 6 proposals at the 2023 P4G Summit', VUSTA, 25 September 2023, <https://vusta.vn/6-de-xuat-cua-viet-nam-tai-hoi-nghi-thuong-dinh-p4g-2023-p92068.html>.
- 233 *Supra* note 22, page 56.
- 234 See Decision 118/QĐ-TW, 'Promoting Regulations on the Organization and Activities of Mass Associations Associated by the Party and the State at the Center', 22 August 2023, at Appendix III, <https://lawnet.vn/vb/Quyết-dinh-118-QĐ-TW-2023-Quy-che-to-chức-hội-quan-chung-do-Dang-giao-nhiem-vu-o-Trung-uong-8Đ1C1.html>.
- 235 'Vietnam jails leading climate activist Hoang Thi Minh Hong for tax evasion', The Guardian, 28 September 2023, <https://www.theguardian.com/world/2023/sep/28/vietnam-jails-leading-climate-activist-hoang-thi-minh-hong-for-tax-evasion>.

- 236 See GreenID, 'Who We Are?', <http://en.greenidvietnam.org.vn/who-we-are-1.html>.
- 237 Isabel Esterman, 'Early release for imprisoned climate activist as Vietnam aims for net zero goals', Mongabay, 24 May 2023, <https://news.mongabay.com/2023/05/early-release-for-imprisoned-climate-activist-as-vietnam-aims-for-net-zero-goals/>.
- 238 'Just energy transition partnership (JETP) will mobilise \$15.5 billion to support Vietnam's just energy transition', VIETSE, 21 December 2022, <https://vietse.vn/en/news/just-energy-transition-partnership-jetp-will-mobilise-15-5-billion-to-support-vietnams-just-energy-transition/>.
- 239 'Consultation Workshop on Resource Mobilization Plan for JETP Implementation in Vietnam' VIETSE, 15 August 2023.
- 240 Minh Ha-Duong, 'Statement from the Chairman of VIETSE think-tank', VIETSE, 4 October 2023.
- 241 Communication from Mandates of the Special Rapporteur on the situation of human rights defenders; the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of human rights in the context of climate change; the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the rights to freedom of peaceful assembly and of association to the Government of Vietnam, AL VNM 3/2023, 25 May 2023, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=28088>.
- 242 *Supra* note 6, para. 15.
- 243 *Supra* note 219.
- 244 Carbon Trust, Asia Group Advisors & Climate Smart Ventures, 'Regional: Opportunities to Accelerate Coal to Clean Power Transition in Selected Southeast Asian Developing Member Countries', Asian Development Bank (ADB), October 2021, <https://www.adb.org/sites/default/files/project-documents/55024/55024-001-tacr-en.pdf>.
- 245 See, for example: Ceren Ayas et al, May 2023, *supra* note 15; Katherine Kramer, November 2022, *supra* note 47.
- 246 *Supra* note 122.
- 247 Human Rights Watch, 'Vietnam: False Claims on Labor Rights', 8 May 2024, <https://www.hrw.org/news/2024/05/08/vietnam-false-claims-labor-rights>; International Trade Union Confederation (ITUC), 'Survey of Violations of Trade Union Rights: Vietnam', 2023, <https://survey.ituc-csi.org/Vietnam.html?lang=en#tabs-1>.
- 248 Thanh Chung, 'Trung tướng Tô n Xô: Bắt Ngô Thị Tố Nhiên và 2 người vì chiếm đoạt tài liệu mật của EVN', Tuổi Trẻ, 30 September 2023, <http://tuoitre.vn/trung-tuong-to-an-xo-bat-ngo-thi-to-nhien-va-2-nguoi-vi-chiem-doat-tai-lieu-mat-cua-evn-20230930172008674.htm?fbclid=IwAR253CK3tvMmcNma65opLEdFUDBRtYOoyxm6ON7suVn209yIVV7B0lcUjU>.
- 249 *Supra* note 22, pages 44-48.
- 250 *Supra* note 52.
- 251 Michael Taylor, 'In Vietnam, climate arrests spark calls to halt energy transition deal', Reuters, 20 October 2023, <https://www.reuters.com/sustainability/cop/vietnam-climate-arrests-spark-calls-halt-energy-transition-deal-2023-10-20/>; Marta Hurtado, Spokesperson for the UN High Commissioner for Human Rights, 'Viet Nam – Detention of environmental human rights defender Hoang Thi Minh Hong', UN Office of High Commissioner for Human Rights, 2 June 2023, <https://www.ohchr.org/en/press-briefing-notes/2023/06/viet-nam-detention-environmental-human-rights-defender-hoang-thi-minh>; Rachel Cox, 'Arrest of fifth climate defender undermines Vietnam's 'just transition'', Global Witness, 22 June 2023, <https://www.globalwitness.org/en/blog/arrest-fifth-climate-defender-undermines-vietnams-just-transition/>.
- 252 *Supra* note 34.
- 253 TAI Collaborative, 'Climate and Transparency, Accountability & Participation Learning Series: Session 2: Strengthening transparency, participation and accountability of the Just Energy Transition Partnership – can it be a model for the world? South Africa case study', 21 July 2022, <https://taicollaborative.org/climate-and-transparency-accountability-and-participation-learning-series>.
- 254 Hans Nicholas Jong, 'Delay of Indonesia's energy transition plan a chance to get public input', Mongabay, 25 September 2023, <https://news.mongabay.com/2023/09/delay-of-indonesias-energy-transition-plan-a-chance-to-get-public-input/>.





INTERNATIONAL  
**RIVERS**  
people • water • life

VIETNAM  
CLIMATE  
DEFENDERS  
COALITION