



**STATE MANAGEMENT INSTITUTIONS ON MARINE
RESOURCES AND ENVIRONMENT OF SOME COUNTRIES:
EXPERIENCE FOR VIETNAM**

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Abstract:

The state management institution for marine and island resources and environment plays a very important role. It guides, regulates, and protects marine and island resources. This state management institution aims to protect national interests, ensure sustainable economic development activities, and protect the environment and national security. The objective of the study is to find experiences in building state management institutions for marine and island resources and the environment of some countries in the world, including Japan, Korea, China, Philippines, and Australia. The study analyzed the management models, organizational structures, policies, and legal tools that these countries use to sustainably manage marine resources. The study proposed a model for Vietnam. It emphasized the importance of building an effective marine management institution, the need for coordination between state agencies, and the participation of the community and businesses. In addition, the article also recommends that Vietnam needs to improve the legal and policy framework, strengthen the management capacity of state agencies, and promote international cooperation in this field.

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1. Introduction

Seas and oceans cover about 71% of the Earth and are valuable resources for a country and the international community. Seas and islands play an essential role in providing natural resources, supporting maritime transport, regulating climate, and maintaining biodiversity, and are the foundation for sustainable economic development of many countries. Seas and islands around the world are facing many serious challenges, such as climate change, environmental degradation, overexploitation of resources, conflicts of interest between countries, and sovereignty over seas and islands, in the context of globalization and increasing competition for resources. Countries have recognized the importance of building a state management institution for marine and island resources and the environment. This institution is a legal and administrative framework to regulate activities of exploiting and using marine resources. It is a tool to protect the marine environment, ensure security, and maintain peace and stability in seas and islands.

Around the world, many countries have developed strong marine management institutions that integrate resource management and environmental protection with defense and diplomatic strategies. These institutions are often built on international conventions, such as the 1982 United Nations Convention on the Law of the Sea, and are adjusted to suit the conditions and needs of each country. In addition, the development of international and regional organizations, such as the International Maritime Organization, the United Nations Environment Program, and regional marine associations, has played an important role in promoting cooperation and sharing of experiences among countries in marine and island management. State management institutions for marine and island resources and environment around the world still face many challenges, including resource shortages, conflicts of interest among coastal states, complexity in enforcing international regulations, and the increase of economic activities that harm the marine environment.

Research and improvement of state management institutions on marine and island resources and the environment in the world are necessary to ensure the sustainable use of valuable resources. Protect the marine environment and contribute to maintaining regional and global peace and security. In the context of global climate change and increasing pressure from economic exploitation activities, cooperation, and experience sharing among countries are extremely important to develop effective and sustainable management strategies.

Marine and island resources management and environmental protection are among the top priorities of each country and territory. To strengthen state management of marine and island resources and environmental protection, in recent times, several other countries in the region and around the world have continuously built and operated state management institutions on marine and island resources and the environment.

Vietnam has great potential for developing the marine economy. To sustainably develop the marine economy based on green growth, ensuring harmony between economic and natural ecosystems based on the potential of marine and island resources and the environment. Perfecting the management institution for marine and island resources and the environment is very necessary for Vietnam in the current context (Dao, 2023). Experience from other countries helps Vietnam understand the value of building a state management institution for marine and island resources and the environment. This article exploits the experience of building a state management institution for marine and island resources and environment of several countries in the world, thereby drawing on management experiences to make recommendations for application to state management of marine resources and environment in Vietnam.

2. Literature review

The state management institution for marine and island resources and environment is a system of regulations, policies, and organizational mechanisms established by the state to manage, protect, exploit, and sustainably use resources and the environment related to the sea and islands. This institution includes laws, regulations, management agencies, and policy tools to ensure that economic and social activities related to the sea and islands do not harm the natural environment and maintain the sustainability of marine resources. The main elements of this management institution may include a legal framework, management agencies, policies and regulations, management tools, and community participation.

The legal framework of the state management institution for marine and island resources and environment is a set of regulations, laws, and legal documents issued by the state to regulate activities related to the management, exploitation, use, and protection of marine and island resources and environment. This legal framework plays a fundamental role in establishing principles, rules, and standards that need to be followed to ensure sustainable development and protection of the marine and island environment (Hoang, 2024).

The main components of the legal framework include the Constitution, which is the highest legal document that stipulates the basic principles of resource and environmental management, including seas and islands. Specialized laws include laws directly related to seas, islands, and the environment. Specifically in Vietnam, the Law of the Sea of Vietnam regulates issues of sovereignty, jurisdiction, and activities at sea. The Law on Resources and Environment of Seas and Islands regulates the management and protection of marine and island resources and environment. The Law on Environmental Protection regulates measures to protect the environment in general, including the marine and island environment.

Decrees are sub-law documents issued by the Government to guide the implementation of laws, such as decrees on the management of marine protected areas, and on the exploitation and protection of marine resources. Circulars are documents

providing detailed guidance on the implementation of provisions of laws and decrees, issued by ministries and branches. Decisions of the Government and competent authorities stipulate specific policies and implementation measures related to the management of marine and island resources and the environment. International conventions and agreements, Vietnam is a member of many international conventions related to the sea and the environment, such as the United Nations Convention on the Law of the Sea. These conventions are also part of the legal framework that Vietnam must comply with.

Management agencies in the state management system for marine and island resources and environment are organizations and units within the government system responsible for managing, monitoring, and implementing policies and laws related to marine and island resources and environment. These agencies play an important role in ensuring that the use of marine and island resources is carried out sustainably and in compliance with the law.

The Government is the highest agency in the state management system, responsible for directing, operating, and promulgating policies and strategies on the management of marine and island resources and the environment. The Ministry of Natural Resources and Environment is the governing body with the main responsibility for state management of marine and island resources and the environment (Intergovernmental Oceanographic Commission, 2010). This Ministry has affiliated agencies, such as the Vietnam Administration of Seas and Islands, specializing in the overall management and sustainable exploitation of marine and island resources. Besides, there are related ministries including the Ministry of Agriculture and Rural Development, the Ministry of Transport, the Ministry of National Defense, the Ministry of Public Security, Ministry of Foreign Affairs.

The People's Committees of coastal provinces and cities are local authorities responsible for managing marine and island resources and environment within their localities, and coordinating with central agencies to implement policies and laws on marine and island resources. These agencies coordinate with each other to ensure that Vietnam's marine and island resources are managed effectively, sustainably, and in compliance with national laws and policies (Khanh et al., 2015).

Policies and regulations in the state management system on marine and island resources and environment are guidelines and rules issued by the government and state agencies to guide and regulate activities related to the management, exploitation, and protection of marine and island resources and environment. These policies and regulations aim to ensure sustainable development and protection of the marine and island environment while meeting the socio-economic needs of the country.

The marine economic development policy aims to exploit and sustainably use marine and island resources, contributing to national economic development. The marine economic development policy focuses on developing marine economic sectors such as marine tourism, maritime transport, oil and gas exploitation, and fisheries. The marine environmental protection policy aims to protect sensitive marine ecosystems, conserve

biodiversity, and prevent environmental degradation. Build marine protected areas, and apply measures to manage waste and pollution from the mainland to the sea. The marine defense and security policy aims to ensure security and defense in sea areas and protect national sovereignty and Vietnam's legitimate rights at sea. Strengthen international cooperation, and implement international commitments on the sea. The marine and island resource management policy aims to develop master plans for sustainably exploiting and using marine and island resources (Lan, 2015).

Community participation in the state management system of marine and island resources and the environment is important. It aims to ensure that decisions and actions related to the management and protection of marine and island resources are based on state regulations. Community participation reflects the needs, experiences, and interests of local communities, who are the ones who live and work directly in marine and island areas. Local communities act as on-site monitors, early detecting and reporting illegal exploitation of resources, environmental pollution, or encroachment on marine and island resources.

The establishment of community organizations such as fishermen's associations helps to increase participation and responsibility in the protection and management of resources. Communities can participate in the planning and zoning process related to the use and exploitation of marine and island resources. Governments and regulatory agencies should organize meetings, workshops, or consultations to solicit public opinion before issuing new policies or regulations (Nguyen, 2024). Communities participate in the implementation of regulations to protect the marine and island environment, through compliance with regulations and cooperation with competent authorities.

3. Methodology

The study on the state management institution of marine and island resources and environment has applied the method of document analysis research. The collection and analysis of documents, legal documents, reports, and previous studies related to state management of marine and island resources and environment. This helps clarify the current legal framework, regulations, and related policies. The method compares the state management institution of marine and island resources and the environment of Vietnam with other countries. This helps to find out the strengths, and weaknesses, and propose improvements.

Qualitative analysis method to deeply understand the social, political, and cultural aspects affecting the management of marine and island resources and environment. The policy analysis method is used to evaluate current policies, thereby proposing adjustments or reforms to improve the effectiveness of marine and island resources and environment management. Each method can be used independently or in combination to provide a comprehensive picture of state management institutions in this area.

4. Results

4.1. State management institutions on marine and island resources and environment in some countries in the world

4.1.1. Japan

Serious problems related to marine environmental pollution. To manage the environment and the marine environment. Japan has established and enacted many laws, typically the Basic Environmental Law; the Environmental Impact Assessment Law; the Water Pollution Control Law; the Public Place Cleaning and Discharge Law; the Law on Prevention of Marine Accidents and Marine Pollution, the Law on Import and Export Control, and the Management of Hazardous Waste and Other Waste; the Law on Special Measures for the Protection of the Marine Environment; the Basic Law on Marine Policy. Legal documents in Japan have focused on basic contents such as regulations on general principles of responsibility of each social component for environmental issues. Policy tools used to protect the environment, contribute to managing global environmental issues. Regulations on comprehensive state management of the sea with a close connection to issues of marine resources, marine environment, maritime, security, and safety issues at sea; regulations on management of development, exploitation, and conservation of the sea must be implemented in a comprehensive and integrated manner (Japan Ocean Policy Coordination Office, 2018).

Regulations on emission standards, and policies to reduce pollution; development and implementation of plans to reduce total pollution emissions; monitoring and compensation for damages; regulations on special measures to protect the marine environment; contents on environmental impact assessment and regulations on discharge from means of transport operating at sea; measures to prevent marine pollution and maritime incidents.

The law related to the state management of marine resources and the environment of Japan has created a synchronous legal basis for the state management of the marine environment. It has stipulated the principles of responsibility of each social component; and stipulated standards and measures for comprehensive management of the marine environment. Operating the state management institution of marine through policy agencies has created unity in direction and administration with the establishment and implementation of specific basic plans for the sea, it determines the role of government levels in protecting marine and coastal environment.

4.1.2. South Korea

The Marine Environment Management Act is the basic law for state management of the marine environment in Korea. It aims to prevent marine pollution caused by ships; prevent marine pollution, and prevent air pollution at sea. Korea also enacted the Oil Pollution Damage Compensation Guarantee Act, to clearly define the responsibilities of shipowners and establish a system for ensuring compensation for oil pollution damage, in case of damage caused by oil leakage or oil discharge from ships. Korea is one of the

leading countries applying the integrated coastal zone management method with the promulgation of the Coastal Zone Management Act to control the impacts on the marine environment in marine and coastal areas. Korea enacted the Island Management Act with the aim of state management of the environment and resources of islands, focusing mainly on conservation (Cho, 2012).

The above laws, state management of the marine environment in Korea are subject to the regulation of other relevant laws such as the framework law on environmental policy, the law on marine ecosystem management, the law on wetland conservation, the law on public water resources improvement, and the law on coastal zone management. The Korean government has issued a series of plans to implement state management policies on the marine environment, including comprehensive marine environmental management, marine ecosystem management, coastal wetland management, marine debris management, beach sand management, national total pollution system management, integrated coastal zone management, public water reclamation, national oil spill prevention, and regional oil spill prevention for coastal waters.

The promulgation of policies, laws, and organization of marine environmental management plans shows that state management of the marine environment in Korea is comprehensive and comprehensive. Korea has a separate marine environmental management law to regulate marine pollution prevention and a coastal management law to address issues related to resources and the environment in coastal areas based on implementing a comprehensive state management method. Korea has established a Ministry of Oceans and Fisheries, which is responsible for implementing state management of the marine and coastal environment. This is a good practical lesson for state management of the marine environment, promulgation, and implementation of regulations on integrated coastal zone management.

4.1.3. China

China has enacted the Marine Environmental Protection Law to prevent pollution from coastal projects, construction works, resource exploration and exploitation activities, marine transportation activities, waste disposal into the sea and land-based pollution sources, maintain ecological balance, protect human health, and promote sustainable economic and social development. China's Island Protection Law is enacted to protect the ecosystem of islands and surrounding seas, develop and rationally utilize the natural resources of islands, protect maritime rights and interests, and promote sustainable economic and social development.

The legal basis for China's state management of the marine environment has been stipulated by laws and is subject to the regulation of other relevant laws. It includes the Law on the Use of Sea Areas, the Law on Prevention and Control of Water Pollution, the Law on Soil and Water Conservation, the Fisheries Law, the Law on Exploration and Exploitation of Deep Seabed Resources, the Maritime Law, the Maritime Safety Law, and the Environmental Impact Assessment Law.

The above-mentioned system of policies, laws, and legal basis for China's state management of the marine environment has been oriented towards comprehensive management, linking resource exploitation management with the protection of the marine and island environment. Regulations on protection and improvement of the marine environment, conservation of marine resources, prevention of damage caused by pollution, and regulations on protection of the ecosystems of islands and surrounding seas. Agencies participating in China's state management of the marine environment have a clear division of labor and decentralization between the national state environmental management agency and state management agencies of seaports, fishing ports, and environmental protection organizations of the military and local governments.

4.1.4. Philippines

The Philippines has paid attention to marine environmental management. The Philippine marine environmental management policies and laws are placed within the overall national environmental management policies and laws. The Philippines enacted the Clean Water Act to protect water resources from pollution. The Ecological Solid Waste Management Act was enacted to establish a comprehensive and systematic ecological solid waste management program to ensure the protection of public health and the environment.

The Philippines has issued many state decrees on environmental management, including the marine environment. Typical are the presidential decree on marine pollution, and the decree on environmental impact assessment with reporting requirements. The government has paid attention to environmental impact assessment for important environmental projects to develop harmoniously between the economy, society, and the environment.

The Philippines has enacted various laws to regulate the state management of the marine environment. Regulations on the protection of water resources from pollution from land-based sources, regulations on the state management of solid waste, regulations on the control of toxic and hazardous substances, and regulations on environmental impact assessment and state management of marine pollution. The provisions of the laws are comprehensive in preventing and minimizing sources of pollution discharged into the sea as well as restoring the marine ecological environment.

The state management of the marine environment is primarily assigned to the Ministry of Environment and Natural Resources and the Coast Guard. In particular, the Philippine Coast Guard plays an important role in implementing activities to implement the state management of the marine environment in the field. Experience in the Philippines shows that state management of the marine environment is in organizing a strong enough agency to implement policies and laws on state management of the marine environment.

4.1.5. Australia

To address marine environmental issues, Australia has made efforts to build a system of policies and laws as well as establish a system of apparatus to manage the marine environment. Australia has more than 100 laws and policy instruments addressing aspects related to marine environmental management. The Environment Protection and Biodiversity Conservation Act. Based on the domestic law of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter. Australia has enacted the Environment Protection Act.

The Act provides for the prevention and reduction of marine pollution through the control of the dumping of wastes and other matter into the sea. It prohibits the dumping of hazardous waste into the sea; at the same time, it stipulates that a Permit is required for all Australian marine dumping activities; it prescribes penalties and provides for enforcement and prosecution; and it provides for the restoration of the marine environment. Australia has enacted the Marine Protection (Prevention of Pollution from Ships) Act to provide a legal basis for implementing its obligations under the International Convention for the Prevention of Pollution from Ships.

From the development and promulgation of policies and laws on marine environmental management, it can be seen that Australia has developed and promulgated a relatively complete system of policies and laws on marine environmental management. Regulations on marine pollution prevention, regulations on marine resource exploitation associated with marine environmental protection, regulations on remote marine environmental pollution prevention, and biodiversity conservation.

Marine environmental management regulations at the federal level (central government) to marine environmental management regulations at the state and territory level (local government). Marine environmental management in Australia is implemented by many agencies based on scope and management areas. This is a valuable lesson for marine environmental management, the promulgation and implementation of regulations on marine environmental management in sea areas have certain characteristics.

4.2. Some experiences for Vietnam from the state management on marine and island resources and environment

Vietnam's seas and islands have important natural resources, which have great economic, national security, and socio-cultural values. With more than 3,260 km of coastline, along with about 3,000 large and small islands, Vietnam's sea area covers an area of more than 1 million km², including the exclusive economic zone and continental shelf. This is a place that contains abundant resources, from minerals, oil, and gas, to marine biodiversity, as well as an important international maritime traffic route.

With such potential, challenges are increasing, including climate change, marine environmental pollution, decline in marine biological resources, conflicts of interest in resource exploitation, and issues of national security and sovereignty at sea. In this

context, the construction and improvement of state management institutions on marine and island resources and the environment have become urgent and necessary.

Research on the state management institutions of marine resources and the environment of some countries with marine science shows that in addition to issues related to politics, security, and sovereignty. Most countries focus their efforts on promulgating policies and laws to exploit resources and protect the marine environment in the process of their economic development. Some experiences for Vietnam refer to and absorb achievements in building state management institutions for marine and island resources and the environment. Can be applied appropriately to the reality in Vietnam in the current context of building policies and laws on state management of marine and island resources and environment (Vietnam General Department of Seas and Islands, 2012).

In the overall building of policies and laws on marine and island management comprehensively, including issues of marine resources, marine environment, maritime security, and safety at sea, there are close relationships due to the interconnected nature of the marine environment. Therefore, policies and laws on state management of marine and island resources and environment must be considered comprehensively, and placed in the overall policy and law on state management of the sea. Consideration of management of development, exploitation of resources, environmental protection, and marine conservation must be carried out in a comprehensive, comprehensive, and integrated approach.

The Government should develop policies and laws on state management of marine and island resources and environment. Consider the specific factors of each sea area, including each different sea area with different specific marine environmental characteristics. Therefore, developing policies and laws on state management of marine and island resources and environment must consider the "regional" nature of each specific sea area, including coastal areas and estuaries, islands, sea areas with high biodiversity, and sea areas requiring conservation and ecosystem restoration (Thanh et al., 2014). Improve the enforcement capacity of management agencies with sufficient resources and capacity to implement regulations and policies related to marine and island resources and the environment. Strengthen supervision and inspection, increase supervision and inspection activities to promptly detect and handle violations, ensuring that regulations are strictly implemented.

To encourage community participation, the state should create opportunities for community participation, and create conditions for local communities to participate in the process of managing marine and island resources. Community participation can help improve policy implementation and enhance management effectiveness. Raise public awareness, organize educational programs, and raise awareness of the importance of protecting the marine environment and exploiting resources sustainably. Strengthen international cooperation, and cooperate in international conventions, agreements, and regional organizations on marine management and protection of the marine

environment. International cooperation helps share experiences, technology, and resources.

Responding to climate change, government agencies develop and implement climate change response strategies, including mitigating the impacts of sea level rise, storms, and extreme weather events. Invest in projects to protect and restore marine and island ecosystems, such as mangroves and coral reefs, to mitigate the impacts of climate change and improve community resilience (Thi Thu & Thanh Que, 2013).

Encouraging innovation and technology application, the State should encourage research and application of advanced technology in marine resource management and environmental protection. New technology can help improve the monitoring, management, and protection of sea and island areas. Establish and maintain an information system on marine and island resources and environment to support effective decision-making and management. To develop long-term planning and integrated management, the State should develop and implement comprehensive and long-term development plans for marine and island resources, integrating economic, social, and environmental factors. These lessons not only help Vietnam improve the effectiveness of marine and island resources and environment management, but also contribute to protecting national sovereignty, promoting sustainable development, and protecting the cultural and ecological values of sea and island areas.

5. Conclusion

The state management institution for marine and island resources and environment plays a fundamental role in protecting national sovereignty, developing a sustainable marine economy, and maintaining a healthy marine environment. In the face of complex challenges such as climate change, overexploitation of resources, and conflicts of interest at sea, perfecting and improving the effectiveness of this institution is an urgent task.

The success of a state management institution for marine and island resources and environment is not only based on the development of clear and appropriate legal regulations but also depends on the ability to effectively enforce, inter-sectoral coordination, and active participation of local communities. In addition, international cooperation in marine and island management also needs to be focused on to ensure that global issues such as climate change and marine pollution are addressed synchronously and effectively.

Vietnam, with its long coastline and great potential for marine economy, needs to continue to consolidate and improve its management institutions, learn from the experiences of advanced countries, and take advantage of international cooperation opportunities. Only with a strong, effective, and sustainable management institution can we ensure that the country's seas and islands will continue to make important contributions to socio-economic development, environmental protection, and the maintenance of peace and security in the region and around the world.

Authors' Contribution

All authors contributed equally to the conception and writing of the manuscript.

Conflict of Interest Statement

The authors declare no conflicts of interest.

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