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Dự án “Tăng cường sự Tham gia của
Người dân và Quản lý Nhà nước ở các Đô
thị Việt Nam thông qua Hiệp hội các Đô thị
Việt Nam”

Workshop Report

In the framework of the EU co-financed Konrad-Adenauer-Stiftung’s and ACVN (Association of Vietnamese Cities) project on promoting people’s participation and governance in Vietnamese cities, the results of opinion poll with 3000 citizens and the assessment study on the quality of local governance and people’s participation in decision making, have been presented and discussed in a two days workshop in Hanoi.

International experts from Denmark, the US, Germany discussed together with Vietnamese national experts, representatives from different involved ministries, city leaders and representatives of the city management about the findings of the two studies.

The **opinion poll** in four pilot cities (Nam Dinh, Hue, Tau Dau Mot and Lang Son) focused:

a) on the perception of the citizens of the access to and the transparency, efficiency and efficacy of the administrative services at municipal/district level – including the evaluation of the improvements since the establishment of “One-Stop-Shops.

b) the satisfaction of the citizens with the actual procedures in local development planning and land use planning at their municipalities;

c) the evaluation by the citizens of the implementation of the “Ordinance on Grassroots Democracy”, requesting better information of the population, rights to express their opinions, involvement in decision making and supervision of the realization of decisions, and participation at the implementation of the decisions at local level

Parallel to the polls a team of two Vietnamese experts and one European expert conducted an **assessment study** in the same four municipalities, focusing on the same issues like the polls. They organized interviews with officials and civil servants of the municipal administration, the people’s councils, and representatives of social organizations and of the business community in these municipalities collect administrative documents, reports and information spread by media and evaluated them.

Opening Remarks

After the welcome and opening remarks by Mr Thao, Vice Chairman of ACVN and Amos Helms, Country Representative of Konrad-Adenauer-Stiftung in Vietnam, Robert Hynderick de Theulegoet, Team leader, Rural Development and Environment, Delegation of the European Commission to Vietnam stressed the importance of the project and the commitment of the European Commission to support multi-polarity in Development.

With regard to the importance of participative processes, he underlined that all levels of administration and all types of actors have a role to play. No single actor or single level can achieve anything meaningful if the efforts and contributions from others are not stimulated and integrated.

The purpose of this project lies therefore at the heart of what the European Commission would like to support and to promote. Applying these principles to urban planning and management is extremely relevant for Vietnam, Mr. Hynderick de Theulegoet pointed out.

He also reminded of the fact that a million people are added each year to the population of Vietnamese cities: indeed, cities are the engines of economic growth and development in this country and the rapid expansion of cities is indeed a huge challenge for urban planners and administrators.

Poll and Assessment Results

Mr Thang from the Institute of Sociology and Mr Phoung from the Institute of State Organizational Science (ISOS) as well as Aylette Villemain, International Consultant presented the findings of the polls and assessment Study, which can be summarized as follow:

Basic Findings/Recurrent Issues Grassroots Democracy Ordinance Implementation

<u>Assessment Study</u>	<u>Polls</u>
<ul style="list-style-type: none"> - In all 4 pilot cities there is a strong commitment to implement GRDO at city and ward level - Implementation of the GRDO is still weak in some specific areas; especially in Socio-economic development planning; Drafting land use plans at commune level; Drafting plans for infrastructure/construction/ resettlement <p>Several reasons for weak implementation could be observed here:</p> <ul style="list-style-type: none"> a) Insufficient Budget for GRDO Implementation at Ward Level b) qualification levels of the civil servants on participatory techniques is still limited 	<ul style="list-style-type: none"> - Citizens noticed progress in all four major aspects of Grassroots democracy at commune level during the past two years: - Respondents see the highest improvement in information (59%); somewhat less in consultation (49%); still less in decision-making (46%); and least, although still considerable, improvement in supervision (42%). - Key role of heads of street blocks in implementing GRDO confirmed by the people - Lacking transparency in supervision: Limited Role of institutions such as People's Inspection Boards or Community Investment Supervision Boards as limited knowledge about its existence

Basic Findings/Recurrent Issues Communication and Information approach of the City/Ward Level towards their citizens and the Quality of Administrative Service Delivery (OSS)

<p><u>Assessment Study</u></p> <ul style="list-style-type: none"> - Municipal governments are committed in informing and engaging citizens. However, there are no clear rules or guidelines about which approach should be used in which circumstance. (a) meetings, (b) loudspeakers, (c) posting of material at the ward level offices or OSS. - Block leaders and ward OSSs are the key links between citizens and municipal authorities - City/Ward leader's restrict the number of people invited to participatory meetings, only representatives of the people or Mass organizations are invited, citizens rarely invited - Information/ Laws presented not in a tailor made format to the audience. Need to better summaries and present information to the public (f.ex: Spatial information should be visualized (e.g., land use map) - Citizens are not informing themselves? <p>OSS (One Stop Shop)</p> <ul style="list-style-type: none"> - City sees opportunity eliminating superfluous dossiers, shortening processing times, simplified forms, stronger customer service orientation - Filing and processing of citizen complaints was unevenly organized and less transparent, with no clear link to OSS performance criteria - Land related issues were in all OSS the most problematic (and usually most popular) services. The filing and processing of citizen complaints was less well organized or transparent than the other services. 	<p><u>Poll</u></p> <ul style="list-style-type: none"> - Information should be transparently publicized, 34% - Government's policies should be informed so that people could participate, 15% Local infrastructure should be better invested, 13% - Letter boxes for comments should be created more, people's opinions should be rightly respected, 13% - Leader should not just be all talk, 4% - Sufficient Level of information: environment, education, sanitation, health - Insufficient Level of information : Land Use Planning, Socio Economic Development Planning and Urban Planning <p>OSS (One Stop Shop)</p> <ul style="list-style-type: none"> - People are quite well informed about OSS: 79% of respondents know about the OSS at their ward or commune, 63% know about the OSS at the city - Most common services used at OSS are: certification and notarization, civil status affairs, and issuance of certificates for land use rights and house ownership. Of these three services, issuance of certificates for land use rights and house ownership is regarded least satisfactory (42% find the service 'fully satisfactory', 50% say it is just 'acceptable', 8% 'not acceptable - Citizens approved OSS facilities and working conditions, information on documents and procedures, simplicity of forms, and service fees, less positive in their opinion about friendliness and helpfulness of staff
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Basic Findings/Recurrent Issues Participatory Land Use Planning

Assessment Study	Poll
<ul style="list-style-type: none"> - One plot of land may have many kinds of Certificates, information archived at different State agencies. Conflicting rules, overlapping responsibilities among State agencies (e.g. Construction & transportation), Duplication of effort - Disputes among neighbors, ownership issues; Disagreements on surveying measurements - No instance of public participation in commune land use planning found. Politically generated targets more likely to drive planning than local citizen/business priorities and spatial realities. - Citizens are usually not involved in the early planning stages of detailed plans and city land use plans; - Land use planning documents are difficult for managers to understand, much less citizens (full of tables & forms, few maps, no land use change maps) 	<ul style="list-style-type: none"> - Land use planning is the subject where citizens have great deficiency in information but a strong interest in the matter - The needs and desires of local residents rank highest with 64%. Through consultations, citizens want to ensure that their own needs and desires are taken into consideration in land use planning process. - The Grassroots Democracy Ordinance regulates that people should be consulted on these matters before the plan is finalized. This practice corresponds with the preference of 69% of the citizens

Basic Findings/Recurrent Issues Participatory local Development/Urban Planning

Assessment Study	Poll
<ul style="list-style-type: none"> - Inconsistencies between national/local plans and reality (HCMC's Master Plan forecasts 7 million in 2020; MOC 13-19 million) - Local detailed planning is often based on outdated provincial plans. There is a lack of horizontal coordination among agencies resulting in conflicting plans - No clear steps or criteria when plans are discussed or how they should be discussed with citizens (no guidelines, process for participation) nor how feedback should be collected and structured 	<ul style="list-style-type: none"> - People have a strong interest in urban planning and land use planning but are mostly lacking information - While 15% of respondents think that people should just be informed about these matters, 69% actually want to be consulted about their opinion before the plans are finalized - 64% of the citizens think that 'the needs and desires of local residents' should be taken into consideration in the planning process

The full Assessment Report and the Poll Results can be downloaded soon in PDF Format at the Konrad-Adenauer-Stiftung Vietnam Homepage.

The discussants mainly agreed with the findings of the two reports. Mr Phuc, former Vice Minister of Interior acknowledged the results of both reports, thanked the expert teams for their excellent work. He admitted that the nation wide implementation of the OSS has been successfully finalized. Nevertheless he identified major challenges ahead to improve the quality of administrative service delivery. Beside the different levels of technical equipment of the OSS Services in different cities he also mentioned for the urgent need for cities to properly train their OSS staff better technical and soft skills.

The afternoon of the first day was used to develop further recommendations for improving the quality of both reports. Four working groups were set up to develop recommendations for the two reports. The recommendations of the working groups for the four topics can be summarized as follows.

Recommendations related to policy issues and Training Needs from 4 working groups

1) GRDO Group

- Cities should set local targets for involving citizens topic-by-topic
- Cities need to introduce new ways to present and visualize information so it is easier for the average citizen to understand – civil servants will need training both in presenting information as well as organizing/structuring citizen feedback.
- The Ordinance only gives general guidance and needs local guidelines to set targets and give clear guidance on, for example, which communication approaches should be used for which topics.
- Community Supervision Boards need clearer organizational structure and staff with technical qualifications
- If GRDO cannot be implemented in all areas at once or equally, need to establish criteria to prioritize where consultations and discussions are most needed
- Cities shall develop clear guidance instructions for wards in areas where the wards request most support for more effective GRDO implementation
- Cities should reflect on new forms of institutionalizing citizen participation at city level in key thematic areas
- The GRDO is of lesser legal importance than the “phat” governing land use planning and construction planning and targets the ward/commune level. Consequently, the relevant “phat” would need to be revised to include citizen participation requirements before higher levels of government can be expected to engage citizens in land use and urban development planning in the drafting phase.

2) OSS/ Communication

- Various administrative levels should work to avoid or at least minimize duplication of work
- Quality of Service delivery should be improved through teaching of communication skills to OSS Staff
- Performance incentives should be introduced for OSS staff
- Paperwork/procedures should be reduced by Implementing ISO procedural quality assessment and recommendations from the ISO 2008
- Institutional bottlenecks should be identified and solutions suggested for areas where delays and problems are frequent (e.g., issuing land use right certificates) |
- Training of IT Tools should be provided
- Communication skills for civil servants and OSS staff should be strengthened
- Professional Code of Conduct or Professional Ethics should be introduced

3) Participatory local urban development planning

- Citizen access to Information about plans must be improved. This would include providing information in simpler forms (e.g., maps), in larger scales, etc. for all key planning processes: master planning, sectoral planning, detailed planning, construction planning, etc. to increase people's understanding of the process
- Provide clearer instruction to Investors on requirements to inform and involve people in the planning process, including clear definition of roles and responsibilities for the city/investor to involve citizens at what stage of the planning process

4) Land use Planning/Site Clearance

- Improve transparency in disclosing plans and involving citizens in the Draft LUP planning process
- Develop guidelines for participatory communal LUP (until now no direct consultation)
- Develop guidelines for how the province should collect feedback from the city on LUP
- new: issuance of inclusive land use certificate by 01st of August,
- harmonize measurements
- for other points see Local urban development Planning

Site Clearance

- Training of Conflict Management Techniques could be considered, if the cities think it is useful)
- Citizens support the policy of imminent domain, but resist, complain and even refuse to move for state-invested projects, whereas privately invested projects have far fewer problems
- Many cities have dramatically improved the process of participation in the process of site clearance
- Clear rules for meeting with, collecting opinion of and giving feedback to citizens have been established

Remaining Challenges:

- process of Site Clearance does not include a step for resettlement
- considerable conflict on market value of land
- many planned and approved projects end up "stalled" as investors encounter problems

Based on the findings and the recommendations of the first day discussions, the second day of the workshop mainly focused on the identification of training needs for civil servants in the four thematic fields. The groups identified cross cutting soft skills like communication skills, participatory techniques, feedback skills, negotiation and conflict resolution skills needed for all civil servants as well as specific technical skills for each target group.

The tailored Training Needs Assessment was also the starting point for the establishment of four working groups on Curriculum Development for Training of Trainers, composed of one International Expert, two national thematic experts, members of functional departments of the pilot cities and the project team. These groups started their work in the afternoon of the second day and haven been assigned to develop Training Curriculum Skeletons (23-26.09.09) and Training Material for the four Training of Trainer Courses organized in November 2009.

