VIETNAM LAND TRANSPARENCY STUDY

Công khai thông tin đất đai ở Việt Nam

Hanoi, December 12th, 2014
1 Vietnam Transparency Project (VTP)
2. Why Land Sector?
3. Land Transparency Study
4. What the Study Found?
5. Land Transparency and other Province-level Assessments?
6. How Can Vietnam Improve Land Transparency?
1. Vietnam Transparency Project (VTP)
DỰ ÁN MINH BẠCH VIỆT NAM (VTP) – GIỚI THIỆU DỰ ÁN
Bối cảnh dự án:
Cải thiện minh bạch và tiếp cận thông tin là trọng tâm của chính sách quản trị nhà nước của Ngân hàng Thế giới ở Việt Nam. Mục đích của Dự thảo Luật Tiếp cận Thông tin chưa được thông qua, Báo cáo Phát triển Việt Nam 2010 của Ngân hàng Thế giới chỉ ra rằng Việt Nam đã có khá nhiều luật lệ quy định quyền tiếp cận các loại thông tin, tuy nhiên việc thực thi những
Transparency matters

Percent of Citizens in the District Paying Bribes

10% 20% 30% 40%

1 2 3 4 5 6 7 8 9 10

Lowest 10% of Districts

37% 29% 30% 30% 31% 23% 21% 23% 34% 17%

Highest 10% of Districts
By systematically measuring, and recording and sharing good practices, the VTP will help improve *implementation* of laws and policies.
2. Why Land Sector?
>70% of complaints are land related
Much Work on Land Related Issues
Land administration perceived as among the most corrupt

Legal Framework on Land and Transparency is Changing…

Land Law 2013

.. Enhance transparency in land management

AC Law amended in 2012

Resolution No. 56-CP/2010
3. Land Transparency Study
# Methodologies

<table>
<thead>
<tr>
<th>Method</th>
<th>PAPI</th>
<th>PCI</th>
<th>VTP</th>
</tr>
</thead>
<tbody>
<tr>
<td>How people perceive the transparency of Land-Related Information</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Whether and how Land-Related Information is actually made available at a point in time</td>
<td></td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>
## Survey coverage

<table>
<thead>
<tr>
<th></th>
<th>Online</th>
<th>On site</th>
<th></th>
<th></th>
<th></th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No. of cities/provinces</td>
<td>No. of districts</td>
<td>No. of wards/communes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Survey 2013</td>
<td>51</td>
<td>102</td>
<td>204</td>
<td></td>
<td></td>
<td>357</td>
</tr>
<tr>
<td>Survey 2010 &amp; 2013</td>
<td>63</td>
<td>12</td>
<td>24</td>
<td>117</td>
<td></td>
<td>153</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>63</strong></td>
<td><strong>63</strong></td>
<td><strong>126</strong></td>
<td><strong>321</strong></td>
<td></td>
<td><strong>510</strong></td>
</tr>
</tbody>
</table>
Survey Data:
(1) Online disclosure

1. Land related administrative procedures
2. Planning, land-use plans
3. Urban planning
4. Decision on land recovery, plan on compensation, support and resettlement
5. Information on land allocation, land lease
6. Information on charges, fees and taxes related to land
## Survey Data:
### (2) On-site disclosure

<table>
<thead>
<tr>
<th>Groups of Information</th>
<th>Province</th>
<th>District</th>
<th>Commune</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Administrative procedures and process implementation of admin. procedures</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
</tr>
<tr>
<td>2. Land use plans and planning</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
</tr>
<tr>
<td>3. Urban planning</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
</tr>
<tr>
<td>4. Compensation, support and resettlement plans</td>
<td>✔️</td>
<td>✔️</td>
<td>✔️</td>
</tr>
<tr>
<td>5. Land allocation and leases</td>
<td>✔️</td>
<td></td>
<td>✔️</td>
</tr>
</tbody>
</table>
4. What the Study Found?
(1) Improvements in Land Transparency at All Levels

Notes: Based on indices of availability of land related information, focusing on the types of information that are comparable between the two periods. The scales for the three charts are not the same, as the information examined was not the same for all levels. Sample sizes are 63 provinces, 24 districts, and 117 communes/wards. The changes are statistically significant at the 1% level for province web checks, and 5% level for both district and commune spot checks.
(2) Online disclosure – More Darkness than Light

Some good examples of online disclosure practices in Thua Thien Hue, Da Nang, Hai Duong, Binh Thuan, Nam Dinh, Tra Vinh, Can Tho…
E-Portals of Administrative Procedures in Thua Thien Hue & Hai Duong Provinces, and Binh Thuan DONRE
“Q&A” sites of Da Nang and Nam Dinh

Planning & Current Land Use Information - Tra Vinh & Can Tho

Nghi quyết 109 số duyệt quy hoạch sử dụng đất tỉnh Tra Vinh đến năm 2020 và kế hoạch sử dụng đất 5 năm kế cận (2011 - 2015) của tỉnh Tra Vinh xem chi tiết
Bản đồ hiện trạng sử dụng đất năm 2010 tỉnh Tra Vinh xem chi tiết

Số liệu QHSDĐ

<table>
<thead>
<tr>
<th>Số liệu</th>
<th>Tài liệu</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Hiện trạng sử dụng đất năm 2010 tỉnh Tra Vinh</td>
<td>Tài liệu</td>
</tr>
<tr>
<td>2. Quy hoạch sử dụng đất đến năm 2020 tỉnh Tra Vinh</td>
<td>Tài liệu</td>
</tr>
<tr>
<td>3. Diện tích đất chuyên mục dịch vụ trong kỳ quy hoạch tỉnh Tra Vinh</td>
<td>Tài liệu</td>
</tr>
<tr>
<td>4. Điều chỉnh, chưa sử dụng dựa vào sử dụng trong kỳ quy hoạch tỉnh Tra Vinh</td>
<td>Tài liệu</td>
</tr>
<tr>
<td>5. Phân khu các chỉ giới sử dụng đất trong kỳ quy hoạch tỉnh Tra Vinh</td>
<td>Tài liệu</td>
</tr>
<tr>
<td>6. Phân khu các chỉ giới sử dụng đất trong tỉnh Tra Vinh</td>
<td>Tài liệu</td>
</tr>
</tbody>
</table>

Information on Compensation, Support and Land Clearance Plans – Hoa Binh
But there's still a lot of information not found on websites...
Raking of Provinces on Land Transparency Online
(2) On-site disclosure – More Light than Darkness

• Many good examples of on-site disclosures, such as
  – Administrative Procedures in Lang Son, Da Nang
  – Land use plans, planning in Ca Mau, Dong Thap, Dong Nai, Ben Tre
  – Compensation, support, and resettlement plans in Quang Binh, Bac Giang
Administrative Procedures
Land Use Planning, Plans and Current Land Use
Information on Compensation, Support and Land Clearance Plans
Researchers told they need approval of Chair of Commune PPC (Ca Mau, Binh Duong, Vinh Phuoc) for documents on Land Use Plans and Planning.

…but, there is still often a lack of awareness of the obligation to provide information.

Researchers told that Compensation Support and Resettlement Plans are “confidential” (Pho Moi ward, Lao Cai province).

Researchers detained by police and forced to delete photographs (Dong Thap, Dong Nai).

Researchers told that Compensation Support and Resettlement Plans are “confidential” (Pho Moi ward, Lao Cai province).

Researchers told that all information is on the Internet and not posted (Ha Noi).

Commune officials say “go to the district”, and district officials say “go to the commune/ward” (Ha Noi, Bac Lieu).
Sometimes information is available, but hidden…

Sometimes it is the physical infrastructure that is weak
Ranking of Provinces on On-site Disclosure at Provincial Level

Mandatory Spot Check Information
(4) Information Disclosure Online and Spot Check of all provinces *

* Figures are calculated based on the adequacy of information subject to disclosure
5. Land Transparency and other Province-level Assessments
Not so much correlated with PCI index, but with PCI sub-index on access to planning documents.
Not so much correlated with PAPI index, but with PAPI sub-index on control of corruption
And correlation with poverty too
5. How Can Vietnam Improve Land Transparency?

Supply side – State Agencies

- Attitude
- Capacity
- Leadership

Demand side – Firms and Individuals

Be aware of the right to information and use this right.

A Law on Access to Information that makes information disclosure as a norm except for the “negative” list!
Evidence of Leadership – More Interested Provinces Produce Better Results

<table>
<thead>
<tr>
<th></th>
<th>Average score of transparency online in 2010</th>
<th>Average score of transparency online in 2013 – Round 1</th>
<th>Improved average score 2010-2013 Round 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average score on transparency online of 33 provinces that received notification letter of the survey</td>
<td>0.32</td>
<td>0.42</td>
<td>+0.103</td>
</tr>
<tr>
<td>- For 6 provinces that <em>contacted again</em></td>
<td>0.23</td>
<td>0.46</td>
<td>+0.229</td>
</tr>
<tr>
<td>- For 27 provinces that <em>did not contact again</em></td>
<td>0.37</td>
<td>0.46</td>
<td>+0.097</td>
</tr>
</tbody>
</table>

Note: The improved score has low statistical significance of 15%. The Table consolidates only the improvements before notification letters are sent by the survey team.
Actionable recommendations in provincial tailored reports and...

learning good practices from other provinces.
Move from this …

Bulletin Board at district level in Hung Yen Province

… to this.

Administrative procedures at Bac Giang province Dept. of Natural Resources and Environment
Move from this … … to this.

Map of land use planning is covered by a curtain

Map of land use planning in Nam Dinh Province
Move from this

... to this.

No content on the website for land use planning on Hoa Binh’s website

Detailed maps of land use planning in Hai Duong province
http://www.worldbank.org/vn/quantrinhhanuoc
http://www.vtp.org.vn

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