

## PRESS RELEASE

### SLOW PROGRESS IN DISCLOSURE OF LAND INFORMATION ONLINE BY LOCAL GOVERNMENTS

**Ha Noi, 9 March 2023** – There was an increase in the number of district-level land use plans and provincial-level land pricing frameworks available online on local government portals in 2022 compared to 2021. At the same time, local authorities have become more responsive to citizen requests for land information. However, despite these changes, the difference between the two reviews was not significant, indicating that more needs to be done by provincial and district authorities to meet the mandate of disclosing information online.

These research findings were shared at the Thematic Discussion "2022 Review of Local Governments' Performance in Disclosure of District Land Use Plans and Provincial Land Pricing Frameworks" jointly organized by the United Nations Development Program (UNDP) in Viet Nam and the Center for Education Promotion and Empowerment of Women (CEPEW) on 9 March 2023.

This study is part of an annual series of action research on land information disclosure in Viet Nam by local authorities from 2021 to present. The Australian Department of Foreign Affairs and Trade (DFAT), the Embassy of Ireland, and UNDP jointly funded this study through the Viet Nam Provincial Governance and Public Administration Performance Index (PAPI) Research Program of UNDP.

The second round of research was carried out from October 2022 to February 2023 through reviewing the official websites/portals of 63 provinces and 705 districts and towns nationwide. The level of land information disclosure of the provincial and district authorities is evaluated based on 05 criteria: (i) Information disclosure; (ii) Searchability; (iii) Timeliness of information; (iv) Completeness of information (for district-level land use master plan and annual district-level land use plans); and (v) Information usability (easy to read, understand and readable with common softwares).

Viet Nam's legislation on land and access to information has specified responsibilities, processes, forms, and deadlines for disclosing information on provincial land pricing frameworks, district-level land use master plans and annual district-level land use plans as well as the provision of this information at the request of citizens.

PAPI findings have shown that, every year, below 20% of respondents are aware of local land use plans, and below 40% would know local land pricing frameworks since 2011.

*"Information asymmetry about local land plans and land pricing frameworks is one of the key triggers for land-related complaints, said UNDP Resident Representative in Viet Nam **Ramla Khalidi** in her opening speech. "International good practices show that when land-related*

*information is disclosed in an open and transparent manner, and citizens have the opportunity to discuss draft land plans and price frameworks, the risks of land corruption and the prevalence of land conflicts are better controlled. As a result, citizens' trust in local governments increases”.*

### **Slow progress in disclosure of land use plans and land pricing frameworks on local government portals**

Regarding the **disclosure of the provincial land pricing frameworks**, as of 6 October 2022, 41 out of 63 provinces (65%) have publicly posted the land pricing frameworks on their websites, an increase of 22.2% compared to the review findings in 2021. However, information in some of these portals is stored in the form of compressed documents and archived non-systematically, leading to difficulties for users who want to search for land pricing frameworks.

Regarding the **disclosure of district-level land use plans**, as of 6 October 2022, 389 out of 705 district People's Committees (DPCs) (accounting for 55.2%) have disclosed 2022 district-level land use plans on their portals. Among these 389 districts, 19 DPCs (accounting for 4.9%) that publicized the district-level land use plans in 2022 issued the land use plans on time. Compared that with the review findings in 2021, the number of DPCs that publicized land use plans on their portals/websites increased slightly (about 7%).

Regarding the **disclosure of district-level land use master plan information**, new content was assessed in 2022. By 6 October 2022, 345 out of a total of 705 districts nationwide (nearly 49%) publicized the district-level land use master plans for the period of 2021-2030. Specifically, among these 345 DPCs, 105 were recorded to have disclosed such information on time; 116 did not disclose information on time; and 124 were unidentifiable in terms of the disclosure time. Regarding completeness, 171 out of 345 DPCs (49.6%) fully disclosed 03 documents: approval decision, explanatory report and map of land use master plan. According to the review findings, only 53 DPCs (0.75%) met all 05 criteria: information disclosure, searchability, timeliness, completeness and usability.

### **The percentage of district-level state agencies not responding to citizens' requests for information remained high**

To assess the response rate of providing information to citizens' requests, the research team sent a request for information on the 2022 district-level land use plan to 561 DPCs. As of 21 February 2023, 146 district agencies had responded, including 108 district agencies providing information (19%), 06 district agencies refusing to provide information (1%), 32 district agencies having responses of other types (nearly 6%); and 415 district agencies (74%) having no response. This result shows that the percentage of state agencies that did not respond to citizens' requests for information on district-level land use plans remains high.

### **Recommendations**

To promote the disclosure of land information by state agencies, the research team emphasizes the need to develop, improve and synchronize legal provisions and policies related to land information disclosure between the Law on Information Access and the Land Law. At the same time, relevant agencies at the provincial and district levels should fully implement the disclosure of land information online in addition to face-to-face settings.

On behalf of the research team, Deputy Director of CEPEW **Nguyen Thanh Phuong** emphasized: *"It is necessary to add the procedure of information providing upon request of citizens as stipulated in the Law on Access to Information 2016 into the current set of administrative procedures; consider clearly stipulating the responsibilities of information-holding agencies in some specific cases; supplement regulations on the time of approving district-level land use master plans to ensure timeliness and synchronization. At the same time, it is crucial to continue strengthening information, communication and education on the Law on Access to Information 2016 and Decree No. 13/2018/ND-CP to both cadres and civil servants of state agencies as well as citizens."*

#### HIGHLIGHTED GOOD PRACTICES

**Provinces of Bac Giang and Phu Yen:** 100% of their districts disclosed 2021-2030 land use master plans.

**Provinces of Ninh Thuan and Kon Tum:** 100% of their districts disclosed 2022 annual land use plans.

**Provinces of Soc Trang, Quang Tri and Tra Vinh:** Disclosed their provincial 2020-2024 land pricing frameworks on their provincial governments' portals on time.

**Ba Ria-Vung Tau province:** Has a systematized Land Information Access category that makes information searching more convenient on the provincial web portal.

**Tan Chau district (Tay Ninh province):** Satisfied all 5 criteria in disclosing 2021-2030 district-level land use master plan and 2022 district-level land use plan.

**Dien Ban district (Quang Nam province):** Disclosed systematically district-level annual land use plans from 2015 until 2022.

**Tay Hoa district (Phu Yen province):** Attached a QR code in Disclosure Announcement that links to a folder of disclosed documents.

**Yen The district (Bac Giang province):** Sent their notice of rejection to provide information but abided by the regulations on rejection as provided in the 2016 Law on Information Access.

**Ba Be district (Bac Kan province), Duc Co District (Gia Lai province), Nghia Lo district (Yen Bai province), and Krong No district (Dak Nong province):** Used various ways to support and assure information is provided to request sender.

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