



FIG Working Week 2016

CHRISTCHURCH, NEW ZEALAND
2-6 May 2016



Recovery
from disaster

Presented at the FIG Working Week 2016,
May 2-6, 2016 in Christchurch, New Zealand

Accessibility to Land Administration by Grassroots Stakeholders in Vietnam: Case Study of Vinh Long Province

presented

at the FIG Working Week 2016: Recovery from disaster

by

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Christchurch, New Zealand May 2-6, 2016

This paper:

- is a part of

a PhD research aiming to develop a policy framework for an SDI to support LA in Vietnam by investigation of problems using mixed method with case study strategy.

- partly answered

a Research Question on the stakeholder requirements of land administration in Vietnam.

- has an aim

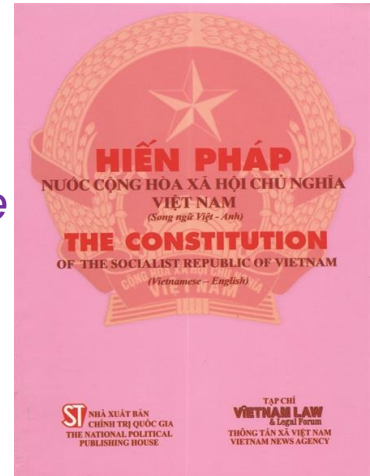
to analyse the issues, and the perceptions of grassroots stakeholders of accessibility to land administration in Vietnam via case study of Vinh Long Province

Presentation Outline

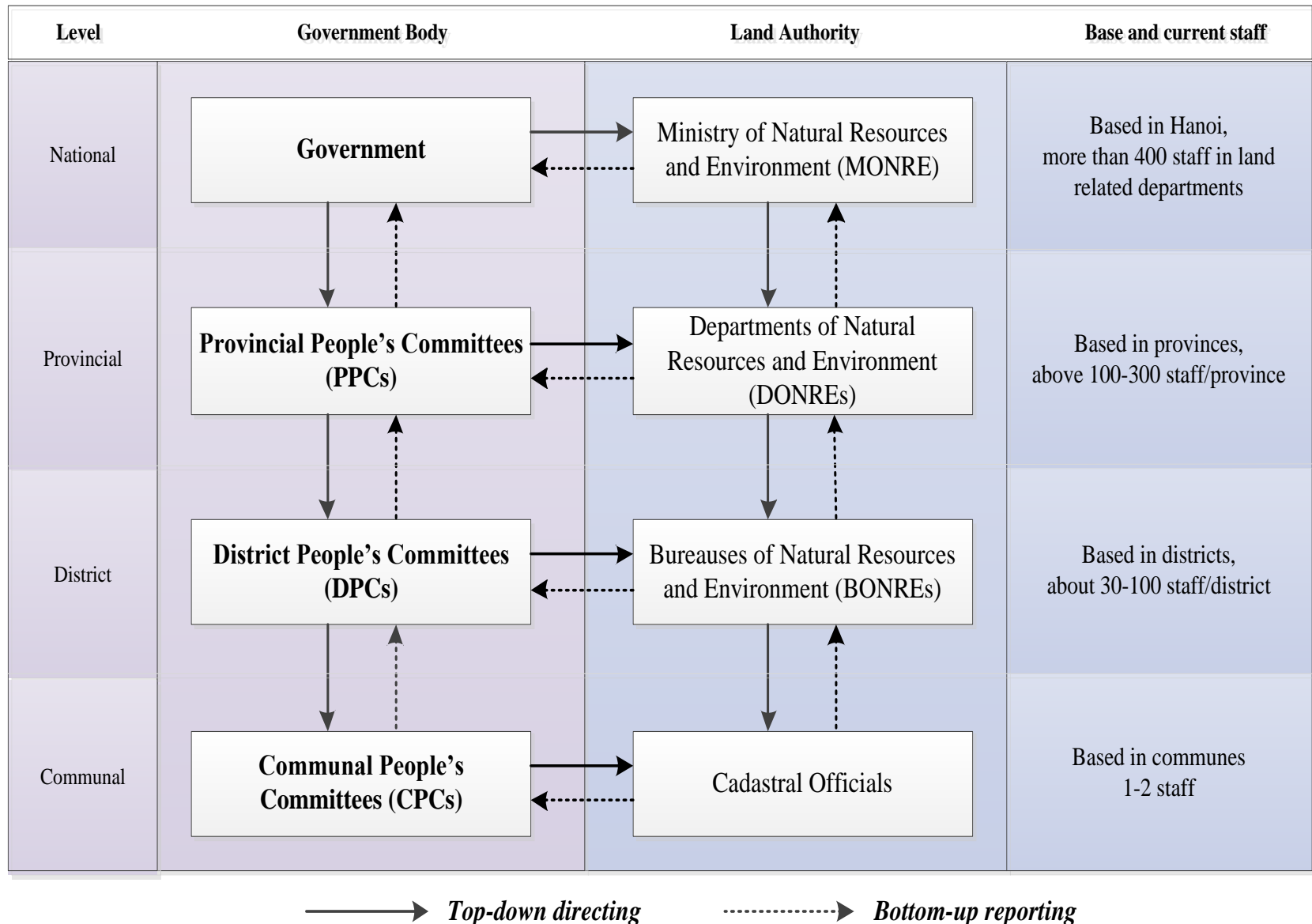
- Vietnam Land Tenure and LAS
- Research Methods, Fieldwork and Case Study Visit and Data Collection
- Results
 - *Grassroots Stakeholder Awareness of Land Administration*
 - *Accessibility to land administration services*
 - *Accessibility to land information*
- Conclusions

Vietnam Land Tenure and Land Administration System

- Land Tenure:
 - *Land belongs to whole population, managed by the State*
 - *While private ownership of land is not recognised, 'landuse rights' can be issued (The 2013 Constitution).*
 - *The State recognizes/allocates and protects the land use rights of land users*
 - *Not significantly different to the meaning of land ownership*
- Vietnam Decentralised Land Administration System
 - *At all four administrative levels (organised under the government body, respectively)*
 - *Land administration related services mostly happen at local levels*



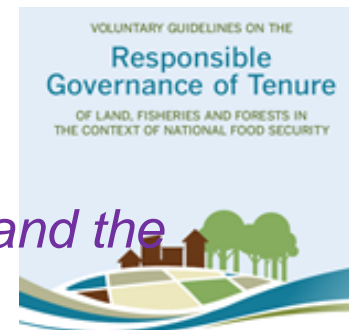
Vietnam Land Administration System



Stakeholders vs. Land Administration

- Stakeholder understanding and participation:

- *is an important element in land administration delivery and the provision of land-related services.*
- *is critical when assessing the development, implementation, and maintenance of land administration.*

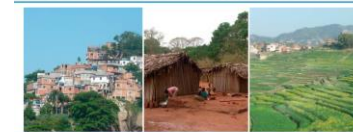


- Land Administration:

- *Support socio-economic development by allocation of rights, restrictions and responsibilities (3Rs) to stakeholders*
- *Land tenure has been considered as an important factor for reduction of poverty (FAO, 2012, and others)*



Fit-For-Purpose Land Administration



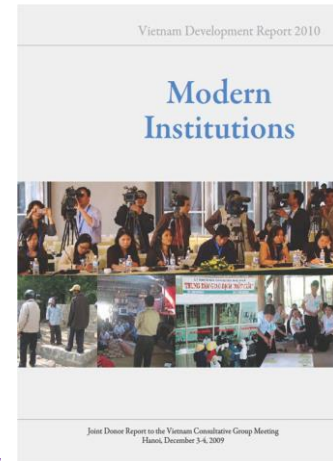
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****** There has been 3/4 of all land rights globally are not recorded the formal systems (Enemark et al, 2014)***

Vietnam Land Administration Reform Program

- Land Administration Reform:
 - *The Renovation 1986 – an economic reform program*
 - *Significant results achieved and recognised*
 - *One of the most important process of the socio-economic development and poverty reduction program*
- Some significant outcomes:
 - *Successive reform of the legal system (Govt. ADB, WB, SIDA)*
 - *Successful implementation of land titling projects (Govt., WB, DANIDA, SIDA)*
- But still some big issues in:
 - *Corruption (3rd public administrative sector) (World Bank, 2011)*
 - *Sharing the largest amount of administrative complaints ~ 70%*



Research Methods

- Multi-method setting with a case study investigation strategy
 - *field observation / interviews / focus group discussion / questionnaires*
- Quantitative and qualitative approaches
 - *Coding technique (keywords, topics, and themes)*
 - *Computer-Aided: MS Excel and QSR Nvivo*



Carefully chosen pictures can be used in FGDs to provoke detailed discussion.

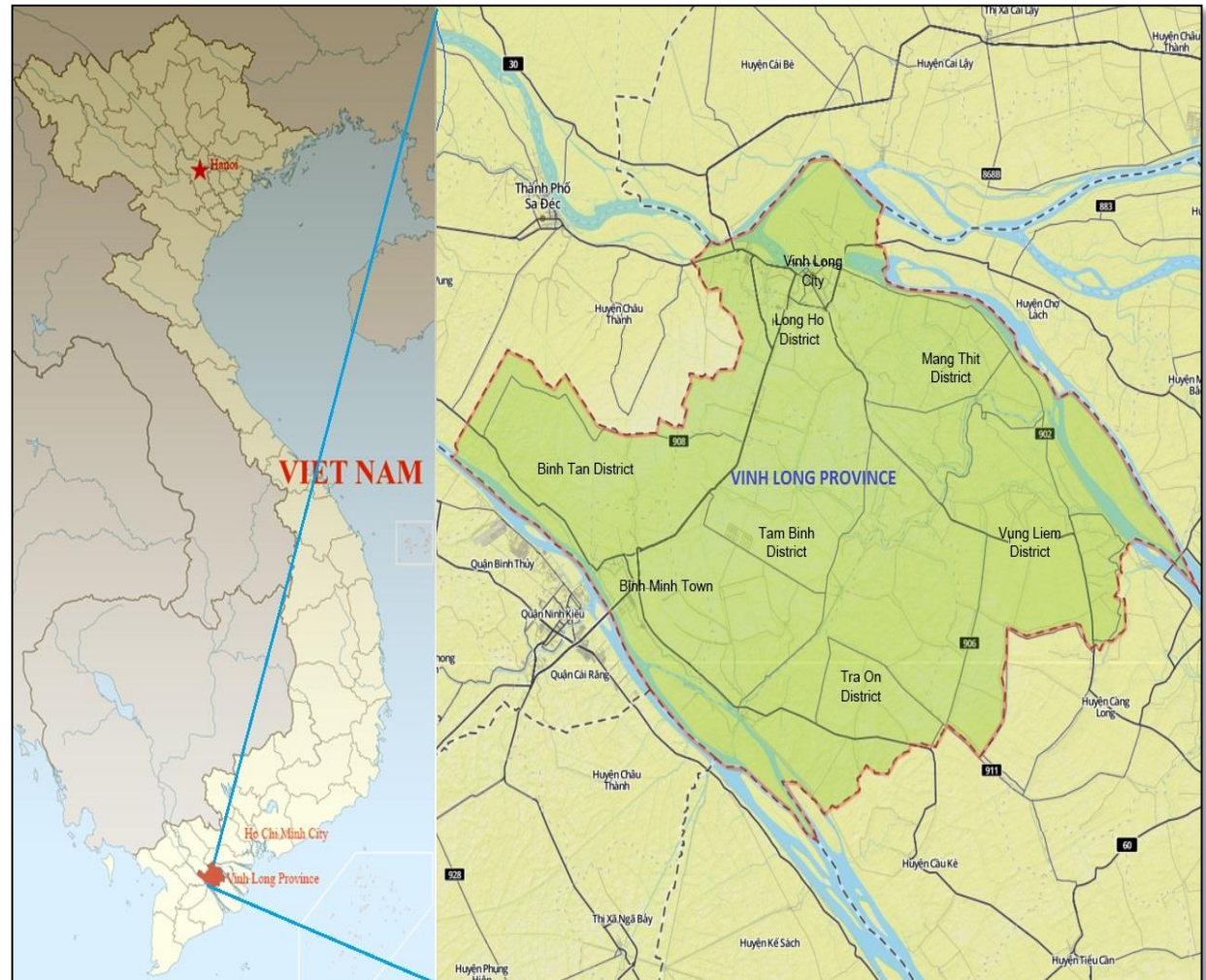
Fieldwork Observation and Stakeholder Consultations

- Vietnam: Hanoi and Ho Chi Minh City and Vinh Long Province
 - *Fieldwork Observation*
 - *Semi-structured interviews: 27 people (11 + 6 + 10) interviewed*
 - *Public sector at both national and provincial levels*
 - *Non-public sector: NGO, donors, academia, and private sector*
 - *Grassroots stakeholders:*
 - *3 semi-structured FGD meetings with 63 individuals participated (land users/society association representatives)*
 - *Questionnaires: 122 out of 160 questionnaire sheets collected*

Case Study Visit

Location of Case Study:

- Mekong Delta
- 1,500 sqkm
- 1.04 million ppl.
- 700ppl/sqkm
- > 90% land parcels have been titled



Maps sources: World Bank, Google Maps

Results:

- Results
 - *Grassroots Stakeholder Awareness of Land Administration*
 - *Accessibility to land administration services*
 - *Accessibility to land information*

I. Awareness of Land Administration

How individuals and households understand their land use rights?

Level of understanding	None	Poor	Sufficient	Good	Excellent	Total
Number of respondents	2	24	75	16	5	122
Percentage (%)	2%	20%	61%	13%	4%	100%
<i>With LURC</i>	2	17	67	13	5	104
<i>Without LURC</i>	0	7	8	3	0	18
<i>Men</i>	2	13	40	10	4	69
<i>Women</i>	0	11	35	6	1	53

- *The grassroots stakeholders sufficiently understand their rights on land (78%).*
- *No difference in understanding of land use rights between men and women, with and without LURCs.*

I. Awareness of Land Administration (2)

The importance of land use rights?

Land related information	Urban community	Peri-urban community	Rural community	Average
Land use right certificates	4.28	4.73	4.91	4.64
Land law and policies	4.20	4.67	4.28	4.38
Land use planning	4.23	4.37	4.38	4.33
Administrative procedures	4.03	4.53	4.56	4.38
Legal services related to land	3.88	4.60	4.38	4.29
Land value information	4.10	3.83	4.38	4.10
Cadastral (parcel) maps	3.88	3.80	3.78	3.82
Land mortgage	3.70	3.83	3.81	3.78

- *LURCs are the most important for citizens – 4.64/5: very important*
- *Not important:*
 - *Technical documents such as cadastral maps – 3.82/5*
 - *Right that are not regularly taken at grassroots level: land mortgage – 3.78/5*

I. Awareness of Land Administration (3)

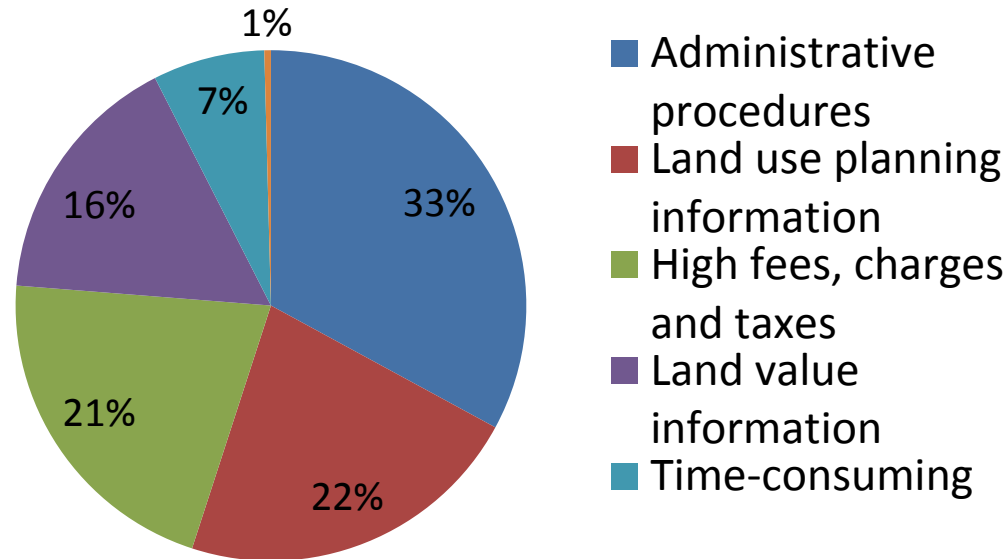
FGD results:

- *Being consistent with the output of surveying;*
- *About 80% of attendees perceived that they understood their land use rights sufficiently:*
 - *were able to list the names of rights (formal or plain languages)*
 - *provided examples*
 - *commented on the services (benefits)*
- *LURCs are the most important for citizens;*
- *Technical documents were not easy for individuals at grassroots level to understand;*
- *Land mortgage rights were not regularly used at rural communities*

II. Accessibility to land administration services

Barriers to Land Registration Service Participation

- *Administrative procedures were the largest barrier (32.9%)*
- *Land use planning information limited (22.8%)*
- *Time taken to process the service was not considered as a barrier for the majority of sellers and buyers*



II. Accessibility to land administration services (2)

FGD: Barriers to Land Registration Service Participation

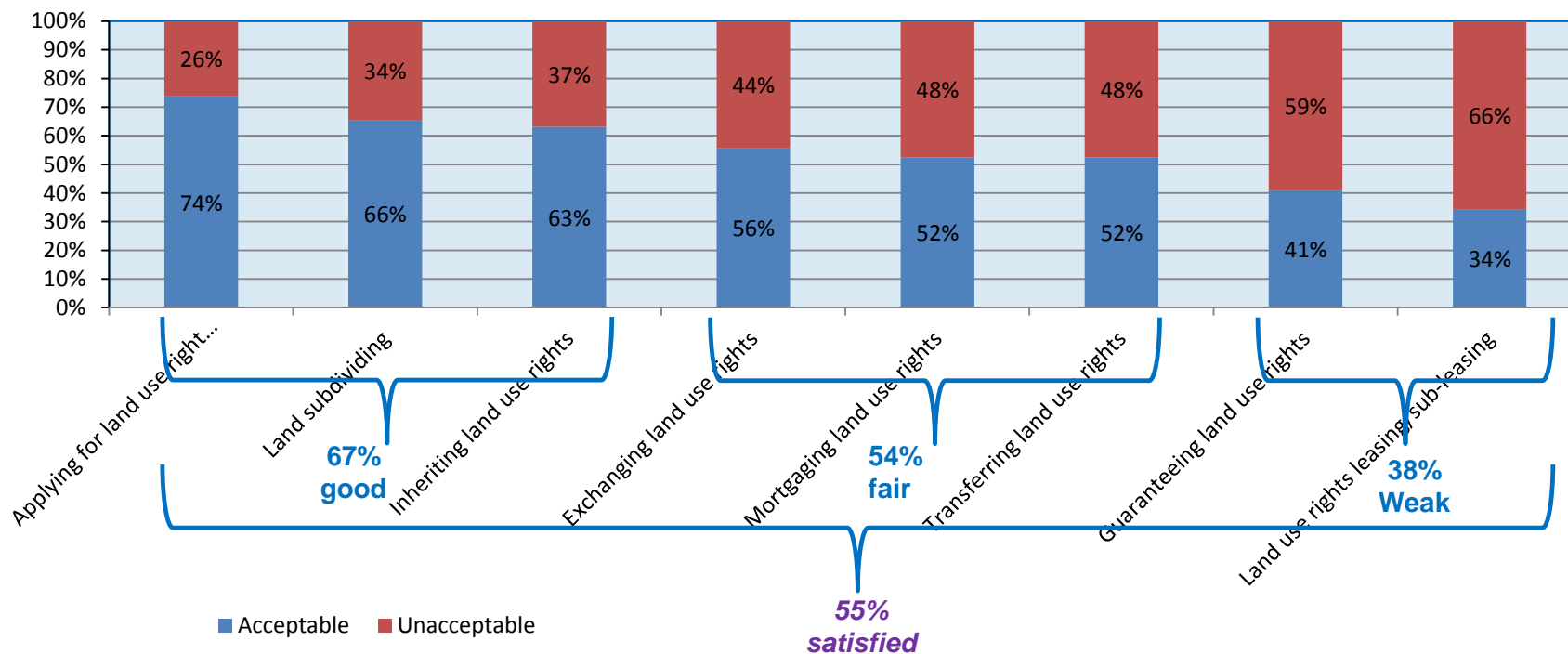
- *Limitation and lack of land use planning information and documents (73%);*
- *High land-related fees, charges and taxes (57%-rural areas, ~20% at urban and peri-urban areas)*
- *Hard to access to land value information (15%)*
- *Complicated administrative procedures (~20%)*



II. Accessibility to land administration services (3)

Support of local land administration authorities

- Overall, 55% of respondents satisfied with land administration services and activities.
- LURC 74%; land subdivision 66%; land leasing 34%



III. Accessibility to Land Information

The accessible level remained low:

Land related information	Difficult to access	Neutral	Easy to access
Administrative procedures	20 (16%)	38 (31%)	64 (52%)
Land use right certificates	19 (15%)	39 (31%)	64 (52%)
Legal services related to land	32 (26%)	47 (38%)	43 (35%)
Land law and policies	51 (41%)	38 (31%)	33 (27%)
Average	30.5 (25%)	40.5 (33%)	51 (42%)

Only 42% of participants indicated: it is easy to access to land related information.

III. Accessibility to Land Information (2)

~57% participants were hard to access to land information...

Do you face any of these following difficulties for accessing land information?

Factors	Yes	%	No	%
Information not available	87	71%	35	29%
Out of date information	87	71%	35	29%
Terminologies are complicated	70	57%	52	43%
High fee required	70	57%	52	43%
Identity required	39	32%	83	68%
Permission required	63	52%	59	48%
Average		56.8%		43.2%

...due to:

- *Quality: out of date, descriptions of elements*
- *Quantity: not available*
- *Timing: out of date*
- *Financial issues: high fees*

III. Accessibility to Land Information (3)

Dissemination of land information at grassroots level:

Source of information	How easy is it for you to access land related information? from <i>very difficult</i> (1) to <i>very easy</i> (5)					Average
	1 very difficult	2 difficult	3 neutral	4 easy	5 very easy	
Internet surfing	42	15	43	7	15	2.49
Newspapers	18	18	49	16	21	3.03
Poster and leaflet	11	17	48	19	27	3.28
Government staff approaches	11	11	32	32	36	3.58
Published procedures	7	12	39	28	36	3.61
Radio and TV	7	9	37	27	42	3.72
Village meetings and consultations	4	8	25	25	60	4.06

While the *Internet based method* were not very much welcomed by grassroots stakeholders, *traditional method such as village meeting and consultations* still be the best channel for information provision at grassroots level.

Summary:

- Land rights are significant to grassroots stakeholders:
 - *both those with or without LURCs; for both male and female*
- Low access to land administration services and land information by grassroots stakeholders:
 - *Detailed information about land parcels, land price, land use planning*
 - *Fundamental information about policies, administrative procedures*
 - *Grassroots stakeholders prefer access to land information through **traditional methods** (eg. communication with village heads, community focal points)*

Conclusion Remarks

- The use of internet for access to land information, both policies, administrative procedures, and information on particular land parcels had been deployed limitedly in the country due to the lack of a land portal.
- It is needed to establish an SDI for land to delivery land information and land administration services in Vietnam. Initially, the policy framework and conceptual model need to be proposed in the near future.
- However, at grassroots, the implementation of traditional methods (eg. communication with village heads, community focal points) is important to support individuals and households in land information.

*Land Administration, not only see the world, see it
in a new light!*



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