

**Government of Vietnam
Ministry of Agriculture and Rural Development**

Asian Development Bank

Inception Report

**NATIONAL COORDINATION FOR WATER
RESOURCES MANAGEMENT**

ADB TA 3528-VIE, Subproject 1

VIETNAM

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HYDROSULT Inc.
Consultants, Experts-conseils

in association with



ARCADIS EUROCONSULT

and

**Hong Ha Construction Consultant Co., Vietnam
Institute of Water Resources Planning, Vietnam**

EXECUTIVE SUMMARY

Introduction and Background

Vietnam faces a number of water resource management challenges which are related to the incomplete nature of legal and institutional reform and the level of capacity in the water sector. Coordination between ministries, agencies and local authorities is weak. Further policy and legislation need to be developed under the umbrella of the Law on Water Resources (LWR) in order to fully implement its general provisions. The National Water Resources Council (NWRC) and river basin organizations (RBOs) are based on the LWR. The RBOs need to be formed in major river basins and both the NWRC and RBOs need to be strengthened and their functions and mode of operation need to be clarified. Water resources information management needs to be improved, particularly through better sharing and access to existing information. Integrated water resource planning and management need to be introduced at both the national and river basin level. This will require better technical capacity and stakeholder consultation and conflict resolution. Training and awareness on what integrated water resource management means and how it can be carried out need to be strengthened. The NWRC has an important role to play in many of these areas through its advisory, policy development and coordination function.

Project Objectives, Scope and Outcomes

A logical framework for the current project is shown in Table 1.

Project Components

Component 1, Organizational Arrangements The NWRC has now been formed and has held three meetings. It appears that the NWRC is prepared for an active role with fairly good participation from members. The Council will need to be supported and advised on its agenda, which should focus very clearly on advisory and coordination matters in keeping with its legal mandate. It should not move into operational discussions which duplicate the role of ministries and agencies.

The Office of the NWRC (ONWRC) has been formed in a very preliminary way in the Department of Water Resources and Hydraulic Works Management (DWRHWM) in the Ministry of Agriculture and Rural Development (MARD). The Director of DWRHWM is also the Director of ONWRC. Three junior staff members have been appointed to work on a full time basis and appointment of a full-time Deputy Director is expected soon. Detailed recommendations regarding the functions and work plan for the ONWRC have been prepared. Establishment of the ONWRC needs to be coordinated with the reform of DWRHWM which will be supported under the Danish-funded "Water Sector Program Support Project."

Since the staff of ONWRC is taken only from MARD, it is important for interministry working groups to be formed with broad and technically-qualified representation. The first two working groups are in the process of being formed. These will be a Policy Working Group on Water Sector Information Management and a Technical Working Group on Water Sector Information Management.

Table 1. Logical Framework, National Coordination for Water Resources Management Project

PROJECT DESCRIPTION	VERIFIABLE INDICATORS ¹	MEANS OF VERIFICATION	ASSUMPTIONS
Project Goal: Improve national coordination for water resources management by strengthening the National Water Resources Council and the Office of NWRC and by assisting interministerial collaboration and human resource development with a focus on integrated approaches and crosscutting issues.			
Phase 1			
Component 1: Organizational Arrangements	Output 1.1: ONWRC established and functioning within MARD by November 2001.	<ul style="list-style-type: none"> ▪ Project reports ▪ NWRC minutes ▪ Project review missions 	<ul style="list-style-type: none"> ▪ Continuing Government commitment to implement the Law on Water Resources ▪ Support from MARD to establish the ONWRC, inter-ministry working groups and other organizational arrangements ▪ Timely decisions by NWRC regarding draft recommendations ▪ Participation by other ministries, agencies and stakeholders at the national and local level ▪ Cooperation by other donor-assisted projects in the water resources sector to undertake joint activities
	Output 1.2: Interministry working groups formed in priority areas according to a schedule approved during the Inception Phase		
	Output 1.3: Assist in the establishment of other water resources coordination mechanisms at the national level.		
Component 2: Water Sector Profile and Management Assessment	Output 2.1: National water sector profile and assessment of national water resources management prepared by April 2002.		
Component 3: NWRC Action Agenda	Output 3.1: Draft Action Agenda for NWRC prepared by May 2002.		
Phase 2			
Component 4: Policy and Legislation Development	Output 4.1: National water resources policy framework and schedule prepared by July 2002.	<ul style="list-style-type: none"> ▪ Same as Phase 1 	<ul style="list-style-type: none"> ▪ Same as Phase 1
	Output 4.2: Policy statements and draft legislation on priority topics prepared according to approved schedule.		

¹ Project TOR (see Appendix A) uses the words “assist” and “advise” with respect to the consultants’ responsibilities for most project outputs. This logical framework specifies a number of tangible outputs and target dates which are taken to be the joint responsibility of the consultants and counterparts.

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Component 5: National Water Resources Strategy	Output 5.1: Preliminary National Water Resources Strategy prepared by July 2003.		
	Output 5.2: Policy and legal documents to support NWRC's role in plan / project approval and conflict resolution prepared by July 2003.		
Component 6: River Basin Organizations	Output 6.1: Assist in the establishment, strengthening and performance monitoring of RBOs.		
Component 7: Training and Awareness	Output 7.1: Establish an inter-project coordination committee on training and awareness by November 2001.		
	Output 7.2: Assist the coordination committee to prepare a training needs assessment and training plan by January 2002.		
Component 8: Interproject Coordination and Review of Water Sector Reforms	Output 8.1: Assist MARD / ISG in activities to coordinate donor assistance in the water resources sector.		
	Output 8.2: Assist MARD and NWRC to monitor and assess progress in water resources sector capacity building.		

Working groups are also expected in the near future on training and awareness, policy and legislation, river basin organizations, and national water resources planning.

Component 2: Water Resources Profile and Assessment Work is underway on the development of a National Water Sector Profile. This work will involve defining the target audience and the structure of the profile. The structure is expected to include information on the physical resource and its socio-economic environment, the administrative arrangements such as policies, legislation, institutions, etc. The development of the profile will be closely coordinated with the Australian-funded Vietnam Water Resources Management Assistance Project (VWRMAP), which will support the establishment of a national water resources data management system, and with other projects working in this area.

The Water Sector Profile will also include an assessment of strengths, weaknesses and gaps in water resource management in Vietnam. This information will be useful in advising the NWRC on its priorities and Action Agenda and for strategic planning of international assistance in the water resources sector.

Component 3: NWRC Action Agenda The NWRC has already identified the need for a long-term work plan. The Council will be assisted to prepare a strategic Action Agenda for its ongoing activities and a summarized set of objectives for, likely, two and five-year periods. The planning process is expected to be participatory in nature, supported by ONWRC and Policy and Legislation Working Group, and involving consultation with wider stakeholders.

Component 4: Policy and Legislation A policy framework and various legal documents are needed to address priority topics under the LWR. The topics to be addressed will be identified in the Council's Action Agenda. These may include such things as water rights and allocation, water quality management, demand management and cost recovery, groundwater management, information management and institutional reform. Support for policy development will also be provided by other internationally-funded projects.

Component 5: NWRC Procedures and National Water Resources Strategy Although Vietnam has a good legal basis for integrated water resources management, a water resources sector strategy for both investment and related institutional development and capacity building have not been prepared and officially approved. This strategy should identify the linkage between national objectives such as poverty alleviation and definite water resource management and development steps to be taken by the Government.

The Council also needs support in defining and developing its role regarding approval of river basin and project plans, international water resource management and conflict resolution.

Component 6: River Basin Organizations The NWRC, with the support of the project, is expected to play a role in overseeing the establishment of RBOs, monitoring their performance and facilitating their strengthening in various ways at the national level. Advice will be given to MARD and NWRC regarding necessary actions to ensure the effectiveness of the RBOs.

Component 7: Training and Awareness This project will coordinate its training activities closely with the AusAID VWRMAP and the Danida Water SPS projects.

A combined training needs assessment will be carried out and a joint training plan will be developed. The training activities under the plan will be implemented, as appropriate, by each project.

Component 8: Donor Coordination and Review of Sector Reform Donor coordination is increasingly important in the water resources sector since many donors and projects are now active. MARD has formed a “thematic ad-hoc group” on water (TAG2) under its International Support Group. This project is assisting in the development of terms of reference and a work plan for that group. Coordination and communication between the TAG2 and NWRC will also be supported.

Criteria for documenting and evaluating water resources sector reform will be developed through the NWRC’s Action Agenda and the TAG2.

Public Communication and Consultation Although not specified in the project terms of reference, communication and consultation will be incorporated throughout this project. The objectives will be to create awareness of the project, the work of the NWRC and integrated water resources management under the LWR, to facilitate communication and feedback on draft policies, plans and strategies and a more transparent and participatory approach to water resource management in Vietnam. The project will use newsletters, a website, involvement of mass media and organizations, workshops and working groups to facilitate communication and consultation. Special efforts will be made to work with the provincial and basin-level in areas where RBOs are being established.

Project Implementation

Project approach It is critical that the NWRC and the various water-related ministries develop a shared vision of integrated water resources management and the role of the Council to bring this vision to reality. Steps will be taken by this project and in cooperation with the AusAID VWRMAP and other projects to expose Council members to the meaning and benefits of integrated water resources management.

It has been found in other countries that a progressive approach to building up a national water sector apex body and its secretariat (office) and implementing IWRM may be best. The Council should set limited realistic objectives to build its own capacity and that of ONWRC in an incremental manner.

This project is being carried out through very close cooperation and teamwork between the national counterparts and the international and national consultants, the Bank and other projects. The project objectives are taken to be joint responsibilities of both consultants and counterparts. The NWRC and ONWRC are emerging bodies and need to be assisted through the early stages of formation and growth to become sustainable, capable and respected bodies in the water sector.

Team composition, assignments and mobilization Details were specified during negotiation of the project contract. A minor change in the role of the international Public Consultation Specialist and some changes in the composition of the local consulting team have been proposed to the Bank.

Consulting team assignments, and a somewhat modified component implementation schedule and a team mobilization schedule are proposed.

LIST OF ABBREVIATIONS

ADB	Asian Development Bank
AFD	Agence Francaise de Developpement
AusAID	Australian Agency for International Development
Danida	Danish International Development Assistance
DARD	Department of Agriculture and Rural Development
DWRHWM	Department of Water Resources and Hydraulic Works Management
EVN	Electricity Vietnam
GDHM	General Department of Hydrometeorology
GOV	Government of Vietnam
GWP	Global Water Partnership
ICD	International Cooperation Department, MARD
ISG	International Support Group, MARD
IWRM	Integrated water resources management
IWRP	Institute for Water Resources Planning, MARD
JICA	Japan International Cooperation Agency
LWR	Law on Water Resources
MARD	Ministry of Agriculture and Rural Development
MOC	Ministry of Construction
MOFin	Ministry of Finance
MOFish	Ministry of Fisheries
MOH	Ministry of Health
MOI	Ministry of Industry
MOSTE	Ministry of Science, Technology and Environment
MOT	Ministry of Transportation
MPI	Ministry of Planning and Investment
NEA	National Environmental Agency, MOSTE
NCWRM	National Coordination for Water Resources Management Project, ADB
NWRC	National Water Resources Council
PAR	Public administration reform
PPC	Provincial People's Committee
RBO	River Basin Organization, or River Basin Planning Management Organization
TAG2	Thematic Ad-Hoc Group on Water Resources, under MARD ISG
TNA	Training needs assessment
TOR	Terms of Reference
VND	Vietnamese Dong
Water SPS	Water Sector Program Support Project, Danida
VWRAP	Vietnam Water Resources Assistance Program, WB
VWRMAP	Vietnam Water Resources Management Assistance Project, AusAID
WB	World Bank

1. INTRODUCTION AND BACKGROUND

1.1 WATER RESOURCE MANAGEMENT NEEDS AND APPROACHES

Vietnam faces many challenges with regard to the management of water resources and the provision of water services for economic sectors and social and environmental purposes. Many of the physical problems such as flooding, droughts, water pollution and inadequate hydraulic infrastructure are due to the fact that the legal and institutional changes which have been started have not yet been fully implemented. Recognizing these very important needs, the country has embarked on a process of reform in the water sector, including the introduction of integrated water resources management (IWRM). This reform process should be actively pursued and should be “demand driven”, addressing a number of critical sector priorities.

Coordination of Water Resource Development and Management

There are overlaps as well as gaps in the water resource management functions of different ministries, agencies and local authorities. In many cases these ministries, agencies and provinces do not communicate with one another and they do not see the larger water resource issues as “joint problems” that should be addressed by the various groups working together.

Water Resource Management and Water Service Delivery

*An important and useful distinction can be made between the **management of water resources** and the **delivery of water services**. The former comprises such things as the assessment, planning and regulation of the water resource. It addresses the need for multipurpose water storage and other works, flood protection, water quality management, and catchment protection. Water service delivery involves services in water subsectors, such as irrigation and drainage, water supply and sanitation, energy, and other areas of water demand.² Water resource management and water service delivery cannot be completely separated in practice since the activities of sub-sectoral water users have major implications for the resource and for other users.*

Coordination is needed with regard to policy and legislation, information management, water resource planning, operational programs, and emergency response. At the central level this will involve such things as development of a more coordinated strategy for the water resources sector, approval of budgets, approval of investment projects and river basin management plans, and improved communication and dispute resolution between sectors and major water users.

It will likely be necessary to build coordination in both a “top-down approach” (the National Water Resources Council (NWRC) can help to establish policies and processes for coordination at the ministry and river basin level) and a “bottom-up approach” (river basin organizations (RBOs) can help to establish coordination between provinces and stakeholders at the basin level). The Council can also develop principles and guidelines for inter-ministry and basin level coordination.

² Arriens, et.al, 1996, p. 20

Policy and Legislation Development

A national water resources policy should state the principles, procedures and direction which will be taken with respect to broad issues in the sector. In many countries, policy is developed through a process of investigation and consultation and is used as a basis for legislation. In Vietnam, policy development should be in harmony with, and guided by, the provisions of the Law on Water Resources (LWR) and other legislation and with national goals and objectives. The LWR is a framework document which requires secondary legislation to bring it into effect. While the LWR gives a great deal of valuable guidance for management and development of water resources, it does not answer all of the important policy questions. Further work will be required to develop both policy and legislation on important topics coming under the LWR. Policy development priorities should be established to ensure that the most important topics are addressed first.

Although many of the responsibilities for water resource management have been centralized (through the LWR) in MARD, it will be important to develop policy recommendations through an open process in which all ministries, agencies and provinces with an interest in the issues are able to participate. This participation can be promoted through such things as inter-ministry working groups. It will also be important for water users and other stakeholders to be consulted throughout the process to ensure that their views and information are taken into account and that awareness, consensus and ownership are developed. NWRC should play the leading role in this policy development.

Institutional Development

Improved water resource management institutions is needed at all levels. The National Water Resources Council and its Office (ONWRC) have been approved by Government and now need to become fully functional and capable to advise Government on key water resource decisions. International experience has shown that a strong and capable Office will be essential to the success of the Council. RBOs have been approved and now need to be activated and strengthened in the Red – Thai Binh, Dong Nai, Mekong Delta (Cuu Long) and may need to be established in other priority basins. These organizations will need to be monitored and assisted to increase their effectiveness. Also, water user associations, irrigation and drainage companies and other groups need to be strengthened to play an important part in water management at the grass roots level. Coordination and clear definition of roles is needed between water management agencies and organizations from the central down to the local level.

Water management agencies at all levels need training, facilities, financial support and operational guidelines for effective water management. In some cases ministries will have to re-examine their structure and programs to ensure that water resource management is being performed in an effective and unbiased way. It is expected that MARD will need to undertake this type of review regarding the relationship of water resource and irrigation management.

The NWRC could also assist MARD and other ministries to coordinate and share information regarding international donor assistance in the water sector.

Data and Information Management

Water resources data and information management need to be improved in order to support the policy, planning and operational needs of improved integrated water

resources management (IWRM). This will include improved inventories and assessments of surface water, groundwater and water quality, improved accuracy and electronic management of data, and in particular, better sharing and dissemination of data and information. This should include information on both the water resource supply situation and on the water demand or utilization and wastewater discharge. Coordinated data systems, planning and decision tools and public information procedures are needed.

The NWRC can assist MARD to coordinate actions toward the development of a water sector information system at the national and basin levels. Implementation of such a system would likely be the responsibility of MARD, the General Department of Hydrometeorology (GDHM) and other key agencies.

Integrated River Basin Planning and Management

Planning and management of water resources needs to be carried out in an integrated manner, taking into account all water issues, needs and possible solutions in a balanced way. Effective planning can help to achieve coordination between sectoral water use, resolution of conflicts at an early stage, and coordination between water related aspects such as land use, wastewater discharge, etc. Planning is also an important part of the state management of water, as specified in the LWR. Improved models and other decision support tools and planning procedures are needed, as are improved stakeholder consultation and involvement practices.

The NWRC has a responsibility to advise Government on the approval of major river basin plans, plans for inter-basin diversions and for other water resource development projects that require Cabinet approval. The NWRC should support and guide the development of integrated water resource planning which involves all relevant agencies, provinces and stakeholders.

Conflict Resolution

Conflicts can and will occur at various levels regarding water resource management: international, interprovincial, interministry / agency, and between individual water users. Effective planning will help to reduce conflicts (as the views and wishes of various stakeholders are taken into account). Water resource planning will, in turn, require good information on water resources and an open and participatory planning process. Conflict resolution will also require negotiation and mediation skills by planning and management agencies. It will also require appeal processes where participants do not feel they have been treated fairly.

Advice to Government on resolution of conflicts in the water sector is part of the mandate of the NWRC.

Training and Awareness

Effective water resource management requires training and awareness creation on subjects such as IWRM concepts and practices, policy and legislation development in a inter-ministry and inter-sectoral context, integrated water resources planning, public consultation and communication, and specific resource management areas such as licensing and regulation of water abstraction and wastewater discharge, cost recovery, and watershed management.

Water users and other stakeholders should also be catered to by providing information and awareness material on water resources. Grass roots users should become aware of the value of water and their responsibilities for conserving and protecting it.

1.2 PROJECT BACKGROUND

The legal provisions for the National Water Resources Council and Office of the NWRC have now been clearly established in the following documents:

1. Law on Water Resources, No. 8/1998/QH10, 20 May 1998
2. Decree No. 179/1999/ND-CP, 30 December 1999, Stipulating the Implementation of the Law on Water Resources
3. Decision of the Prime Minister on the Establishment of the National Water Resources Council, No. 67/2000/QD-TTg, 15 June 2000 (see Appendix B).
4. Regulation on Organization and Operation of the National Water Resources Council, attached to Decision No. 99/2001/QD-TTg, 28 June 2001 (see Appendix B)

Legal provisions have also been made for the establishment of RBOs. In addition to the above documents, the Government has adopted Decisions No 37, 38 and 39/2001/QD/BNN-TCCB, dated 9 April 2001, by the Minister of Agriculture and Rural Development on the establishment of River Basin Planning Management Boards in the Mekong, Dong Nai and Red – Thai Binh river basins (see Appendix B).

During the Bank-financed “Red River Basin Water Resources Management Project” (TA 2871 VIE) assistance was given for the establishment of the NWRC, including drafting of the Prime Ministers Decision (June 2000) and Regulation (June 2001) listed above. A number of national workshops and other forms of inter-ministry consultation were held to seek input and create awareness for the successful establishment and launching of the Council and its Office.

A “National Workshop on Capacity Building for Water Resources Management” was also held in March 1999 as part of the Red River Basin Water Resources Management Project. The National Workshop identified the following capacity building needs:

- The national institutional framework,
- River basin management,
- Water resources information and water quality, and
- Education, training and human resources development.

The workshop reconfirmed the following points, which are mentioned in, or related directly to, the LWR:

- Establishment of the National Water Resources Council;
- Institutional strengthening of MARD, with reference to the need to distinguish water resources management functions from other functions;
- Establishment of organizations for river basin planning;
- Development of water quality control and monitoring systems;

- Development of by-laws to implement the LWR.

The workshop also identified important water resource management issues which are not so explicitly stated in the Law:

- Development of a strategy or action plan to guide capacity building in water resources;
- Management over the next 5 years;
- Development of national policy and policy making mechanisms;

These identified priorities formed part of the basis of the current “National Coordination for Water Resources Management Project.”

2. PROJECT OBJECTIVES, SCOPE AND OUTCOMES

The objective of the ADB Capacity Building for Water Resources Management Project (TA3528-VIE) is:

“to build capacity at the national, river basin and provincial levels to introduce water resources management in accordance with the WRL, as part of the Government’s emerging capacity building program for water resources management. The TAC will also contribute to poverty reduction and environmental protection in the central region of Vietnam by formulating an investment strategy for water resources management in that region in the context of the Government’s emerging rural development strategy and national poverty reduction program.”³

The project “cluster” consists of three subprojects:

TA 3528-VIE Capacity Building for Water Resources Management		
Sub-project 1 National Coordination for Water Resources Management	Sub-project 2 Water Resources Investment Strategy for the Central Region	Sub-project 3 Water Resources Management in the Dong Nai River Basin

Sub-project 1: National Coordination for Water Resources Management (NCWRM). This sub-project will help to strengthen the NWRC and the Office of the NWRC which is being set up under MARD. It will update the sector assessment, formulate a water sector strategic plan, prepare a national water policy, strengthen inter-ministerial collaboration, monitor water sector reform activities, improve the coordination of water sector technical assistance (TA) projects undertaken by interested organizations, and implement human resource development activities.

Sub-project 2 (Water Resources Investment Strategy for the Central Region) is helping to develop an optimal strategy for water resources investments in the central region. Sub-project 3 (Water Resources Management in the Dong Nai River Basin) will assist to develop and implement an institutional framework for a river basin organization in the Dong Nai basin, a process for basin planning and improved management of water resources and related decision support tools.

In order to clarify the objectives and outputs expected from the NCWRM project, Table 2 presents a project logical framework.

³ Asian Development Bank, “Proposed Technical Assistance Cluster (Financed from the Japan Special Fund and The Government of the Netherlands) to the Socialist Republic of Viet Nam for Capacity Building for Water Resources Management Project,” October 2000, p. 5.

Table 2. Logical Framework, National Coordination for Water Resources Management Project

PROJECT DESCRIPTION	VERIFIABLE INDICATORS ⁴	MEANS OF VERIFICATION	ASSUMPTIONS
Project Goal: Improve national coordination for water resources management by strengthening the National Water Resources Council and the Office of NWRC and by assisting interministerial collaboration and human resource development with a focus on integrated approaches and crosscutting issues.			
Phase 1			
Component 1: Organizational Arrangements	Output 1.1: ONWRC established and functioning within MARD by November 2001.	<ul style="list-style-type: none"> ▪ Project reports ▪ NWRC minutes ▪ Project review missions 	<ul style="list-style-type: none"> ▪ Continuing Government commitment to implement the Law on Water Resources ▪ Support from MARD to establish the ONWRC, inter-ministry working groups and other organizational arrangements ▪ Timely decisions by NWRC regarding draft recommendations ▪ Participation by other ministries, agencies and stakeholders at the national and local level ▪ Cooperation by other donor-assisted projects in the water resources sector to undertake joint activities
	Output 1.2: Interministry working groups formed in priority areas according to a schedule approved during the Inception Phase.		
	Output 1.3: Assist in the establishment of other water resources coordination mechanisms at the national level.		
Component 2: Water Sector Profile and Management Assessment	Output 2.1: National water sector profile and assessment of national water resources management prepared by April 2002.		
Component 3: NWRC Action Agenda	Output 3.1: Draft Action Agenda for NWRC prepared by May 2002.		
Phase 2			
Component 4: Policy and Legislation Development	Output 4.1: National water resources policy framework and schedule prepared by July 2002.	<ul style="list-style-type: none"> ▪ Same as Phase 1 	<ul style="list-style-type: none"> ▪ Same as Phase 1
	Output 4.2: Policy statements and draft legislation on priority topics prepared according to approved schedule.		
Component 5: National Water Resources Strategy	Output 5.1: Preliminary National Water Resources Strategy prepared by July 2003.		

⁴ Project TOR (see Appendix A) uses the words “assist” and “advise” with respect to the consultants’ responsibilities for most project outputs. This logical framework specifies a number of tangible outputs and target dates which are taken to be the joint responsibility of the consultants and counterparts.

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	Output 5.2: Policy and legal documents to support NWRC's role in plan / project approval and conflict resolution prepared by July 2003.		
Component 6: River Basin Organizations	Output 6.1: Assist in the establishment, strengthening and performance monitoring of RBOs.		
Component 7: Training and Awareness	Output 7.1: Establish an inter-project coordination committee on training and awareness by November 2001.		
	Output 7.2: Assist the coordination committee to prepare a training needs assessment and training plan by January 2002.		
Component 8: Interproject Coordination and Review of Water Sector Reforms	Output 8.1: Assist MARD / ISG in activities to coordinate donor assistance in the water resources sector.		
	Output 8.2: Assist MARD and NWRC to monitor and assess progress in water resources sector capacity building.		

3. PROJECT COMPONENTS⁵

3.1 COMPONENT 1: ORGANIZATIONAL ARRANGEMENTS

3.1.1 National Water Resources Council

Section 1.3 above indicated the documents which form the basis for the NWRC. The Prime Minister's Decision (June 2000) and the Regulation (June 2001) appear in Appendix B.

Mandate

The Prime Minister's Decision (June 2000) specified that "The National Water Resources Council will advise the Government before the Government decides on:

- strategies and policies on national water resources,
- major river basin plans
- plans for major inter-basin diversions
- projects for the protection, exploitation and utilization of water resources and projects for flood control and overcoming the adverse effects caused by water where such projects require Cabinet approval,
- management, protection, exploitation and utilization of international water sources and settlement of any disputes, and
- resolution of conflicts regarding water resources between ministries and branches, between ministries and provinces and cities directly under the central control."

Membership

The permanent membership of Council consists of the following 18 members:

- Chairman – Vice Prime Minister
- Standing member – Minister of Agriculture
- Representatives of ministries and general department – 10 Deputy Ministers and 1 General Department head
- Water sector specialists – 4 members from water sector agencies
- Secretary – Director of ONWC (and Director, Department of Water Resources and Hydraulic Works Management, MARD)

A full list of Council members appears in Appendix B as part of the Decision of the Prime Minister on the Establishment of the National Water Resources Council, No. 67/2000/QD-TTg.

In addition to the permanent members of Council, non-permanent members representing central and local agencies may be invited by the Chairman to attend Council meetings.

⁵ This section should be viewed in conjunction with the project Technical Proposal. This section expands or adjusts, where necessary, the methodology presented in that proposal.

Meeting Results

Although the NWRC is intended to hold two official meetings per year, it met, in fact, three times in its first two months of operation: 7 June, 5 July and 2 August, 2001.

At its first meeting the Council discussed the draft regulation on its organization and operation. Recommendations were made by members regarding the nature of the ONWRC and priority activities for NWRC and ONWRC. The Chairman summarized the issues which the Council should consider, including:

- Advising Government on a National Water Resources Strategy (by 2002)
- Advising Government on major projects, including flood control in the Cuu Long Delta, Red River Delta, and central region, and Day River rehabilitation project
- Preparing a long-term work plan for the Council
- Systematizing data from related ministries and agencies and establishing a water resources information network and database
- International cooperation and financial aid programs

The first meeting was attended by 14 of the 18 permanent members (3 absent members sent alternate representatives).

At its second meeting the Council focused on a review of Prime Minister's Decision 99/TTg on water resources, transportation, communication and rural development in the Cuu Long Delta. Reports were given by the Southern Institute of Water Resources Planning, MARD and the Ministry of Fisheries.

The second meeting was attended by 10 of the 18 permanent members (6 absent members sent delegates).

The third meeting of Council focused on flood control in the Red River delta and its relationship to design of the proposed Son La dam and hydropower scheme. The Council was invited by MARD to consider the issues involved and to advise MARD on such things as design flood control frequency. Council discussion touched on a number of measures relating to flood control in the Red River delta: i) acceptable flood frequency, ii) dyke upgrading, iii) river channel maintenance, iv) watershed reforestation, and v) inter-basin water transfer.

The third meeting was attended by 9 of the 18 permanent members (4 absent members sent delegates).

All of the above meetings were chaired by the Council's chairman, Vice Prime Minister Nguyen Cong Tan.

It appears that the NWRC is prepared for an active role with fairly good participation from members. The Council will need to be supported and advised on its agenda, which should focus very clearly on advisory and coordination matters in keeping with its legal mandate. The agendas for the first three Council meetings were prepared without the involvement of the ONWRC and, apparently, without a long-term view of the Council's objectives and Action Agenda. It is important that the NWRC should not allow its meetings to focus on ad hoc discussion of issues nor operational discussions which duplicate the role of ministries and agencies. As described in Section 3.3 below, the Council will need assistance to prepare an Action Agenda to guide its activities over the next several years.

Issues and Recommendations

- In keeping with its legal mandate the NWRC should focus on important policy and strategy issues in the water resources sector. These will primarily concern “cross-cutting” topics in water resources management, though the Council should also be prepared to address important water-related policy topics in water service delivery.
- The linkage between the current project and NWRC should be strengthened. Project information should be presented directly to future Council meetings and the project should be used to develop and support the Council’s strategic and policy orientation. The ONWRC, in consultation with the various ministries and agencies, should assist in preparing Council meeting agendas.
- Active participation by all NWRC members is important. Both official and unofficial steps should be taken to encourage this participation. Development of meeting agendas with items that are important to Council members and to GOV will be an important step in this direction.
- The Council should be encouraged to be as open and consultative as possible in its work. Steps such as involvement of a wide range of non-permanent members in Council meetings, involvement of a range of ministries and other stakeholders in the technical support work for the Council, and a consultation process for each part of the Council’s Action Agenda will help to ensure this openness.

3.1.2 Office of the National Water Resources Council (Project Output 1.1)

Proposed Organization

The June 2001 Regulation on the Organization and Operation of the NWRC gives the ONWRC specific responsibilities to support the Council. Although the Director of the Department of Water Resources and Hydraulic Works (DWRHWM) is also the Director of ONWRC, the responsibilities of the ONWRC have not been specifically assigned within the Department. It has therefore been recommended to MARD that in order to carry out these responsibilities effectively a small number of staff should be specifically assigned to work in the ONWRC on a full time basis.

This recommendation is included as Appendix C of this report. It includes a summary of the legal mandate of the ONWRC, a proposed work plan based on the legal mandate, and a list of required staff positions to carry out the work plan.

Experience from other countries has shown that for a national water sector apex body such as NWRC to be successful, it must be supported by a full-time secretariat which includes, or can coordinate, a wide range of water resource technical expertise.

The strategy developed prior to the project’s Inception Workshop proposed starting with a small Office consisting of Director (part-time, already appointed), Deputy Director (full-time) and 3 staff members (full-time). ONWRC should be located in DWRHWM and should be directed to serve the needs of both the NWRC and the Department. As the capacity of the ONWRC is increased and as success is

demonstrated, the Office should be allowed to grow in terms of staff and other resources.

During the Inception Workshop and the Bank's project review mission, the recommendation was made that the number of staff in the ONWRC needs to be increased considerably. It was suggested that at least one staff member is needed to support and coordinate each of the proposed working groups (see Section 3.1.3 below). This would mean that at least 5 ONWRC staff members are needed. It is therefore proposed that MARD be assisted to accelerate the appointment of ONWRC staff.

Although there is some risk that placing the ONWRC in DWRHWM may lead to an operational or irrigation bias, it is likely that this is the only realistic location for it at this early stage. The Office will need to draw on staff and facilities of the Department for a period of time. There does not appear to be any more appropriate location for it within MARD where it can function under the sponsorship of an existing, water-related agency.

Progress to Date

At the present time DWRHWM has started the process of appointment of staff for ONWRC. Two full-time, female staff have been recruited – one with an engineering degree from the Hanoi Water Resources University and the other with a bachelor's degree in hydrology from the Hanoi Water Resources University and a master's degree in environmental studies from Hanoi University. A third full-time, male staff member has been identified but is not yet reporting on a full-time basis. He has both a bachelor's and master's degrees in engineering from Hanoi Water Resources University.

MARD has made a public commitment to appoint an essentially full-time Deputy Director of ONWRC who will also be a Deputy Director of DWRHWM (indicating that this will be a relatively senior position). It is expected that this position will be formally appointed by the end of 2001 or very early in 2002. This will be an important step since the Director of ONWRC is also the Director of DWRHWM and has many responsibilities and demands on his time. In addition to these full time positions, MARD has indicated that other staff will be made available on a part-time basis.

These steps on the part of MARD are commendable, but are only the initial arrangements which will be needed to support the Council.

Issues and Recommendations

- The Deputy Director of ONWRC should be appointed as quickly as possible. The ONWRC and the support for NWRC needs essentially full-time management and the Deputy Director is expected to be in the best position to provide this day-to-day management.
- MARD should appointed a larger number of staff to the ONWRC. It was suggested during the project's Inception Workshop that at least one staff member is needed to support and coordinate each of the working groups which are being established (see Section 3.1.3) Further work should be carried out to assist MARD to accelerate the appointment of staff to create a "critical mass"

within ONWRC.

3.1.3 Interministry Working Groups (Project Output 1.2)

According to the Regulation on Organization and Operation of the National Water Resources Council (June 2001), the staff of ONWRC is taken from MARD staff and are appointed by the Minister of MARD. It is therefore very important for interministry working groups to be established to provide multi-ministry and multi-sectoral technical support for the NWRC. It will be important that these working groups are well formed and given meaningful responsibility, strong leadership and the necessary training and support.

Broad representation on the working groups is important, while at the same time keeping the size of the group to a reasonable limit. Membership will be recommended but ministries will be welcome to change members.

It is currently proposed that two working groups will be formed in the area of water sector information management. The first will be a Policy Working Group on Water Sector Information Management and it will focus on the area of water resources information policy, including data and information sharing arrangements. The second will be a Technical Working Group on Water Sector Information Management and its role will be to assist in the technical aspects of developing a national water resources data base. Both groups will work closely with the current project and with the AusAID VWRMAP project (Component 2) which is addressing water resources data and information management. The following TOR have been prepared and proposed to MARD for the Policy Working Group on Water Sector Information Management:

Policy Working Group on Water Sector Information Management

1. Constitution

The Working Group will consist of representatives of the following organizations:

- Department of Water Resources and Hydraulic Works Management (MARD)
- Vietnam Nation Mekong Committee
- Centre for Information (MARD)
- Institute of Water Resource Planning (MARD)
- Sub-Institute of Water Resources Planning (MARD, Ho Chi Minh City)
- Department of Agriculture and Rural Development, Ha Nam Province
- General Department of Hydrometeorology
- General Department of Land Administration
- Ministry of Industry
- Ministry of Construction
- Ministry of Science, Technology and Environment
- National Environmental Authority (MOSTE)

- Ministry of Finance
- Ministry of Planning and Investment
-
- Ministry of Transportation
- Ministry of Fisheries
- Ministry of Defence
- Office of Government

Experts required to provide specific advice from time to time will be appointed on a temporary basis by the Chair.

The AusAID policy on gender should be considered in the appointment of members of the Working Group.

2. Chair

The Chair of the Working Group will be the Director of ONWRC or another staff member of ONWRC that he may appoint.

3. Scope of Activities

The Working Group will provide specialized assistance to MARD and NWRC. In addition, it will assist in the execution of donor-funded projects as they may relate to water sector information management in Vietnam, including specifically ADB TA3528-VIE Subproject 1 - National Coordination for Water Resources Management and the AusAID Vietnam-Australia Water Resources Management Assistance Project Component 2.

4. Responsibilities

The Working Group as a whole (and the individual members when agreed from time to time) will contribute to the work of the ONWRC by carrying out the following responsibilities:

a) General

- Provide information from the representatives' ministry, agency or province pertinent to the activities of the ONWRC.
- Assist the ONWRC to prepare recommendations related to information management to be submitted to the Council.
- Review and comment on reports drafted by the permanent staff of the ONWRC or the Project Teams.
- Complete investigations and prepare written reports as may be assigned.
- Assist with consultation and liaison, coordination and sharing of information between the ONWRC and their respective ministry, agency or province.
- Build expertise in the Working Group and assist in transfer of expertise to staff of the agencies represented by its members.
- Work in a cooperative and enthusiastic manner with the permanent staff of the ONWRC, member of other working groups, technical advisors and consultants.

b) With respect to ADB TA3528-VIE

- Assist in clarifying the objective and identifying the target audience for the National Water Sector Profile.
- Review and agree upon the proposed outline of the Profile.
- Arrange for the provision of information to be included in the Profile, through completion of questionnaires and/or by other means.
- Review and comment upon the draft Profile when completed.

c) With respect to AusAID VWRMAP

- Assist in formulating a framework and developing processes for the effective management of activities associated with Component 2 - National Framework for Water Resource Information
- Assist the Project Team in establishing priorities for the tasks to be undertaken.
- Review, modify and endorse documents produced for Component 2 tasks by the Project Team, ministries, institutes or other organizations.
- Assist in the presentation of demonstrations and reports to the NWRC and in workshops and seminars.
- Review progress on Component 2 activities by meeting at agreed times and regular intervals

Technical Working Group on Water Sector Information Management

The TOR of the Technical Working Group on Water Sector Information Management are similar to those in Table 3, with appropriate adjustments regarding its responsibility to address technical issues. With respect to ADB TA3528-VIE, it will:

- Assist in clarifying the objectives and identifying the target audience for the technical matters associated with the development of the National Water Sector Profile.
- Review and agree upon the proposed outline of the Profile in respect of its technical content.
- Arrange for the provision of technical information for application in discussions and decisions on the Profile, through completion of questionnaires and/or by other means.
- Review and comment upon progress and the draft Profile when completed as to its technical integrity

With respect to the AusAID VWRMAP project, the Technical Working Group will:

- Assist in formulating the technical integrity of:-
 - the information management strategies for the effective management of activities associated with Component 2 - National Framework for Water Resource Information and
 - for the policies and the technology relating to the establishment of the Data Directory and the Database System within that framework
- Review, modify and endorse documents produced for Component 2 tasks by the Project Team, ministries, institutes or other organizations.
- Review progress on Component 2 activities by meeting at agreed times and regular intervals

Other Working Groups to be Formed

Working groups are expected to be formed in priority areas according to the work plans of the NWRC and ONWRC. At present it is expected that the working groups shown in Table 3 should be formed early in the project.

Table 3. Proposed Priority Working Groups

NATIONAL COORDINATION FOR WATER RESOURCES MANAGEMENT
ADB TA3528-VIE, Subproject 1

GROUP NAME	GENERAL RESPONSIBILITIES	SUGGESTED TIMING
Water Sector Information Management – Policy Working Group	As indicated in Table 3 above	Working group should be formed in <i>November 2001</i> for early start on Water Sector Profile
Water Sector Information Management – Technical Working Group	As indicated above	Working group should be formed in <i>November 2001</i> for early start on Water Sector Profile
Training and Awareness	<ul style="list-style-type: none"> ▪ Assist ONWRC to conduct a training needs assessment (TNA) and to prepare a training and awareness program on integrated water resources management to support NWRC, ONWRC and other supporting groups 	Working group should be formed by <i>November 2001</i>
Policy and Legislation (more than 1 group may be required, depending on topics to be addressed)	<ul style="list-style-type: none"> ▪ Assist ONWRC in drafting strategic plan for NWRC ▪ Review terms of reference for proposed policy / legislation studies ▪ Assist ONWRC to carry out studies and collect information ▪ Review draft policy and legislation ▪ Assist ONWRC to carry out other policy tasks for NWRC 	Working group should be formed by <i>January 2002</i> to assist in development of NWRC strategic plan
River Basin Organizations	<ul style="list-style-type: none"> ▪ Prepare recommendations, assist in preparation of draft RBO regulation and assist MARD to take the necessary steps to activate RBOs which have been approved and to seek Government approval and activate additional RBOs 	Working group should be formed by <i>January 2002</i>
National Water Resources Planning	<ul style="list-style-type: none"> ▪ Review and comment on the proposed outline for National Water Resources Strategy ▪ Assist ONWRC to carry out studies and collect information regarding the Strategy ▪ Review draft Strategy ▪ Advise MARD on the classification of river basins for planning and management purposes ▪ Assist ONWRC to prepare procedures for NWRC review of major water resource project and river basin plans 	Working group should be formed by <i>March 2002</i> to assist in development of National Water Resources Strategy

Although a combined “Policy and Legislation Working Group” is recommended, it may be necessary to split this group into separate groups on policy and legislation in the future. It may also be necessary to form specialized policy groups on specific topics, depending on the degree of technical specialization and the interest of various ministries and other stakeholders in some policy topics but not others.

Working Procedures for Working Groups

The following working procedures were proposed to MARD in the course of preparing for working group formation:

- Ad Hoc. Working groups should be formed on an ad hoc basis to address specific subjects and carry out specific assignments. When the groups tasks have been completed it may be disbanded.
- Representation. Members will be selected by their ministry / agency and will be expected to represent that ministry / agency and to facilitate communication and collection of information. ONWRC will be responsible to invite representation from all major interested ministries, agencies and other groups with expertise or information regarding the topic of the working group.
- Confidential. Information collected or prepared by the working group will be confidential and should only be released in ways approved by the chairman.
- Meetings. Working groups will meet from time to time as directed by the Chairman. Members will be expected to attend meetings and to actively and enthusiastically carry out their responsibilities.
- Special Assignments. Working group members may be asked to carry out special assignments and studies. These assignments and studies will have clear terms of reference, including outputs and deadlines. Members who take on assignments and studies will be responsible to the Chairman for their satisfactory completion. In some cases members who take on assignments and studies may be asked to work temporarily in the office of the ONWRC.
- Finances. Payment for participation in regular meetings and for carrying out special assignments and studies will be arranged by the Chairman. Travel and other necessary expenses will also be provided by the Chairman.
- Technical support. Working groups will be assisted by specialists under TA3528 or other appropriate technical assistance projects. Training and other assistance under these projects will be provided to working group members.

Further details on working procedures will be worked out and agreed as soon as possible.

3.1.4 Other Institutional Development (Project Output 1.3)

There is a strong need to reform and strengthen the DWRHWM and this is closely related to the need to establish the ONWRC. The Department needs to more clearly define its roles in both water resource management and irrigation / hydraulic works management, and these roles need to be separated and strengthened. MARD has

agreed under the MOU for the present “TA Cluster” and under the project document and loan agreement for the ADB Second Red River Basin Sector Project that:

“Upon the recommendation of NWRC, and following endorsement by the Government, MARD will, by December 2002, or another date agreed upon by MARD and ADB, implement a reorganization to separate water resources management activities and responsibilities regulated by the Water Resources Law from irrigation and drainage management activities and responsibilities.”

Steps should therefore be taken, well in advance of the indicated deadline, to prepare for this institutional reform. This process is expected to be assisted by the Danida Water SPS (Component 1.1), although additional support may be required from other donors. Steps are being taken to coordinate the present project with the Danida project.

The project TOR indicate the following responsibility: “In consultation with high-level officials of ministries and agencies, identify priority coordination requirements and help to establish mechanisms and processes for coordination at the national level.” A “Discussion Paper on Coordination of Water Resource Management under the National Water Resources Council” was prepared under ADB TA2871 and discussed at a workshop on 4 August 2000.⁶ The principles and approach recommended in that discussion paper will be further explored. Recommendations will be made on other water coordination activities (including operational areas not directly linked to NWRC) such as mechanisms for coordination between the national and local levels, possible NWRC subcommittees or inter-ministry operational committees.

Another important water sector coordination step will be the establishment of river basin organizations (RBOs). These are discussed in detail in Section 3.6 below.

Issues and Recommendations

- It is very important that the schedule for working group formation presented in Table 3 should be adhered to. The necessary preparation for forming and activating the proposed working groups should be taken before the target dates.
- Ministries, agencies, provinces and other stakeholders should provide active participants for the working groups. Steps should be taken to inform these ministries, agencies, etc about the importance of these working groups and the need for their strong involvement.
- MARD should take steps to prepare for the agreed restructuring to separate water resources management and irrigation / hydraulic works management.

3.2 COMPONENT 2: WATER SECTOR PROFILE AND ASSESSMENT (Project Output 2.1)

⁶ WRCS, “Report on Establishment of Vietnam National Water Resources Council” August 2000.

A National Water Sector Profile is a tool that can be used to support such things as policy and legislation development, national water resources planning, and public information and education. At its first meeting the NWRC identified the need for a National Water Sector Profile (NWSP) for Vietnam, as well as a water resources data network and database which would include information from all related ministries and agencies.

Various reports, databases and other information on water resources exist, including a Red River Basin Water Resources Profile and Data Directory prepared under ADB TA2871⁷ and a Vietnam Water Resources Sector Review.⁸ However, these information sources need to be brought together, updated and made more widely accessible.

There is also a considerable need to evaluate the water resource management systems and processes in place in Vietnam and to assist the GOV, through the NWRC, to identify priorities for addressing the weaknesses and gaps that presently exist. This is critical if the GOV is to formulate strategies and action plans to address these weaknesses and gaps. It is also important to international donors who are seeking an objective, sector-wide basis for designing their assistance for the development and management of Vietnam's water resources.

Interest in this type of assessment and identification of GOV priorities has been expressed by the Government of the Netherlands, which is preparing a sectoral strategy for its water management assistance, and by the "thematic ad hoc group" on water resources (TAG2) that has been formed under MARD's international support group (ISG), and represents all major donors active in the water sector.

National Water Sector Profile

The initial steps in the development of the NWSP will be to determine the target audience and consult with parallel projects regarding a coordinated data collection process. Initial discussions with the Team Leaders of AusAID, JICA and Nordic-funded projects, as well as the coordinator of the Danida Water SPS, indicate a willingness to cooperate with this project in the development of national water resource information systems, national water resources strategies and an Action Agenda. This will include the National Water Sector Profile.

The second phase of NWSP development will be to establish the structure of the Profile. The proposed outline of the water sector profile will be based on the ADB format for national water sector profiles. In order to increase its usefulness for Vietnamese conditions and to coordinate with other projects, some reorganization and expansion is suggested. In particular, it is envisaged that the profile will be divided into two parts. The first will deal with the physical and social environment as it relates to water, land and associated resources of the country, while the second will concentrate on the policy and institutional "environment" within which water resources development and management takes place.

The following outline is proposed as a starting point:

⁷ WRCS, "Red River Basin Water Resources Management Project, Final Report Volume 6, Red River Resources Data Directory" December 2000 and "Red River Basin Water Resources Management Project, Final Report Volume 7, Red River Basin Profile" December 2000

⁸ World Bank, et. al., "Vietnam Water Resources Sector Review, Main Report" May 1996

1. The physical and social environment
 - a. Water Availability – surface water, groundwater, water quality
 - b. Water Demand – irrigation and drainage, domestic and industrial, hydropower, others
 - c. Socio-economic and land use information
 - d. Current and Projected Water Resource Status – water balance, water quality, flooding

2. The policy and institutional environment
 - a. Policy and Legislation
 - b. Institutions and Organization
 - c. Information and Planning
 - d. Hydraulic Works Development and Operation
 - e. Financing
 - f. Management and Regulation
 - g. Education and Awareness
 - h. International Assistance

The media for presentation of the two parts may well be different. Part 1, which will contain many maps, charts and numerical information, might best be presented as an interactive CD-ROM⁹. Part 2, consisting largely of text, may require a more conventional printed format. But in any case, this could also be published on the CD-ROM.

At the Project Introduction Workshop on 28 September, Council members and other ministry and agency representatives agreed that the NWSP is a high priority activity. They indicated that it would be a useful tool both for the NWRC and for ministries and agencies themselves. It was recommended that the NWSP needs to be a water resources data information system that will draw on the data resources of various agencies and can be updated regularly. The mechanisms and assignment of responsibilities for updating the profile will be important considerations in this component.

There is a particular need to coordinate the NWSP work with the AusAID VWRMAP project that is preparing the National Water Resources Data Directory and a National Water Resources Database. It will be advisable to carefully study the recommendations and needs which have been identified and to determine whether some coordinated or joint output can be developed.

Coordination with the JICA National Water Resources Master Plan project will also be important since that project will be collecting much of the same information needed for the NWSP. The JICA project will cover 14 major river basins, essentially the same as the current project's national coverage.

Other data-related projects currently being implemented in the water sector in Vietnam include the Danida Water Sector Program Support, the UNDP Public Sector Reform Project (within MARD) and the National Hydropower Plan Study being jointly funded by the Swedish and Norwegian governments. Communications

⁹ A good example of this format is the "Vietnam Atlas – Vietnam's Natural Resource and Environmental Status" produced by MOSTE in January 1999 as part of the National Program on Information Technology.

have already been established with these projects to ensure maximum coordination and a minimum of duplication of effort.

Water Resource Management Assessment

The water resource management needs assessment will identify major physical issues (water shortages, flooding, water quality problems, etc), strengths, weaknesses and gaps in the water resource management system. In particular, “cross-cutting” issues which affect more than one group of water users will be identified and recommendations made regarding implications for the NWRC’s Action Agenda.

This water resource management needs assessment should be based on objective criteria, self-evaluation and needs identification by water management agencies, and as much stakeholder participation as possible. To a large extent, the water resource management needs will already have been identified in the National Water Sector Profile. However, additional review of literature will be undertaken and consultation will be held with officials and other stakeholders at both the national and provincial levels. This may involve individual meetings, workshops, questionnaires and other means. (Further details on communications and consultation are given in Section 3.9 below.)

A set of recommendations will be formulated to address the identified water resource management needs. These will form an input to the NWRC Action Agenda, described in the next section. Agreed priorities for integrated water resources management will be disseminated widely, since these will form part of the basis for other government initiatives and donor-assisted projects.

3.3 COMPONENT 3: NWRC ACTION AGENDA (Table 2, Output 3.1)

The NWRC’s “Action Agenda” is expected to be the result of a strategic planning process in which the NWRC, with the input from stakeholders, will establish such things as its specific objectives, work plan and milestones, and further details on its mode of operation. The NWRC independently identified this need at its first meeting, where the Chairman mentioned the need for a “long-term work plan for the NWRC” as one of the priorities for the 2001 – 2003 period.

The Action Agenda is expected to be a summarized set of objectives that will guide the activities of the Council and ONWRC over, perhaps, a two to five year period. The value of a strategic planning process to prepare the Action Agenda is generally recognized in terms of both the “product” – a statement of the organization’s objectives and how it plans to achieve them, and also the “process” – a periodic reassessment of the organization’s internal and external environment and an opportunity for both internal and external consensus-building regarding future direction. The process aspect is particularly important for the NWRC in that the Council is responsible for coordinating advice to Government on major water resource management topics. An objective will therefore be to create awareness and a degree of consensus regarding the Council’s Action Agenda.

The Council’s Action Agenda will serve a number of purposes. It is expected to:

- guide the activities of NWRC, ONWRC, working groups and supporting agencies in a more coordinated manner,
- serve as a basis for evaluation of the Council’s performance

- set the agenda for subsequent components under this project (specific policy topics, the purpose of a national water resources strategy and other activities to support the Council can only be estimated approximately at present), and
- establish a framework for coordination of other donor assistance in the area of water resources policy.

As indicated in Section 3.2, the Water Sector Profile will include information on water resources and institutional arrangements, and an assessment of water resource management needs and GOV priorities. It will identify, in particular, “cross-cutting” policy issues (those which affect more than one ministry or water-using sector) which will be a priority for the NWRC. This assessment of water resource management will be prepared to serve as a basis for the Council’s strategic planning.

Action Plan Development

A Policy and Legislation Working Group is expected to be formed to assist in this assessment of water resource management needs and to help the NWRC and ONWRC to prepare the Action Agenda. The strategic planning process will be very participatory in nature. The ONWRC and Policy and Legislation Working Group will hold workshops to facilitate stakeholder involvement in the development of the Council’s strategic plan. Some of these workshops are expected to be at the provincial level.

Draft reports will be presented to the Council and revised as necessary to prepare a final plan which the Council approves and which can then be forwarded to Government.

Issues and Recommendations

- A very strong working relationship will need to be developed between the NWRC and the ONWRC, project consultants and others so that Council members can be actively included in the development of the Action Agenda. The timing of this component (see Figure 1 below) may become an issue since access to Council members has so far been difficult and attendance at Council meetings has not been possible. MARD should do as much as possible to create the necessary conditions for successful strategic planning. Steps will be needed by all those involved to create a process which is both motivating and productive.

3.4 COMPONENT 4: POLICY AND LEGISLATION

Policy, Legislation, Strategy and Plans

Policy, and the legal documents which incorporates it and give it legal status, generally address the question of how water will be managed and developed. Policy gives the tools that will be used. These tools include the principles and approaches for managing water and are not likely to change much over time. Detailed guidelines and similar documents explain how policy and legal tools are to be implemented.

Strategies and plans indicate what the Government intends to achieve, what its goals and objectives are regarding water management. A water resource strategy will be based on broad national goals regarding such things as poverty alleviation, food security, economic growth and environmental protection. These broad national goals will also tend to be long-term in nature, although more specific targets (or objectives) such as the provision of clean water and sanitation or the amount of irrigated land may change from time to time, particularly as previous targets are achieved. A national water resource strategy would likely indicate what the Government will do in managing water in order to achieve national objectives and how it will overcome current capacity and other limitations.

Plans embody the Government's strategies, but go further in indicating the way in which these will be achieved. Plans tend to be more locally focused than strategies, often dealing with water management and development within a river basin or sub-basin. Master plans are guiding documents for investment and water resource management within a river basin or elsewhere, although integrated river basin plans may be a preferable term to emphasize their multi-sectoral and whole-basin nature and management / development balance.

Clear and appropriate policy and legislation are one of the primary tools to bring about better and more coordinated water resource management. Although the LWR provides the legal basis for improved water resource management and water sector reform, it requires secondary legislation to bring about full implementation. The LWR sets out broad directions and establishes some new institutional arrangements, but it does not resolve all of the questions which are raised regarding how this new direction will be put into effect. Policy is required to establish the principles and general procedures which the Government intends to follow. These will generally be long-term directions and will normally be expressed in the form of official documents such as decrees, decisions and circulars. At a more detailed level it will be necessary to work out details of how the policy direction will be implemented. This will require guidelines, standards and detailed procedures and will normally be expressed through legal documents, operational manuals, etc at a more detailed level. The focus of the NWRC will generally be to prepare recommendations for Government on the broader issues and decisions.

It will be important to establish a comprehensive and coordinated water resources policy framework, together with legal documents such as decrees, decisions, regulations, etc. The policy framework is expected to include:

1. Policy principles, broad, operational objectives, etc (which will guide water resource management) (Table 2, Output 4.1)

2. Policy statements on priority topics; legal documents, such as decisions, decrees and in particular, inter-ministry circulars (**Table 2, Output 4.2**)

The LWR itself already forms a major part of this framework and the legal basis for water resource management. However, an additional water resources policy framework can provide background and explanatory material that is not appropriate to put in the form of legislation and can serve as a basis for formal legal documents.

Other (developed and developing) countries which have prepared national water resources policy have included topics such as:

- Water rights and allocation (as a basis for licensing water use by major water users)
- Water quality management (coordinated with the previous topic of water allocation)
- Demand management (which may include or be linked to cost-sharing, cost-recovery and financing of water resource development)
- Groundwater management
- Watershed management
- Information management
- Institutional reform (including details on national and river basin planning and coordination bodies)

The NWRC should identify priority water resource policy topics in its Action Agenda.

Other Donor Support for Policy / Legislation Development

Other donors have already identified policy topics which they intend to address under other projects.

The Danida Water SPS project (Component 1.1)¹⁰ is expected to prepare operational procedures and guidelines on:

- financing major, multipurpose hydraulic works and financing of water resource management at the basin level,
- river basin planning, and
- registration and licensing of major water users and wastewater discharge.

The AusAID VWRMAP (Component 2) is expected to prepare a framework, principles and agreements on water resources data management and exchange.

These and any other similar policy developments should be coordinated under the NWRC. They should form part of the National Water Resources Policy Framework and be compatible with the principles expressed in that framework and with the LWR.

¹⁰ It is recognized that major policy topics such as water allocation and cost recovery will be needed before operational guidelines can be adopted. These major policy topics will require dialogue between Government and donors and may require concerted assistance by a number of major donors working with the Government.

3.5 COMPONENT 5: NATIONAL WATER RESOURCES STRATEGY AND NWRC PROCEDURES

*Strategy*¹¹

At its first meeting (7 June 2001) the Council mentioned the need for a National Water Resources Strategy, to be prepared by 2002, noting that the Strategy should be divided into stages and specific steps and should be comprehensive tool. The need for a water sector strategy was also documented in the Royal Netherlands Embassy's recent development cooperation strategy report, "Netherlands – Vietnam Cooperation for Integrated Water Resources Management."

Although Vietnam has a good legal basis for integrated water resource management, this new approach to water management has only been partially applied. A water resources *sector strategy* for both investment and related institutional development and capacity building have not been articulated or officially approved, although component strategies such as for rural water supply have been approved. The sector strategy must not be limited to investment priorities but must clearly reflect an IWRM approach to achieving agreed broad objectives. The strategy would, however, help to guide Government of Vietnam (GOV) investment planning by providing a context for plans at the river basin level. Both national strategy and integrated basin plans, if correctly prepared, should help to resolve potential conflicts, to recognize physical linkages such as upstream-downstream, surface-groundwater, and water quality-quantity, and to guide investment planning. The national strategy and river basin plans need to be prepared in an open and consultative manner with water users and other stakeholders.

Questions were raised during this project's Inception Workshop as to whether this project has the time, resources and responsibility to assist the NWRC in developing a Water Sector Strategy. Regarding time and resources, it appears clear that the project can assist the NWRC to develop a preliminary Sector Strategy that will help to coordinate the strategies and development plans of the various water-related ministries. This will be undertaken in a participatory process which is "owned" by the ministries involved. It also does not replace the responsibility of the various ministries to determine their own sub-sectoral strategies, though it should help to ensure that these are prepared in a more coordinated manner. It is believed that a preliminary strategy and establishment of a coordinated strategy development process are worthwhile objectives, even if the result is seen as a "first iteration" which will be expanded in later efforts.

Regarding responsibility for strategy development, although this output was not specified in the project TOR, it has been clearly identified during the project Inception Phase as a priority for Vietnam. This will, of course, have to be confirmed through the NWRC's Action Agenda. A more detailed approach and workplan will be developed at that point.

Procedures

Section 3.1.1 above indicates the legal mandate of the NWRC. In the development of its Action Agenda the Council should clarify what its exact role will be with respect to advising Government on plans for major water resource projects and river

¹¹ See box at the beginning of Section 3.4 regarding this project's use of the terms: policy, legislation, strategies and plans.

basin management, on international water resource management and on conflict resolution. Procedures and capability to implement them effectively will need to be developed in each of these areas.

The specific role of Council in approval of river basin plans and water resource development projects will need to be determined in relationship to other Government approval process, including environmental impact assessment. Activities regarding international issues will need to be coordinated with the Vietnam National Mekong Committee.

The expected outputs of the project will include:

- draft procedures, policy and legal documents to support the NWRC's role in approval of plans for major projects and river basins and in conflict resolution (**Table 2, Output 5.1**)
- a National Water Resources Strategy for NWRC discussion, approval and forwarding to Government (**Table 2, Output 5.2**)

Issues and Recommendations

- The Council should confirm, through its Action Agenda, whether a National Water Sector Strategy is a priority and whether it should be undertaken with assistance from this project and possibly others.

3.6 COMPONENT 6: RIVER BASIN ORGANIZATIONS (Table 2, Output 6.1)

It was mentioned in Section 1.3 above that legal provisions have been made to establish RBOs. Both the LWR (Article 64) and the Implementing Decree (Article 17) mention that organization will be set up to manage river basin planning.

The Government has adopted Decisions No 37, 38 and 39/2001/QD/BNN-TCCB, dated 9 April 2001, by the Minister of Agriculture and Rural Development on the establishment of River Basin Planning Management Boards in the Mekong, Dong Nai and Red – Thai Binh river basins. These decrees are included in Appendix B.

Although the RBOs come under MARD (LWR, Article 64), they are intended to coordinate planning of water resources within their respective basins. In that regard they need to represent and coordinate the activities of a number of different provincial and national water-related ministries and agencies. It is expected that experience gained by the NWRC at the national level will help to guide RBOs at the national level.

The NWRC, with the support of the project, is expected to play a role in overseeing the establishment of RBOs, monitoring their performance and facilitating their strengthening through various means at the national level. Communication will be maintained with the provinces involved in the various basins where RBOs are being established and with the projects which are directly supporting the RBOs. Advice will be given to MARD and to the NWRC (to the extent appropriate) regarding necessary actions to ensure the effectiveness of the RBOs.

Further details regarding communication and consultation with provinces and RBOs is given in Section 3.9 below.

3.7 COMPONENT 7: TRAINING AND AWARENESS (Table 2, Outputs 7.1 and 7.2)

Due to limited funds available for training in the current project, and in an effort to increase donor coordination, a joint training approach will be pursued with the AusAID VWRMAP and the Danida Water SPS projects. Those projects include training components which closely parallel the training objectives of this project.

AusAID VWRMAP

Component 1 of the VWRMAP is entitled “Capacity Building in the National Water Resources Council” and its objective is “to develop increased understanding of integrated water resource management (IWRM) and global advances in water resources management in NWRC members and high level officials of agencies with a role in water resources management.”¹²

The expected outputs of the VWRMAP Component 1 are:

- An integrated training program that identifies initial training requirements, high level workshops, training modules and international study visits
- High-level workshops in IWRM principles conducted in accordance with the agreed integrated training program
- Study visits in accord with the integrated training program, and
- IWRM training modules conducted in accordance with the agreed integrated training program.

The proposed targets of this training program include members of the NWRC, assistants and advisors to Council, key decision makers in national ministries and agencies, key decision makers at the provincial level, women and other decision makers.

Component 1 is expected to take place over a 29 month duration, starting in October 2001, with a budget of \$1.47 million (Aus).

Danida WaterSPS

Component 1.1 of the WaterSPS is entitled “Support to Implementation of the Law on Water Resources” and its objective is to “assist the reform and strengthening of DWRHWM to implement identified water resources management functions under the LWR in cooperation with other national and provincial water resources agencies and in coordination with other sub-components of the WaterSPS.”¹³

Output 5 of this component is to “assist DWRHWM to develop the human resource capacity to carry out appropriate water resource management roles.” The training will enhance the functions and performance of the DWRHWM, including: i) organization and capacity building, ii) development of policies, strategies and

¹² AusAID, “Water Resources Management Assistance Project, Final Project Design Document”, February 2001, p. 33.

¹³ Danida, Initial Planning of Support to Implementation of the Law on Water Resources, Sub-Component 1.1, Water Sector Program Support, August 2001, p. 39.

secondary legislation, iii) data and information management, iv) integrated water resource planning, v) water resource regulation, and vi) education, awareness and consultation.

Although the focus of the assistance under the Danida WaterSPS Component 1.1 is on DWRHWM, the close association between the Department and ONWRC and NWRC means that this training will be of great benefit to the work of the Council and will be closely linked with the training objectives of the present project.

Joint Training Needs Assessment and Planning

Initial discussions with AusAID and Danida representatives have indicated that a cooperative and coordinated approach to training between those two projects and the present project can be taken. Work is now underway to develop TOR for a single, joint training needs assessment (TNA) and training plan. The training plan is expected to indicate the full range of training activities which will be conducted by the three projects. It will also indicate which activities should be carried out under each project and for which, if any, there are insufficient funds or other limitations. For training activities which cannot be funded under any of the three projects, other sources of funding will be sought.

The steps which are recommended to prepare and implement a coordinated training program in integrated water resource management are:

1. Form a joint Training Coordinating Committee, with representation from the three projects and from MARD and a small number of other agencies
2. Form an interministry Training and Awareness Working Group to assist in planning and supervising training activities under the three projects.
3. Carry out a joint training needs assessment and formulate a joint training plan, recognizing the training priorities of MARD and other agencies and the training objectives of the three projects
4. Implement the training program under AusAID and Danida support
5. Identify any gaps that cannot be met with AusAID and Danida support and seek funding from other sources

3.8 COMPONENT 8: DONOR COORDINATION AND REVIEW OF SECTOR REFORM

Donor Coordination (Table 2, Output 8.1)

Donor coordination in the water resource sector is increasingly important since many donors and many projects are now active. Partnerships and coordination in the water and other sectors in Vietnam have been summarized in the “Partnerships for Development” report and in a subsequent update of progress during the 2000-2001 period and plans for 2001-2002.

The “Partnerships for Development” report noted that “There is increasing coordination among donors, who over the last two years have made a significant effort to improve the efficiency of available funds, and to coordinate their programs

to meet the needs of the sector. The group of key water sector partners is led and coordinated by MARD and ADB.”¹⁴

More recently, under MARD Decision (No 120/2000/QD-BNN-TCCB and No 121/2000/QD-BNN-TCCB, both dated 24 November 2000) a MARD International Support Group (ISG) and its Steering Board were formed. The Steering Board approved the formation of two “thematic ad-hoc groups,” one of which concerns water resource management (referred to as “TAG2”). Terms of Reference are being prepared and it is expected that TAG2 will build on and replace the previous donor water partnership group. A number of donors are giving various types of assistance to the ISG and its Secretariat in MARD.

At a 16 March 2001 meeting of TAG2, MARD / ISG described a database and website that are under preparation as a management information system on projects and programs that have been identified or agreed for donor funding. The website has now been launched with UNDP assistance and can be viewed at:

<http://www.isgmard.org.vn/>

A strong working relationship has been established between this project and the ISG Secretariat, located in MARD’s ICD. Assistance is being given by the present project for drafting of TAG2 terms of reference and work plan.

It is also expected that information on the priorities and activities of Council will need to be provided to donors to facilitate the planning and management of assistance in the water sector. In turn, information on donor-assisted projects, particularly those which produce results which fall within the Council’s mandate, should be provided to the Council. The Office of Council, in cooperation with the ISG Secretariat, will need to establish communication and coordination with a number of donor-assisted projects in order to facilitate communication between them and Council.

At a somewhat less formal level, the current project has already taken steps to coordinate efforts with other projects. As mentioned above, coordination arrangements, such as joint planning and some form of shared implementation, are expected in the areas of:

- water resources data and information, including the National Water Sector Profile (with AusAID, Danida, Sweden / Norway and others)
- training for integrated water resource management and implementation of the LWR (with AusAID and Danida)

In addition to these steps, very informal consultation is taking place between a number of donor representatives and project leaders in the water resources sector. Periodic lunches or other events provide an opportunity to share information and discuss common issues.

Review of Water Resources Sector Reform (Table 2, Output 8.2)

There are likely to be a number of ways in which reform and capacity building in the water resources sector can be documented and evaluated and recommendations formed:

¹⁴ Vietnam 2010, Entering the 21st Century, Vietnam Development Report 2001, Partnerships for Development, Consultative Group Meeting for Vietnam, December 14 – 15, 2000, p. 95

- Government approval of legislation
- Major NWRC decisions
- Formation of river basin organizations
- Conferences
- Progress reports of ISG and various assistance projects

The criteria for evaluating sector reform have not been established. However these may emerge from the NWRC's Action Agenda and the work of the ISG TAG2.

The expected output in this area will be a periodic report to MARD and NWRC regarding reform and capacity building progress in the water resources sector, with bottlenecks identified and recommendations offered.

Issues and Recommendations

- During the second meeting of the TAG2 (26 November, 2001) a number of participants indicated that greater participation by various water-related ministries and a more formal linkage to NWRC is needed. This project will assist MARD to revise the TOR of TAG2 in order to resolve these issues. This revision should include consultation with other ministries. An ongoing process is needed to coordinate donor activities and policy dialogue with the NWRC and the relevant, water-related ministries.

3.9 PUBLIC COMMUNICATION AND CONSULTATION

Communication and consultation are important activities in building national capacity and improving coordination for integrated water resources management. In a larger sense, transparency, accountability and participation are important aspects of improved governance. Although they are not specified in the project TOR, communication and consultation cut across all of the project components and will be treated as an integral part of project activities.

Objectives

There are a number of communication and consultation objectives for the project which are proposed at the present time. These objectives apply to identified stakeholders and target groups:

- Create awareness of the project and the work of the NWRC
- Create awareness of water resources and the objectives of integrated water resources management under the LWR
- Create awareness of, and seek comments and recommendations regarding, draft policies, plans, strategies and other material which are produced for the NWRC
- Facilitate a more transparent and participatory approach to water resource management within Vietnam.

Mechanisms

In order to meet these objectives a number of mechanisms or media are available. These will be explored in greater depth and a cost-effective mix of mechanisms and activities will be used:

- Newsletters. Approximately 8 newsletters are expected during the course of the project. It is expected that newsletters will be prepared in both Vietnamese and English. Since internet access and usage in Vietnam is still somewhat low, the newsletters are expected to be an important communication medium to Vietnamese stakeholders.
- Website. A web-site is currently being developed, focusing on both the NWRC and its activities and on the current project. The site will be created in both English and Vietnamese and is expected to be the main communications medium with English-speaking and international stakeholders. The web-site is expected to include an interactive facility which will allow viewers to provide comments and responses to draft recommendations and other material that will be available on the site.
- Mass media and mass organizations. Mass media and mass organizations (Farmers' Union, Women's Union, Youth Union, etc) can be instrumental for creating awareness of water resources and new water management approaches, as stated in the LWR. Some use will be made of these media and organizations within the available budget of this project. Plans for a more widespread education and awareness program on the LWR and water resources and their management will be promoted in cooperation with other donor-supported projects.
- Workshops. These are believed to be an effective means of communication and consultation for selected target groups. Workshops will be held at both the central and provincial level at various stages throughout the project. A variety of workshop techniques will also be used, according to the specific objectives of each event:
 - traditional approach to workshops involves delivery of speeches and fairly structured responses from a small number of participants
 - a more participatory approach to workshops has been observed to work well in cases where more creative results and higher "ownership" is desired. This involves a less structured approach involving all participants in small-group activities.
- Working groups. As mentioned above, inter-ministry working groups will be formed on an ad-hoc basis to undertake various project components. The membership of these groups will be kept as flexible as possible in order to include a wide range of stakeholders (MARD, other central government ministries and agencies, academics, local government, etc.).
- Provincial / basin linkage. While the focus of this TA is on national coordination of water resource management, support of river basin activities and communication and consultation at the local level will also be important. It is recognized that water resource management is, and will increasingly be, a decentralized activity. Therefore the promotion of effective river basin organizations is important and should be coordinated under the NWRC / MARD umbrella. Plans for a Red River Basin Organization have been prepared under ADB TA 2871. Work will be carried out under Subproject 3 for the establishment of a Dong Nai RBO and under the AusAID project for a Lower Mekong RBO. This project will coordinate closely with these other projects regarding such things as further institutional design, integrated river basin planning, training and other capacity building, and data and decision-making tools.

Strategy

A short communications and consultation strategy will be prepared, outlining such things as objectives, stakeholder / target groups, mechanisms and evaluation.

Efforts will be made to coordinate the awareness aspects of the project with the training component and with water resources awareness activities being carried out under other projects. In particular, steps will be taken to ensure that training is provided in effective communication and consultation techniques.

4. PROJECT IMPLEMENTATION

4.1 PROJECT MANAGEMENT

At the Project Kick-Off Meeting on 5 September, Vice Minister Nguyen Dinh Thinh indicated that under a recent MARD regulation, department heads can be appointed to oversee international projects. Therefore the management structure of the present project is:

- Director – Dr. Pham Xuan Su, Director, DWRHWM and Director, ONWRC
- Manager – Dr. Nguyen Thai Lai, Head of Water Environment Bureau, DWRHWM

No other project management structure was specified, although it is assumed that the NWRC will act as a steering committee in the sense of review and approval of project outputs.

4.2 PROJECT APPROACH

Vision

It is very important for the NWRC, the major water-related ministries and others to come to a *shared vision* of integrated water resources management in Vietnam and the role which the Council and its technical support groups can play to bring this vision to reality. Without such a vision and the personal commitment of at least some people in influential positions, the success of this project and others like it will be limited.

A shared vision and commitment by Council members and leaders in MARD will help to ensure support for the Council's work and approval of its recommendations by Government. It will also help to ensure that the participation of members in the work of the Council is strong and that the Council gains respect and support and that the necessary facilities, staff and resources are provided to the ONWRC and this project.

Vision is not something that can be quickly and easily created, but it can be promoted by identifying and supporting those that are beginning to share the vision and by carrying out activities to expose key people to the meaning and benefits of IWRM. It has been learned in other countries that a key to the successful adoption of IWRM policies, legislation and institutional reform is often the presence of one or more "champions" or "promoters" – those who will use their influence to push the necessary decisions ahead.

This project is committed to doing whatever is possible to create a vision and identifying and supporting champions of IWRM. Training and awareness activities such as study tours, workshops and preparation of good documents on IWRM and the work of the Council will be useful in this respect.

Progressive Implementation

It has been found in other countries that a progressive approach to building up a national water sector apex body and its secretariat (office) and implementing IWRM may be best. There is a risk that if objectives and expectations are too high, they will not be met and the Council will come to be seen as unsuccessful and perhaps unnecessary. The recommended strategy for the Council, through its Action

Agenda and through the support of this project, should therefore be to set limited, realistic objectives and to build its own capacity and that of ONWRC in an incremental manner.

This strategy must, however, be balanced with the need to develop a critical level of staff and resources and to set out an Action Agenda that is not too limited. If too little is attempted, the NWRC could be seen as failing to respond to priorities within its mandate and again as being unsuccessful.

This project will seek to advise the NWRC on the development of a realistic Action Plan. It will also try to promote strong support from MARD for adequate facilities, staff numbers and resources. The support of the Bank will be important.

Advisory Approach

The present project's TOR make frequent use of the terms "advise" and "assist." While the consultant is responsible to the Bank to carry out the TOR and achieve agreed outputs, there must be continual sensitivity to the counterpart agencies and emphasis should be placed on motivating and enabling these agencies to take on sustainable and progressively more responsible water resource management roles. The consultant will therefore work with the ONWRC and partner agencies and working groups to carry out project tasks rather than simply doing it for them. The objective will be to resolve or minimize any divergence of objectives between the project TOR and the Government's objectives.

4.3 TEAM COMPOSITION, ASSIGNMENTS AND MOBILIZATION

The international and domestic consultants and input levels which were approved during project contract negotiations are shown in Table 5.

Table 4. Previously Approved Consulting Team Positions and Inputs

POSITION	MONTHS
International	
Team Leader / Senior Water Resources Advisor	24
Water Policy Specialist	6
Water Resources Planning Specialist	6
Public Consultation Specialist	3
Total International	39
Domestic	
Institutional Development Specialist / Deputy Team Leader	20
Water Policy / Resource Economist	8
Water Resources Planning Specialist	9
Information Systems Specialist	7
Public Consultation Specialist	7
Legal Specialist	8
Total Domestic	59

Proposed Changes

In general, the list of international and domestic consulting positions agreed to during the contract negotiation appears to be appropriate to achieve the project objectives. The only recommended change in the consulting inputs is to *reallocate* one month of the international Public Consultation Specialist's input to assist with the development of a training needs assessment and training plan, together with the AusAID VWRMAP and Danida Water SPS projects. The reason for this proposed change is that training is a high priority and is specifically mentioned in the project TOR. The project has limited resources to contribute to this area and should contribute as much as possible to the joint activities with AusAID and Danida. The remaining two months of input from the international Public Consultation Specialist are expected to be devoted to training on consultation and communication.

The availability of the proposed domestic consultants has been reviewed during the Inception Phase of the project and changes have been recommended to ADB where necessary due to the unavailability of some of the originally proposed specialists. The list of names for the domestic consultant positions should be finalized as quickly as possible to avoid further delays in project implementation.

Table 6 shows the recommended assignment of consulting team members as well as the (proposed) staff of the ONWRC to the various components of the project. Figure 1 shows the project implementation schedule and Figure 2 shows the personnel mobilization schedule.

It was noted during Contract Negotiations that "the fielding of the experts will be flexible." The need for flexibility remains true since the precise timing of project activities cannot be determined until NWRC makes certain important decisions. Revisions to the mobilization schedule shown in Figure 2 will be discussed with MARD and ADB as they become clearer.

Issues and Recommendations

- The list of domestic consultants should be agreed as quickly as possible between the Bank and MARD. Delays in this approval have already had some effect on the work schedule and could impact the project's overall progress if not resolved soon.

4.4 PHYSICAL ARRANGEMENTS

Office Accommodation

The project is occupying one office adjacent to the ONWRC office on the ground floor of Building A6-B in the MARD compound. This space is barely adequate at the present time but will not be sufficient during peak project activity periods. MARD has indicated that additional project team members can be placed in the ONWRC office next door. That arrangement could be workable for a very short period of time, and has the advantage of placing the consultants and ONWRC counterparts directly together. However it is not acceptable for the longer-run since:

- it does not provide enough space for the consulting team members (there may be periods during which 5 – 8 consulting team members may be mobilized at the same time),
- it may create the impression that the ONWRC is fully functional and active, when in fact only three staff have been appointed,
- the Deputy Director will not be able to physically locate with the rest of the ONWRC if the ONWRC is occupied by consultants, and
- the computer system which will be used for the Water Sector Profile and other water resources information management should be located in a dedicated space with adequate work space to make good use of it.

A similar Office of the Water Resources Coordinating Committee in the Lao PDR currently has 15 professional staff, while the Office of the National Water Resources Committee in Thailand has over 50 staff. In both of those countries these organizations have suitable office facilities with meeting rooms and adequate space for staff and consultants to work together. The provision of both staff and adequate space in which they can work should be an indication of the Government's and MARD's vision and commitment to the success of the NWRC.

Recommendations

- Arrangements should be worked out as quickly as possible to arrange suitable office space for ONWRC and its consultants (ADB project, AusAID VWRMAP and possibly Danida Water SPS project). Because of the limitations within the MARD compound it is expected that rented accommodation will need to be arranged in another location. These arrangements should be made before February 2002 at which time project space requirements will become critical.

4.5 REPORTS AND EVALUATION

As indicated in the minutes of the project contract negotiations, a number of reports and the timing of these reports are expected as follows:

REPORT	MONTH
Draft Inception	2
Inception	3
Quarterly Status 1	6
Quarterly Status 2	9
Quarterly Status 3	12
Interim	15
Quarterly Status 4	18
Quarterly Status 5	21
Quarterly Status 6	24
Draft Final	28
Final	30

Reports will also be prepared on each workshop and water management study. All of these reports will be posted on the project website and prepared and distributed in hard copy as required.

Table 2 above presented a logical framework for the project, including verifiable indicators for the various project outputs. Where possible, these indicators included specific, tangible targets and associated dates. These verifiable indicators are included as management and evaluation tools for the project.

As noted above, the project TOR uses the words “assist” and “advise” with respect to the consultants’ responsibilities for most project activities and outputs. It is recognized that in a capacity building project such as this, with many assumptions and risks which can affect the timing and success of the project, it is not possible to define all verifiable indicators precisely. Also, since a great deal of the responsibility for the project rests on MARD, NWRC and other cooperating groups, the project must be seen as a partnership in which the counterpart agencies and the consultants as advisors share responsibility for the final outcomes.

Table 5. Consulting Team and Counterpart Assignments

PROJECT COMPONENTS	INTERNATIONAL ¹⁵				DOMESTIC ¹⁰						OFFICE OF NWRC ¹⁶			
	SWRA / TL	POL	PLAN	CONS	INS SP / DTL	POL. / ECON	PLAN	INFO	CONS	LEGAL	DEP DIR	POL	PLAN	COMM / INFO
1. Establish ONWRC and Other Project Mechanisms	P				S						P			
2. Water Sector Profile and WRM Assessment	S		P		S		S	S			P		S	S
3. NWRC Action Agenda	P	S			S	S					P	S		
4. Policy and Legislation Development	S	P				S				S	P	S		
5. Water Resource Strategy	S	S	P		S	S	S			S	P	S	S	
6. River Basin Organizations	P				S					S	P			
7. Training	P			P							S			
8. Interproject Coord. and Review Sector Reform	P													
Stakeholder consultation and communication regarding above components	P			P					S		P			S

P = Primary responsibility

S = Secondary responsibility

¹⁵ See Table 4

¹⁶ See Appendix C, Table C2

Figure 1. Project Implementation Schedule

COMPONENT	2001					2002				2003			
	AUG	SEPT	OCT	NOV	DEC	1Q	2Q	3Q	4Q	1Q	2Q	3Q	4Q
Phase 1													
Inception Phase													
1. Establish ONWRC and Other Project Mechanisms													
2. Water Sector Profile and Man. Assessment													
3. NWRC Action Agenda													
Phase 2													
4. Policy and Legislation Development													
5. National Water Resources Strategy													
6. River Basin Organizations													
7. Training and Awareness													
8. Interproject Coordination and Review Sector Reform													

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Figure 2. Proposed Personnel Mobilization Schedule

Position	2001					2002												2003												Months					
	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12		1				
International Consultants																																			
Senior Water Res Advisor A. Birch																																			24.0
Water Policy Specialist P. Taylor																																			6.0
Water Res Plan Specialist G. Wright																																			6.0
Public Consultation Specialist M. Chaput																																			3.0
Total International Consultants																																			39.0
Domestic Consultants																																			
Inst. Dev. Specialist (DTL) N.V.Toan																																			20.0
Water Policy / Resource Econ T.K.Thanh																																			8.0
Water Res Plan Specialist B.N.Sach																																			9.0
Information Systems Specialist T.G.Khanh																																			7.0
Public Consultation Specialist L.T.M.Lan																																			7.0
Legal Specialist L.H.Hanh																																			8.0
Total Domestic Consultants																																			59.0
Total person months																																			98.0

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- _____ “Red River Basin Water Resources Management Project, Final Report Volume 6, Red River Resources Data Directory” December 2000
- _____ “Red River Basin Water Resources Management Project, Final Report Volume 7, Red River Basin Profile” December 2000
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APPENDIX A

PROJECT TERMS OF REFERENCE

The terms of reference for TA3528-VIE, Subproject 1 are:

The consultants will:

- 2i In consultation with high-level officials of ministries and agencies, identify priority coordination requirements and help to establish mechanisms and processes for coordination at national level
- 2ii Advise NWRC in the confirmation of its responsibilities, functions and priority issues that reflect the views of the chairperson and members of the NWRC; assist in NWRC meetings as required
- 2iii Advise in the establishment of the NWRC secretariat, including technical and administrative capability, structure and resourcing, intersectoral representation, and links with relevant organizations
- 2iv Assist in the establishment of working groups to support NWRC's work consisting of representatives of major water-related ministries, agencies, provinces, and user groups
- 2v Review and assess strengths and weaknesses in national water resources management and water service delivery; assist in formulating NWRC's action agenda
- 2vi Assist in the preparation of a draft national water sector profile, drawing on existing information
- 2vii Develop TOR for management studies consistent with the water sector action agenda (2001-2003)
- 2viii Assist in coordination among externally assisted technical assistance projects in projects in the water sector, including those financed by ADB and other donors
- 2ix Determine priority subjects for short training programs, taking into account the six broad areas that were identified during the national workshop on capacity building: a) strategic water sector planning, b) water policy development, c) intersectoral planning in river basins, d) water resources information management, e) education and awareness creation among water agency staff and the general public, f) design of public consultation and participation in water resources management programs and projects, including training in facilitation skills
- 2x Assess priority needs for short training of staff of national agencies; river basin-level organizations; provincial agencies; and academic, private and non government organizations to be implemented in Phase 2; including training for trainers, in close collaboration with the DANIDA-supported human resources development program in MARD

The consultants will:

- 3i Arrange for a review of the draft water action agenda and amendments to obtain consensus within NWRC on its recommendations to the Government
- 3ii Assist in the preparation of national water policy statements on agreed priority topics, and develop tasks for each policy topic
- 3iii Assist in the preparation of procedures for river basin planning, major water management projects, and resolution of water resource management conflicts, as specified in NWRC's mandate under the Water Resources Law, and advise NWRC in these areas as required
- 3iv Advise on the organization, functions, and mode of operation of river basin organizations and on other institutional issues referred to NWRC, including an

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appropriate institutional arrangement within MARD to carry out its water resources management responsibilities under the Water Resources Law independently from its irrigation and drainage management responsibilities

3v Establish procedures for reviewing the progress of the water sector reforms

3vi Assist in coordination among externally assisted technical assistance projects in projects in the water sector, including those financed by ADB and other donors

3vii Oversee the implementation of short-term studies by international resource persons

3viii Design and organize short training workshops on the prioritized subjects

3ix Evaluate training workshops and recommend further HRD

APPENDIX B

LEGAL DOCUMENTS RELATING TO THE NATIONAL WATER RESOURCES COUNCIL AND RIVER BASIN ORGANIZATIONS

GOVERNMENT

The Socialist Republic of Vietnam
Independence - Freedom - Happiness

Number 67/ 2000/ QĐ –
TTg

Hanoi, 15 June 2000

Decision of Prime Minister on the Establishment of the National Water Resources Council

The Prime Minister

- Pursuant to the Law on Organization of Government issued on 30 September, 1992;
- Pursuant to the Law on Water Resources adopted on 20 May, 1998;
- Pursuant to Decree No. 179/1999/ND/CP dated 30 December 1999 on implementing Water Resources Law
- After considering requests by the Minister of MARD, the Minister – Head of Personnel & Organization Board of the Government

Decides

Article 1. The National Water Resources Council will be established to advise the Government on important decisions on water resources within tasks, powers of the Government.

Article 2. The National Water Resources Council will advise the Government before the Government makes decisions on:

1. Strategies and policies on national water resources,
2. Major river basin plans,
3. Plans for major inter-basin diversions,
4. Projects for protection, exploitation and utilization of water resources and projects for flood control and overcoming the adverse effects caused by water where such projects require Cabinet approval,
5. Management, protection, exploitation and utilization of international water sources and settlement of any disputes,
6. Resolution of conflicts regarding water resources between ministries and branches, between ministries & provinces, cities directly under the central control.

Article 3. The National Water Resources Council has its own seal. The Office of the Council is located within MARD. Operation fund of the Council and its Office is

supplied from the State budget through the annual fund of MARD. Members of the Office will be assigned from the personnel of MARD.

Article 4. Members of the National Water Resources Council include:

- Chairman of the National Water Resources Council: Vice Prime Minister;
- Standing member: Minister of Agriculture and Rural Development;
- Other members:

- Permanent members are Vice Ministers of the following Ministries: Ministry of Agriculture and Rural Development ; Ministry of Fisheries; Ministry of Science, Technology and Environment; Ministry of Planning and Investment; Ministry of Finance; Ministry of National Defence; Ministry of Construction, Ministry of Transportation and Communication; Ministry of Industry; Ministry of Public Health; General Department of Hydro-meteorology; the Chairman of NWRC Office; and some specialists working in water sector (list attached).

- Non-permanent members are those who represent central and local agencies with regards to specific issues and will be appointed by the Chairman of NWRC at each session of the Council.

Article 5. The appointment of the NWRC's Chairman and Standing member; regulations on organization and operation of the National Water Resources Council are decided by The Prime Minister.

Every year, if member changes are required, the Chairman of NWRC will consult and agree with related Ministries and agencies to make decision.

Article 6. This Decision will come into effect after 15 days from the signing date.

Article 7. The Chairman and members of the National Water Resources Council, Ministers, Heads of agencies equivalent to ministries, Leaders of agencies of the Government, Chairmen of provincial People's Committees, cities directly under the central control shall be responsible to implement this Decision.

The Prime Minister
Phan Van Khai

The list of the National Water Resources Council members¹⁷
(attached with the Decision No 67/ TTG dated 15 June 2000 issued by the Prime Minister)

1. Mr. Nguyen Cong Tan, Vice Prime Minister, Chairman
2. Mr. Le Huy Ngo, Standing Member, Minister of Agriculture and Rural Development, Standing Member
3. Mr. Nguyen Dinh Thinh, Deputy Minister of Agriculture and Rural Development Ministry, Member
4. Mr. Nguyen Ngoc Hong, Deputy Minister of Fisheries Ministry, Member
5. Mr. Pham Khoi Nguyen, Deputy Minister of Science, Technology and Environment Ministry, Member
6. Mr. Nguyen Xuan Thao, Deputy Minister of Planning and Investment Ministry, Member
7. Mr. Vu Van Ninh, Deputy Minister of Finance Ministry, Member
8. Mr. Nguyen Huy Hieu, Deputy Minister of National Defence, Member
9. Mr. Nguyen Tan Van, Deputy Minister of Ministry of Construction, Member
10. Mr. Pham Quang Tuyen, Deputy Minister of Transportation and Communication Ministry¹⁸, Member
11. Mr. Do Hai Dung, Deputy Minister of Ministry of Industry, Member
12. Mr. Nguyen Van Thuong, Deputy Minister of Ministry of Public Health, Member
13. Mr. Nguyen Cong Thanh, Head of General Department of Hydro-meteorology, Member
14. Mr. Ngo Chi Hoat, Chairman of the NWRC Office, Member
15. Mr. Nguyen An Nien, Scientist, Southern Institute for Water Resources Research, Member
16. Mr. Nguyen Truong Cuu, General, Head of Department of Science, Technology and Environment, Ministry of National Defence, Member
17. Mr. Vu Van Tuan, Scientist, Vice Director of the Institute of Hydro-meteorology, General Department of Hydro-meteorology, Member
18. Mr. Vu Huy Thu, Vice Director of Fisheries Resources and Environment Conservation Department, Ministry of Fisheries, Member.

¹⁷ Change approved by Government since June 2000:

14. Mr. Ngo Chi Hoat, replaced by Dr. Pham Xuan Su, Director of Water Resources and Hydraulic Works Management, MARD

¹⁸ Now called the Ministry of Transportation

Regulation on Organization and Operation of the National Water Resources Council

(Attached with the Decision No 67/2000/QĐ-TTg dated 15 June 2000 issued by the Prime Minister)

Chapter 1 Functions, Responsibilities and Powers of the National Water Resources Council

Article 1. The National Water Resources Council will advise the Government, the Prime Minister on the following issues:

- Strategies and policies on national water resources,
- Major river basin plans,
- Plans for major inter-basin diversions,
- Projects for protection, exploitation and utilization of water resources and projects for flood control and overcoming the adverse effects caused by water where such projects require Cabinet approval,
- Management, protection, exploitation and utilization of international water sources and settlement of any disputes,
- Resolution of conflicts regarding water resources between ministries and branches, between ministries & provinces, cities directly under the central control.
- Develop the organization system, powers and responsibilities of State management agencies on water resources from central to local level.

Article 2. On the basis of the responsibilities specified in Article 1 of the Regulations, the National Water Resources Council will:

1. Proactively investigate, recommend and advise Government and the Prime Minister on major policies, projects and important issues in water sources field.
2. Organize discussions among specialists, scientists for recommendations on strategies, system of state-wide water resources management organization, major and important projects under Government/ Prime Minister authority.
3. Recommend on reports, major and important projects on water resources as required by Ministries, agencies, provinces or as required by Government or the Prime Minister.

Article 3. Ministries, agencies and provinces have the responsibilities to provide necessary information/ documents required by the Council to assist its consultation task.

Article 4. Responsibilities and powers of NWRC members

1. The responsibilities and powers of the chairman of NWRC are:
 - Decide necessary measures to lead and manage the operation of the Council to ensure the effective implementation of tasks defined in Article 1 - Chapter 1 of this Regulation;
 - On behalf of the Council, resolve related tasks and issues ;
 - Approve annual financial plan and operating budget of the Council;
 - Assign tasks to NWRC members and promote and monitor the implementation;

- Decide member replacement after obtaining the agreement of related ministries and agencies;
 - Decide contents of issues put for discussions in each meeting of the Council;
 - Convene and chair meeting sections of the Council;
 - Using the seal of the Council.
2. Responsibilities and powers of the standing member are:
- Assist the Chairman in resolving routines of the Council;
 - Undertake tasks assigned or authorized by the Chairman; immediately reporting issues within powers of the Chairman;
 - Have the power to acquire information on water resources activities from Ministries, agencies and provinces which is needed for advisory tasks of the Council.
 - Directly control the standing Office of Council.
 - Using the seal of the Council.
3. Responsibilities and powers of permanent members are:
- Fully participate in all activities of the Council;
 - Have the responsibility to contribute ideas on issues of discussion in the Council's meetings or documents sent from the Council;
 - Have the responsibility to respond in writing in case they cannot attend the Council's meeting;
 - Have the power to refer necessary information and use the facilities of their agency to carry out the tasks;
 - Members who are leaders of agencies may nominate a group of part time assistants. The assistants may be invited to attend the Council's meetings depending on the characteristics and content of each meeting.
4. Responsibilities and powers of non-permanent members are:
- Participate in the activities of the Council when invited by the Chairman of the Council.
 - Have the responsibility to contribute ideas on issues relating to the non-permanent member's locality or the field of responsibility of their organization at the Council's meetings, or to respond to documents sent from the Council;
 - Have the responsibility to respond in writing in case they cannot attend the Council's meeting;
 - Have the power to refer necessary information and use the facilities of their agency to carry out the tasks;
 - Non-permanent members have the right to vote when participating in Council meetings.

Article 5. Annually, when ministries and agencies need to replace their representatives who are permanent members of the Council, they must submit their written request to the NWRC Chairman for consideration and approval.

Chapter 2

Working Regulations of the National Water Resources Council

Article 6. Basic working method of the National Water Resources Council is discussion, recommendation and vote in the Council meetings. In each the Council meeting, there will be a chairman and a secretary. The Chairman of a Council meeting is the Chairman of the Council or the Standing membership under authorization of the Chairman of the Council. The Director of the NWRC Office is the secretary of the Council's meetings.

Article 7. Recommendations agreed by majority of members of the Council or those agreed by only half of the members but with the approval of the Chairman will be the Council's recommendations; in addition, other recommendations will also be fully reflected in minutes of the Council's meetings. Recommendations and minutes of the Council's meetings with the signature of the Chairman and Secretary of the Council's meeting, will be submitted to the Government.

Article 8. The National Water Resources Council will meet twice per year in the first and the forth quarter of the year. When it is necessary as requested by the Prime Minister or by at least half of the permanent members, the Chairman of the Council will convene irregular meetings. At least half of the Council members are required in a NWRC meeting.

Article 9. Depending on contents of a meeting, the Chairman of the Council may invite representatives of concern organizations, localities and scientists to participate. Those guests will have no rights of voting the Council's issues.

Article 10. In case it is impossible to organize a meeting, the Chairman may send documents and comment sheets to the Council's members to get their comments. The Director of the Office of NWRC will be responsible to incorporate all comments to submit to the Chairman and inform results of the incorporation to every member of the Council.

Chapter 3

Function and Responsibilities of the National Water Resources Council's Office

Article 11. The National Water Resources Council has an Office located in MARD and the Office has the following responsibilities:

1. Develop agendas and documents for Council's sessions and workshops decided by the chairman;
2. Prepare documents related to operations of the Council between the council meetings and deliver these documents and agendas for the Council's meetings to the Council members at least 14 days before regular meetings;
3. Inform the meeting results to the absent members; collect and compile the written recommendations of those absent members to submit the NWRC and compile the recommendations of Council members, specialists, scientists (if available) on discussed issues;
4. Prepare and submit the report on the meeting results and the consultations of the Council to Government/ Prime Minister;

5. Study, survey and develop consultation plan including organizing consultation groups for issues defined in Article 1, chapter 1 of this Regulation;
6. Frequently update information, data related to the Council's tasks;
7. Develop long-term and annual plans and estimated funds for the Council to submit the Chairman and to the Standing Member for consideration and approval;
8. Manage operation, provided personnel and facilities in accordance with the State regulations.

Article 12. Institutional arrangements of the Office of NWRC:

1. The Water Resource Management Organization in MARD will take-over the responsibility of the Office;
2. NWRC Office has its own seal; Office staff is taken from MARD's staff;
3. The office of NWRC headed by a Chairman of the Office and Vice Chairmen to assist the Chairman;
4. The Chairman of the NWRC Office is responsible to the Chairman of NWRC and the Minister of MARD - the Standing member of NWRC, for all activities of the Office;
5. The Minister of MARD appoints or dismisses the Chairman of the NWRC Office;
6. The arrangement to assist the Chairman of the NWRC Office and the staffing of the Office will be defined by the Minister of MARD.

Chapter 4

Implementing Regulation

Article 13. Any modifications, amendments of this Regulation shall be proposed by NWRC and the Prime Minister will consider and decide.

The Prime Minister
Phan Van Khai

**Ministry of
Agriculture and
Rural Development**

Number: 39/2001/
QD/BNN/TCCB

**The Socialist Republic of Vietnam
Independence - Freedom - Happiness**

Hanoi, 9 April 2000

**Decision by the Minister of MARD
on the Establishment of the Planning Management Council
for Red - Thai Binh River Basin**

The Minister of MARD

- On the basis of Decree 73CP on 1 November 1995 of the Government on the functions, responsibilities, rights and the organization of MARD;
- Pursuant to the Water Resources Law on May 20, 1998 and Decree No.179/1999/ND/CP dated 30 December 1999 on implementing Water Resources Law;
- According to the request by the Director of the DWRHWM and the Director of Personnel Department,

Decides

Article 1: Establish the Planning Management Council for Red - Thai Binh River Basin to carry out the basin planning management tasks stated on Article 64, Water Resources Law as follows:

- Develop river basin plans, submit for approval and monitor the implementation; ensure the coordination between integrated planning management and section administration;
- Coordinate related agencies, Ministries, sectors and provinces in basic investigation; water resources inventory and assessment; development, submission for approval and monitoring the implementation of plans for sub-basins under Red - Thai Binh River System.
- Recommend solutions for disputes over water resources in Red - Thai Binh River basin.

Article 2: Members of Water Resources Management Council for Red - Thai Binh River Basin:

- The Council's Chairman: Vice Minister of MARD.
- The Vice Chairman: Director of DWRHWM
- Other members:
 - Leaders of DWRHWM, Department of Flood Control and Dyke Management, leader of Institute of Water Resources Planning.
 - Leaders of Provincial Agriculture and Rural Development Services in Red - Thai Binh River Basin.
 - Leaders from Departments relating to water resources management of various Ministries and Agencies: MOSTE, MOI, MOF, MOC, Ministry of Communication and Transportation, Ministry of Health, Ministry of National Defence, General Department of Hydro- Meteorology.

Article 3: Office of Red - Thai Binh River Basin Planning Management Council located within the Institute of Water Resources Planning is the standing body of the Council which carries out tasks regulated in Article 1 of this Decision. Head of the Office of Red - Thai Binh River Basin Planning Management Council is the Director of IWRP.

- The Office of Red - Thai Binh River Basin Planning Management Council has its own seal
- Members of the Office of Red - Thai Binh River Basin Planning Management Council will be assigned from the personnel of IWRP.
- Operation budget of the Council and its Office is provided from the State budget through the annual budget of Institute of Water Resources Planning.

Article 4: Operating Regulations of the Planning Management Council for Red - Thai Binh River Basin will be prepared by the DWRHWM coordinating with MARD's Personnel Department and Institute of Water Resources Planning before being submitted to Minister of MARD for approval.

Article 5: This decision will come into effect 15 days after the approval date.

Head of MARD's Office, Director of Personnel Department, Director of DWRHWM, Director of Flood Control and Dyke Management Department, Director of Institute of Water Resources Planning, directors of Provincial Agriculture and Rural Development Services in Red - Thai Binh River Basin and leaders of other related departments of MARD will be responsible to execute this decision.

Minister of MARD

Le Huy Ngo

**Ministry of
Agriculture and
Rural Development**

Number: 38/2001/
QD/BNN/TCCB

**The Socialist Republic of Vietnam
Independence - Freedom - Happiness**

Hanoi, 9 April 2000

**Decision by the Minister of MARD
On the establishment of the Planning Management Council
for Dong Nai River Basin**

the Minister of MARD

- On the basis of Decree 73CP on 1 November 1995 of the Government on the functions, responsibilities, rights and the organization of MARD;
- Pursuant to the Water Resources Law on May 20, 1998 and Decree No.179/1999/ND/CP dated 30 December 1999 on implementing Water Resources Law;
- According to the request by the Director of the DWRHWM and the Director of Personnel Department,

Decides

Article 1: Establish the Planning Management Council for Dong Nai River Basin to carry out the basin planning management tasks stated on Article 64, Water Resources Law as follows:

- Develop river basin plans, submit for approval and monitor the implementation; ensure the coordination between integrated planning management and section administration;
- Coordinate related agencies, Ministries, sectors and provinces in basic investigation; water resources inventory and assessment; development, submission for approval and monitoring of the implementation of plans for sub-basins under Dong Nai River System.
- Recommend solutions for disputes over water resources in Dong Nai River basin.

Article 2: Members of Water Resources Management Council for Dong Nai River Basin:

- The Council's Chairman: Vice minister of MARD.
 - The Vice Chairman: Director of DWRHWM
- Other members:
- Leaders of DWRHWM, Department of Flood Control and Dyke Management, Director of the Southern Sub Institute of Water Resources Planning.
 - Leaders of Provincial Agriculture and Rural Development Services in Dong Nai River Basin.
 - Leaders from Departments relating to water resources management of various Ministries and Agencies: MOSTE, MOI, MOF, MOC, Ministry of Communication and Transportation, Ministry of Health, Ministry of National Defence, General Department of Hydro- Meteorology.

Article 3: Office of Dong Nai River Basin Planning Management Council located within the Southern Sub Institute of Water Resources Planning is the standing body of the

Council which carries out tasks regulated in Article 1 of this Decision. Head of the Office of Dong Nai River Basin Planning Management Council is the Director of SIWRP.

- The Office of Dong Nai River Basin Planning Management Council has its own seal
- Members of the Office of Dong Nai River Basin Planning Management Council will be assigned from the personnel of SIWRP.
- Operation budget of the Council and its Office is provided from the State budget through the annual budget of Southern Sub Institute of Water Resources Planning.

Article 4: Operating regulations of the Planning management Council for Dong Nai River Basin will be prepared by the DWRHWM coordinating with MARD's Personnel Department and Southern Sub Institute of Water Resources Planning before being submitted to Minister of MARD for approval.

Article 7: This decision will come into effect 15 days after the approval date.

Head of MARD's Office, Director of Personnel Department, Director of DWRHWM, Director of Flood Control and Dyke Management Department, Director of the Southern Sub Institute of Water Resources Planning, directors of Provincial Agriculture and Rural Development Services in Dong Nai River Basin and leaders of other related departments of MARD will be responsible to execute this decision.

Minister of MARD

Le Huy Ngo

**Ministry of
Agriculture and
Rural Development**

Number: 37/2001/
QD/BNN/TCCB

**The Socialist Republic of Vietnam
Independence - Freedom - Happiness**

Hanoi, 9 April 2000

**Decision by the Minister of MARD
On the establishment of the Planning Management Council
for Cuu Long River Basin**

the Minister of MARD

- On the basis of Decree 73CP on 1 November 1995 of the Government on the functions, responsibilities, rights and the organization of MARD;
- Pursuant to the Water Resources Law on May 20, 1998 and Decree No.179/1999/ND/CP dated 30 December 1999 on implementing Water Resources Law;
- According to the request by the Director of the DWRHWM and the Director of Personnel Department,

Decides

Article 1: Establish the Planning Management Council for Cuu Long River Basin to carry out the basin planning management tasks stated on Article 64, Water Resources Law as follows:

- Develop river basin plans, submit for approval and monitor the implementation; ensure the coordination between integrated planning management and local administration;
- Coordinate related agencies, Ministries, sectors and provinces in basic investigation; water resources inventory and assessment; development, submission for approval and monitoring the implementation of plans for sub-basins under Cuu Long River System.
- Recommend solutions for disputes over water resources in Cuu Long River basin.
- Coordinate with Standing Office of Vietnam National Mekong Committee to investigate and make recommendations to Vietnam National Mekong Committee on international cooperation in management, exploitation of water resources and other relating resources in Mekong River Basin.

Article 2: Members of Water Resources Management Council for Cuu Long River Basin:

- The Council's Chairman: Vice minister of MARD.
- The Vice Chairman: Director of DWRHWM
- Other members:
- Leaders of DWRHWM, Department of Flood Control and Dyke Management, Director of the Southern Sub Institute of Water Resources Planning; leader from Standing Office, Vietnam National Mekong Committee.
- Leaders of Provincial Agriculture and Rural Development Services in Cuu Long River Basin.
- Leaders from Departments relating to water resources management of various Ministries and Agencies: MOSTE, MOI, MOF, MOC, Ministry of

Communication and Transportation, Ministry of Health, Ministry of National Defence, General Department of Hydro- Meteorology

Article 3: Office of Cuu Long River Basin Planning Management Council located within the Southern Sub Institute of Water Resources Planning is the standing body of the Council which carries out tasks regulated in Article 1 of this Decision. Head of the Office of Cuu Long River Basin Planning Management Council is the Director of SIWRP.

- Office of Cuu Long River Basin Planning Management Council has its own seal
- Members of the Office of Cuu Long River Basin Planning Management Council will be assigned from the personnel of SIWRP.
- Operation budget of the Council and its Office is provided from the State budget through the annual budget of Southern Sub Institute of Water Resources Planning.

Article 4: Operating regulations of the Planning Management Council for Cuu Long River Basin will be prepared by the DWRHWM coordinating with MARD's Personnel Department and Southern Sub Institute of Water Resources Planning before being submitted to Minister of MARD for approval.

Article 5: This decision will come into effect 15 days after the approval date.

Head of MARD's Office, Director of Personnel Department, Director of DWRHWM, Director of Flood Control and Dyke Management Department, Director of the Southern Sub Institute of Water Resources Planning, directors of Provincial Agriculture and Rural Development Services in Cuu Long River Basin and leaders of other related departments of MARD will be responsible to execute this decision.

Minister of MARD

Le Huy Ngo

APPENDIX C

Recommendation to MARD Prepared by TA3528-VIE, September 2001

NATIONAL WATER RESOURCES
COUNCIL

Office of The National Water
Resources Council

SOCIALIST REPUBLIC OF
VIETNAM
Independence – Freedom –
Happiness

No.: /HDQGTNN

Hanoi, __ 2001

Formation Plan for Office of National Water Resources Council 20 September 2001

1. Legal Basis and Necessity of the Office of National Water Resources Council

The Law on Water Resources (No. 8/1998/QH10, dated 20 May 1998) in Article 63 states that the Government shall set up the National Water Resources Council to provide consultancy for the Government in the important decisions on water resource that come under the tasks and powers of the Government.

The Decision of the Prime Minister on the Establishment of the National Water Resources Council (No. 67/2000/QĐ-TTg, dated 15 June 2000) in Article 3 states that the Office of the Council is located within MARD. The operational fund of the Council and its Office is supplied from the State budget through the annual fund of MARD. Members of the Office will be assigned from the personnel of MARD.

The Regulation on Organization and Operation of the National Water Resources Council (attached with Decision No. 99/2001/QĐ-TTg, dated 28 June 2001 issued by the Prime Minister) states in Article 11 the responsibilities of the Office of the Council. Article 12 states the institutional arrangements of the Office. These institutional arrangements include: i) the Water Resource Management Organization in MARD will take over the responsibility of the ONWRC, ii) the ONWRC has its own seal, iii) ONWRC staff is taken from MARD staff, iv) the ONWRC is headed by the Chairman of ONWRC.

It is clear that Government has approved the establishment of ONWRC within MARD to effectively support the Council. Although the Director of the Department of Water Resources and Hydraulic Works Management (DWRHWM) is the Director of the ONWRC and the Department is carrying out some of the functions, this institutional arrangement needs to be modified for the following reasons:

- DWRHWM has many jobs to do. At the present time the responsibilities of the ONWRC and support for the NWRC are additional responsibilities for staff. In order to effectively support the NWRC some staff should be assigned to the ONWRC as their primary responsibility, with a secondary responsibility to carry out other important work for DWRHWM.

- the Director of DWRHWM has many other responsibilities and he cannot devote all of his time to lead the ONWRC. A Deputy Director should be appointed to assist the Director and to spend most of his time to lead the work of ONWRC to support the Council.
- At the first meeting of the NWRC the Chairman of the Council (Deputy Prime Minister Nguyen Cong Tan) stated that ONWRC should have full and part time staff and that MARD should appoint a full-time Deputy Director of ONWRC who is a Deputy Director of the DWRHWM.

Experience from other countries has also shown that for a national water sector apex body such as NWRC to be successful, it must be supported by a full time secretariat which includes, or can coordinate, a wide range of water resource technical expertise.

The Regulation on Organization and Operation of the National Water Resources Council, attached to Decision No. 99/2001/QD-TTg indicates in Article 11:

“The National Water Resources Council has an Office located in MARD. ONWRC has the following main responsibilities:

- i. Develop agendas and issues for Council’s sessions and workshops decided by the NWRC Chairman;
- ii. Prepare documents related to operations of the Council between the Council meetings and deliver these documents and agendas of the Council’s meetings to the Council members at least 14 days before regular meetings;
- iii. Collect and compile the written recommendations of those absent members to submit to the NWRC; inform the absent members about the meeting results;
- iv. Prepare and submit the report on the meeting results and the consultations of the Council to the Government / Prime Minister;
- v. Study, survey and develop a consultation plan including consultation on international co-operation in water resources field and organizing consultation groups for issues defined in Article 1, Chapter 1 of this Regulation;
- vi. Develop a National Water Resources Profile and other needed information tools to assist NWRC. Frequently update information and data related to the Council’s tasks;
- vii. Develop annual plans and estimated funds for the Council to submit for consideration and approval;
- viii. Manage operation, personnel and facilities in accordance with the State regulations.”

2. Work Plan of ONWRC

Based on the responsibilities of the ONWRC mentioned above, Table C1 presents a recommended work plan for the Office

Table C1. Proposed Work Plan for ONWRC

CATEGORY	ONE-YEAR OBJECTIVES	LONGER-RANGE OBJECTIVES
Assistance for Council Operation and Planning	<ul style="list-style-type: none"> ▪ Prepare Council agendas, minutes, reports and other documents (Regulation, Article 11, points i – iv) ▪ Organize and prepare Council meetings, workshops, national and 	<ul style="list-style-type: none"> ▪ Assist NWRC to review and update its Action Agenda as necessary (Regulation, Article 11, point vii) ▪ Continue all other one-year

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	<p>international study tours, etc</p> <ul style="list-style-type: none"> ▪ Assist NWRC to estimate required funds, manage NWRC budget (Regulation, Article 11, point vii & viii) ▪ Assist NWRC to prepare an Action Agenda (Regulation, Article 11, point vii) ▪ Assist the NWRC Chairman and Standing Member with other duties as required 	objectives
Data and Information Management	<ul style="list-style-type: none"> ▪ Prepare National Water Sector Profile and related water resource data systems (Regulation, Article 11, point vi) ▪ Establish and lead an inter-ministry Working Group on Water Resources Information to coordinate water resources information activities ▪ Provide water resources information to NWRC 	<ul style="list-style-type: none"> ▪ Continue development and management of National Water Sector Profile and related water resources data systems ▪ Continue leading the Working Group on Water Resources Information ▪ Continue providing water resources information to NWRC
Policy and Legislation	<ul style="list-style-type: none"> ▪ Based on priorities identified in NWRC's Action Agenda, begin the development of policy recommendations and draft legislation for Council's review and submission to Government (to support Council's responsibility under Regulation, Article 1) ▪ Establish and lead an inter-ministry Working Group on Water Resources Policy and Legislation 	<ul style="list-style-type: none"> ▪ Continue the development of policy recommendations and draft legislation for Council's review and submission to Government ▪ Continue leading Working Group on Water Resources Policy and Legislation
Water Resources Planning	<ul style="list-style-type: none"> ▪ Based on priorities identified in NWRC's Action Agenda, begin the development of a National Water Resources Strategy ▪ Establish and lead an inter-ministry Working Group on Water Resources Planning 	<ul style="list-style-type: none"> ▪ Complete the development of a National Water Resources Strategy for Council's review and submission to Government ▪ Continue leading the Working Group on Water Resources Planning ▪ Facilitate and monitor river basin planning activities of river basin organizations. ▪ Assist Council in the review of river basin plans and plans for major water resource projects.
Consultation and Communication	<ul style="list-style-type: none"> ▪ Prepare and begin to implement a consultation and communication program regarding issues being considered by the Council (Regulation, article 11, point v) ▪ Establish and lead an inter-ministry Working Group on Water Resources Consultation and Communication 	<ul style="list-style-type: none"> ▪ Continue the implementation of the consultation and communication program ▪ Continue leading the Working Group on Water Resources Consultation and Communication
Organizational Support	<ul style="list-style-type: none"> ▪ Assist MARD in the establishment and strengthening of river basin 	<ul style="list-style-type: none"> ▪ Continue to assist MARD in the establishment and

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	organizations as approved by Government	strengthening of river basin organizations as approved by Government. Monitor RBO performance
International Water Resource Issues	<ul style="list-style-type: none"> ▪ Coordinate with Vietnam National Mekong Committee. Identify international water resource management issues, conduct studies, advise NWRC ▪ Establish and lead an inter-ministry working group on International Water Resource Management and Cooperation 	<ul style="list-style-type: none"> ▪ Continue coordination with VNMC, advise to NWRC and leadership of working group.

3. ONWRC Development Plan

The strategy for establishing the ONWRC should be to establish a small Office consisting of Director (part-time, already appointed), Deputy Director (full-time) and 3 staff members (full-time). ONWRC should be located in DWRHWM and should be directed to serve the needs of both the NWRC and the Department. As the capacity of the ONWRC is increased and as success is demonstrated, the Office should be allowed to grow in terms of staff and other resources.

a. Phase 1

Following this strategy, the ONWRC should be established for a period of approximately one year with a small number of staff assigned to the major areas of responsibility. Table C2 presents the proposed staff positions for ONWRC as the minimum necessary in the immediate future to carry out its responsibility. These positions should be on a full-time basis since it has been found in other countries that part-time assignment does not result in effective performance by an important group such as ONWRC.

Table C2. Proposed Initial Staff Positions, ONWRC

POSITION	DUTIES	QUALIFICATIONS
1. Director	<ul style="list-style-type: none"> ▪ 	<ul style="list-style-type: none"> ▪
1. Deputy Director	<ul style="list-style-type: none"> ▪ Assist the Director of the ONWRC and carry out all assigned duties ▪ Assist in the establishment of the ONWRC and supervision of staff in order to carry out the functions and responsibilities indicated in Prime Minister's Decision 99/2001/QD-TTg ▪ Assist the NWRC by preparing minutes, reports, meetings, workshops, etc. ▪ In cooperation with the ADB TA Team Leader, help to ensure successful completion of TA3528 ▪ Oversee the establishment and operation of working groups to advise the NWRC and ONWRC 	<ul style="list-style-type: none"> ▪ University degree in water resources or closely related field. Advanced degree would be desirable. ▪ Broad knowledge in many water-related disciplines and water-use sectors ▪ Good communication skills ▪ Fluent in English ▪ Energetic, dedicated and showing initiative, with a commitment to promote good water resources management. ▪ Experience in leading staff and managing other

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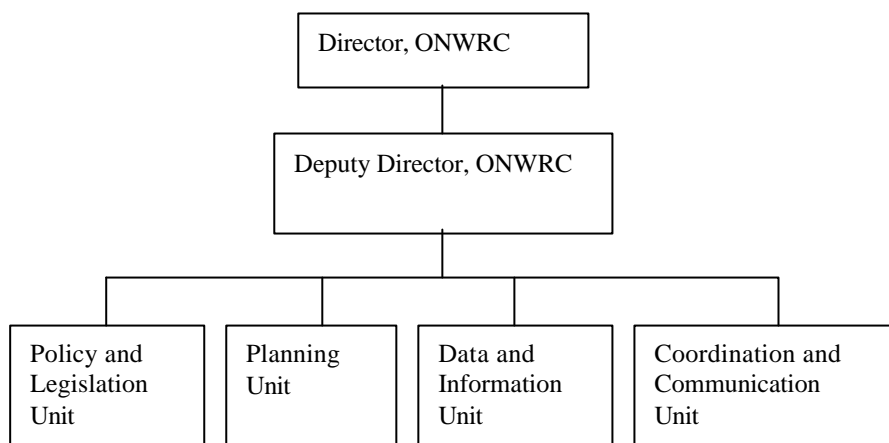
		resources
2. Policy Analyst	<ul style="list-style-type: none"> ▪ Assist in carrying out the functions and responsibilities of the ONWRC, including preparation of policy and legal documents for the Council's consideration ▪ Participate in and assist TA 3528, particularly with respect to the development of a draft Action Agenda for NWRC, policy and legislation on priority topics and preparation of a national water resources strategy ▪ Assist in the establishment and operation of working groups to advise the NWRC and ONWRC 	<ul style="list-style-type: none"> ▪ University degree in water resources or closely related field. An advanced degree would also be desirable. ▪ Able to communicate in English ▪ Energetic, dedicated and showing initiative, with a commitment to promote good water resources management ▪ Experience in water resources planning and legislation preferred.
3. Water Resources Planner	<ul style="list-style-type: none"> ▪ Assist in carrying out the functions and responsibilities of the ONWRC, including preparation of water resource plans and strategies for the Council's consideration ▪ Participate in and assist TA 3528, particularly with respect to the development of a water sector profile and assessment of water resources management, development of NWRC procedures regarding approval of water resource plans, and development of a national water resources strategy ▪ Assist in the establishment and operation of working groups to advise the NWRC and ONWRC 	<ul style="list-style-type: none"> ▪ University degree in water resources or closely related field. An advanced degree would also be desirable. ▪ Able to communicate in English ▪ Energetic, dedicated and showing initiative, with a commitment to promote good water resources management ▪ Experience in water resources planning
4. Information Management / Communications Officer	<ul style="list-style-type: none"> ▪ Assist in carrying out the functions and responsibilities of the ONWRC, including preparation of a national water resources profile and other needed information tools to assist NWRC ▪ Participate in and assist TA 3528, particularly with respect to the development of a communications and consultation plan ▪ Participate in and assist the AusAID-funded Water Resources Management Assistance Project, particularly with respect to the development of a national framework for water resources information ▪ Assist in the establishment and operation of working groups to advise the NWRC and ONWRC 	<ul style="list-style-type: none"> ▪ University degree in water resources or closely related field. An advanced degree would also be desirable. ▪ Able to communicate in English ▪ Energetic, dedicated and showing initiative, with a commitment to promote good water resources management ▪ Experience in water resources data and information management

At the end of Phase 1 (one year) an assessment of experience gained, the performance of ONWRC and the need for additional staff and resources should be made. This assessment should also examine other organizational changes and

capacity building in DWRHWM. Depending on the result of this assessment, MARD should proceed with Phase 2 and the establishment of a larger ONWRC.

b. Phase 2

The eventual structure of ONWRC is proposed as:



The role of these units would be as follows:

1. Policy and Legislation Unit The Policy and Legislation Unit will be responsible for:
 - assessment of water resources management and identification of important policy and legislation needs, including international water resource management issues
 - development of draft policy and legislation for Council consideration and advice to Government
 - lead the activities of an inter-ministry Working Group on Policy and Legislation

2. Planning Unit The Planning Unit will be responsible for:
 - development of a National Water Resources Strategy
 - coordination, communication with and monitoring of river basin organizations and ministries and agencies which are conducting basin and project planning activities
 - promotion of integrated water resource planning and implementation of plans
 - Lead the activities of an inter-ministry Working Group on Water Resources Planning.

3. Data and Information Unit The Data and Information Unit will be responsible for:
 - preparation of a National Water Sector Profile
 - preparation and maintenance of an information system for ONWRC and NWRC requirements
 - participate in and assist the AusAID-funded Water Resources Management Assistance Project, particularly with respect to the development of a national framework for water resources information

- promotion of coordinated data and information management among water resource agencies
4. Communication and Coordination Unit The Communication and Coordination Unit will be responsible for:
- support to NWRC regarding meetings, reports, minutes
 - establishment of working groups as necessary
 - development and implementation of a communications and consultation plan
 - consultation with stakeholders and promotion of stakeholder participation in water resource management decision making

The staff requirements, terms of reference and work plan for each of these units should be determined in preparation for the assessment at the end of Phase 1.