



Foreign Affairs, Trade and
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Implementation of Decree 93/2009/ND-CP Issues and Recommendations

Hanoi, February 2014

ACKNOWLEDGEMENT

The Report on the “Implementation of Decree No. 93/2009/ND-CP, Issues and Recommendations” is the product of consulting process via questionnaires, in-depth interviews and two consultation workshops with the participation of hundreds of donors, aid recipients and relevant management agencies at all levels. The group of consultants would like to express our sincere thanks to the above mentioned organizations and individuals for their participation and tremendous inputs, without which the report could not be well completed.

We would like to send our thanks to more than 100 aid recipients and over 20 foreign donors for spending time answering our questionnaires.

We also want to sincerely thank donors and aid recipients, and management agencies including the Department of Planning and Investment, and the Department of Foreign Affairs in four provinces of Phu Tho, Son La, Thanh Hoa and Kon Tum for their time for in-depth interviews and workshops conducted by the consultant group.

Last but not least, we would like place a deep sense of gratitude to the advisor group of this study whose members include: Dr. Pham Bich San - Deputy Secretary General of the Vietnam Union of Science and Technology Associations (VUSTA), Mr. Nguyen Ngoc Hung - Deputy Director General of People’s Aid Coordinating Committee (PACCOM), Mr. Marko Lovrekovic - Managing Co-Director of VUFO-NGO Resource Centre, Mr. Phan Dang Cuong – Social Development Advisor - Embassy of Ireland, Mr. Garrett Pratt - First Secretary of Embassy of Canada, Mrs. Than Thi Thien Huong - Social Development Advisor - DFID Vietnam - British Embassy, Mr. Peter Newsum – Former Country Director of CARE International in Vietnam. All of you have provided great contribution with close and timely inputs during the study process as well as consultation workshops and report finalization. A special thank is also sent to Mr. Arthur Cousens Hanlon - Communication Advisor of NGO Resource Center for revising the wording of the English version of this report.

We are looking forward to your comments on this report*.

Thank you!

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Analysis and recommendations contained in this report are of the authors only based on collected information during survey and consultation with different stakeholders and do not necessarily reflect official views of VUSTA, the VUFO-NGO Resource Centre, CARE International in Vietnam and other agencies sponsoring this research.

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LIST OF ACRONYMS

COMINGO	Committee for International Non-governmental Organizations
DPI	Department of Planning and Investment
DOFA	Department of Foreign Affairs
INGO	International Non-governmental Organizations
MOF	Ministry of Finance
MOFA	Ministry of Foreign Affairs
MOLISA	Ministry of Labour, Invalids and Social Affairs
MPI	Ministry of Planning and Investment
USD	United States Dollars
VND	Vietnamese Dong
VUFO	Vietnam Union of Friendship Organizations
VUSTA	Vietnam Union of Scientific and Technological Associations
Decree 93	Decree 93/2009/ND-CP
Circular 07	Circular 07/2010/TT-BKH

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EXECUTIVE SUMMARY

After three years of implementation of Decree 93 and Circular 07 on the management and utilization of INGO assistance, VUSTA, CARE International in Vietnam, the VUFO-NGO Resource Centre, funded by CIDA and Irish Aid, decided to commission research on the implementation of the decree and circular.

The decision follows difficulties reported by INGOs and aid recipients about the implementation of some provisions of the decree and circular.

The research was conducted by two consultants, Mr. Pham Quang Nam and Mr. Nguyen Ngoc Anh. The team has used both quantitative and qualitative research methods for data collection and analysis.

The research has found the consistency of roles of state management agencies at the provincial level is not high. In some provinces, DPI is the main appraiser of INGO projects, while in others, DOFA assumes this role. Lack of consistency was also observed in reporting practices, causing difficulties to INGOs, recipients and state management agencies.

The administrative procedures related to appraisal and approval of INGO-funded projects are quite heavy, and much heavier compared to investment projects. Given the fact that INGO projects are often small, with short duration, the high burden of administrative procedures entails disproportionate costs in terms of time and efforts spent for approval. INGO projects often take much longer to approve than the stipulation of 20 days in the Decree.

The same high burden applies to the reporting requirements. Every INGO project, regardless of size, must submit six-month and annual progress reports, including narrative and financial reports. Those reports need to be sent to managing agencies, approving agencies and all the way up to ministries at the national level. The reporting requirements also entail disproportionate costs to INGOs, Vietnamese recipient organisations and state management agencies.

The research has found that little capacity building was in place to implement the Decree. Knowledge of the decree among INGO aid recipients is insufficient. Provinces do not allocate a separate budget for INGO aid management, so state management agencies have little resources for proper monitoring and evaluation of INGO projects. This negatively affects their capacity to appraise INGO projects properly.

In light of these findings, the research team recommends the following changes to the decree:

1. Reduce administrative procedures related to appraisal, approval and reporting of INGO projects. This will result in savings in efforts and time of state management agencies, INGOs and recipient organisations. Specifically, the team proposes categorizing INGO projects into three groups: those that need only to register with relevant authorities,

those that need to go through a simplified appraisal and approval process, and those that require a full appraisal and approval process. Criteria for categorizing should include the budget size and the nature of projects. Smaller projects that are not in the list of sensitive areas, which may include for example national security and defense, should have a lighter burden of administrative procedures.

2. The decree should establish a maximum number of days needed for approval, not appraisal. This would eliminate the situation that an appraisal is on time, but the approval drags on and on, delaying the start of project implementation.
3. The management of INGO activities and INGO projects should be unified under the mandate of one state agency. The decree and circular give freedom to provinces to decide what government agency takes this mandate.

To improve the implementation of the present decree, the research team recommends the following:

1. Provinces should assign DOFA as the focal point for all activities related to INGOs, including chairing appraisal of INGO projects.
2. Provinces should allocate a specific budget for state management agencies, DPI and DOFA, to monitor and evaluate INGO-funded projects.
3. State management agencies should provide Vietnamese organizations that receive INGO funding with more training and guidance on the content of the decree and circular.

1

THE RESEARCH CONTEXT

In 2006, the Government of Vietnam approved a national programme to promote the mobilization of INGO aids¹ for the period 2006-2010. The strategy sets out the overall objective as:

“Enhance the mobilization and improve the effectiveness of aid from international non-governmental organizations, contributing to the socio-economic development and poverty reduction in Vietnam”

The strategy considers improving the regulatory framework for management and utilization of INGO assistance as an important task to achieve the overall objective. This is reflected in the third specific objective of the strategy to *“develop an appropriate regulatory environment facilitative to aid operations of international non-governmental organizations, to increase the autonomy of sectoral agencies, localities and people organizations in relation to the foreign NGOs.”*²

After nearly 10 years of implementation, Decision 64/2001/QD-TTg on management and utilization of aid from international non-governmental organizations (INGOs), which was approved by the Prime Minister in 2001, appeared to be no longer relevant in many aspects. For example, the provision of the Prime Minister approving INGO projects with budget of 500,000 USD and above might be appropriate in 2001, but not in 2009. Thus, the Government tasked the Ministry of Planning and Investment (MPI) to draft a new decree to replace Decision 64. In October 2009, the Government approved the new decree, Decree 93/2009/ND-CP on the Issuance of the Regulation on Management and Utilization of Aid from International Non-Governmental Organizations³. The decree came into effect as of 1 January 2010, and from that date, Decision 64 ceased to be legally binding.

In March 2010, the Ministry of Planning and Investment issued Circular 07/2010/TT-BKH to provide further guidelines for the implementation of Decree 93 (hereafter referred to as Circular 07). Besides detailed implementation provisions on preparation, appraisal, approval, management and reporting of INGO assistance, the circular contains

¹ The term “INGO aids” is used in English translation of Decree 93. It refers to projects and non-project aid items supported by INGOs. In this report, whenever possible, we use the term “INGO projects”, because it is more common and easier to understand. When we want to emphasize the inclusion of non-project aid items, we use the Decree’s terminology of INGO assistance.

² Decision 286/2006/QD-TTg of the Prime Minister dated Dec 27, 2006 on the Issuance of the National Strategy to Promote the Mobilization of International NGO Aid for the Period 2006-2010.

³ In this report, Decree 93 refers to the Regulation issued with Decree 93, not the proper decree’s content. Therefore, article numbers in this report refer to article numbers of the Regulation.

23 different templates that relevant organizations should use for activities related to INGO assistance.

Decree 93 and Circular 07 created a new regulatory framework for management and utilization of INGO assistance. This new framework regulates the behaviours of state management agencies in charge of INGO assistance, those organizations that receive INGO assistance and their managing organizations, and indirectly, INGOs themselves. Nearly three years have passed since the approval of the decree and circular, and in this period, INGOs and their partners have raised some feedback about difficulties in the implementation of some provisions of the decree and circular. Because of that, VUSTA - CARE International in Vietnam and the VUFO-NGO Resource Centre, with support from CIDA and Irish Aid, decided to conduct a study on the implementation of Decree 93. The study is to gather systematic evidence from concerned stakeholders about the implementation of the decree in order to identify recommendations for improvement. It also aimed to provide inputs for a stakeholder dialogue between government and non-government actors about aid mobilization and effectiveness in the socio-economic development of Vietnam.

2 RESEARCH OBJECTIVES, METHODOLOGIES AND LIMITATIONS

Research objectives

The Terms of Reference puts forward the following objectives of the research:

1. To learn lessons on how Decree 93 is implemented for different groups of aid recipients and assess its appropriateness to relevant stakeholders (management/implementation agencies at central and provincial level and different aid recipients)⁴.
2. To find out more information and evidence on issues and recommendations of relevant stakeholders.
3. To align government stakeholders and aid recipients and facilitate a policy dialogue on the findings of the research.

Research methodology

To achieve those objectives, the research team has applied both quantitative and qualitative methods for data collection and analysis.

The quantitative methods include a mailed-in survey for INGOs and a mailed-in survey for INGO aid recipients. In the INGO survey, the team used the list of INGOs in the INGO directory of the VUFO-NGO Resource Centre to distribute the questionnaire. We have received a total of 21 responses from INGOs. In the recipient survey, the team used two channels to send out the questionnaire to the intended organizations:

1. Using the directories of Vietnamese NGOs developed by VUSTA/CARE and the Asia Foundation.
2. Asking INGOs to send the questionnaire for recipients to Vietnamese organizations that receive funding from them. By this way, we wanted to reach INGO aid recipients who are government agencies, mass organizations, organizations belonging to the Communist Party of Vietnam, associations and other social organizations not listed in the directories mentioned above.

In total, we have received 101 responses back. The questionnaires can be found in the Annex section of this report.

The qualitative methods include desk review and in-depth interviews with state management agencies at the central and provincial levels, INGOs, local NGOs in Hanoi, mass organizations and associations at the provincial level that receive INGO assistance.

⁴ The term “recipient” in this report indicates a Vietnamese organization that implements a project funded by INGOs, unless otherwise stated.

The team has visited four provinces: Phu Tho, Thanh Hoa, Kon Tum and Son La. The choice of provinces was not random, based on the following criteria:

1. Poor province, where INGO assistance may play a more significant role in socio-economic development
2. There should be a mixture of good and not-so-good implementation of Decree 93, based on anecdotal feedback from INGOs and INGO aid recipients
3. Provincial state agencies (Department of Planning and Investment, Department of Foreign Affairs) are willing to meet and discuss the implementation of Decree 93 with the research team.

The list of in-depth interviewees can be found in the Annex section of this report.

Limitations

Due to the limited research budget, the team has had to opt for mailed-in questionnaire surveys for INGOs and INGO aid recipients. Despite the team's efforts to increase the response rate, such as telephone follow-up after sending the questionnaires out, the actual response rate is not as high as expected. We aimed to receive 50 responses from INGOs and 150 responses from recipients. In reality, we have received only 21 and 101 respectively. Secondly, in mailed-in surveys, the research team has no control over who sends responses back. It is possible that those who know about Decree 93 and have experienced some of its limitations are more inclined to send their responses back. The sample is, therefore, not as representative as in interviewer-administered surveys.

Within the research limited timeframe, the team could arrange visits to only four provinces: three in the North and one in the Central Highlands. Those provinces may not represent the whole spectrum of INGO operations and the implementation of Decree 93 in Vietnam. In the future, a more comprehensive research covering more provinces would be helpful.

The research team does not pretend to present this research as comprehensive. We are aware that the data we have collected are not enough to analyze the implementation of Decree 93 in every aspect. In this report, we cannot, and aim not to, discuss every issue encountered by the concerned stakeholders in the implementation process. However, we believe that the issues we raise here are based on some solid evidence. We hope that the findings and recommendations will initiate constructive debates among different stakeholders over the decree and its implementation, toward a better mobilization and utilization of INGO assistance for the country's socio-economic development.

The structure of the report is divided into three sections. After describing the researched provinces and samples, the report gives an overview of the implementation of Decree 93, focusing on the provincial level. The next section concentrates on specific implementation issues that emerge clearly in the surveys and interviews. The last section contains recommendations for better implementation of the decree as well as for changes to make a more effective decree in the future.

3 CHARACTERISTICS OF THE RESEARCHED PROVINCES AND SAMPLES

Among the four researched provinces, three are in North Vietnam (Son La, Thanh Hoa and Phu Tho) and one in the Central Highlands. All of them are poorer than the national average. Thanh Hoa and Phu Tho are predominantly Kinh, with small proportion of ethnic minorities, whereas in Kon Tum and Son La, ethnic minorities account for the majority. All provinces receive many INGO projects, with a total disbursement ranges from 1.3 million USD in Son La to 8.5 million in Thanh Hoa.

Some main characteristics of the researched provinces are presented in Table 1.⁶

Table 1: Main characteristics of researched provinces

Characteristic	Phu Tho	Thanh Hoa	Kon Tum	Son La
Total population in 2009 (million) ⁵	1.32	3.40	0.43	1.08
Main ethnic groups ⁵	Kinh 84%	Kinh 82% Mường 10% Thái 6%	Kinh 47% Xơ Đăng 24% Ba Na 13% Gié Triêng 7% Gai Rai 5%	Thái 53% Kinh 18% Mông 15% Mường 8%
Poverty rate in 2011 (% poor and near poor households combined) ⁶	27.3	33.2	33.9	42.9
Estimated total INGO assistance disbursed in 2012 (million USD)	4.0	8.5	1.9	1.3
Estimated INGO aid per capita (USD)	3.0	2.5	4.4	1.2

⁵ Source: National Population and Housing Census 2009.

⁶ Source: MOLISA – Results of the Survey of Poor and Near Poor Households in 2011.

In the questionnaire survey for recipients of INGO assistance, the largest group of respondents is scientific and technological organizations, popularly called units 81, after Decree 81/2002/ND-CP guiding the establishment and operation of this type of organizations. Together with other types of non-governmental organizations, they account for nearly three fourths of all respondents. Government agencies and organisations belonging to the Communist Party of Vietnam are completely absent in the survey. Mass organisations and associations that receive budget support from the State have also very little representation - 3 and 10% respectively (table 2).

It appears that using INGOs as a channel to reach INGO aid recipients does not work well in this research. In practice, partnerships between INGOs and government agencies, mass organisations are quite common. Their absence in the survey points again to the limitation of the mailed-in survey method described earlier. Readers should keep in mind when reading statistics of the recipient survey that Vietnamese NGOs are overrepresented and state organisations are underrepresented.

Table 2: Types of organizations that responded to the questionnaire for INGO aid recipients

Type of organization	Number	Percent
Government agencies	0	0.0%
Organisations belonging to the Communist Party of Vietnam	0	0.0%
Socio-political organizations ⁷	3	3.0%
Associations that receive budget support from the State but are not classified as socio-political org. ⁷	10	9.9%
Socio-professional organizations	8	7.9%
Social and charity funds	1	1.0%
Scientific and technological organizations, research institutes	49	48.5%
Other non-governmental organizations	25	24.8%
Not specified	5	5.0%
Total	101	100.0%

⁷ These associations are special associations as defined by Decree 45/2010/ND-CP. Staff of those associations are government employees, and the associations receive support from the state budget. Examples include: the Cooperative Alliance, Vietnam Chamber of Commerce and Industry, VUSTA, VUFO, Vietnam Union of Literature and Art Associations etc.

A total of 21 INGOs participated in the questionnaire survey for INGOs. Six of them have the certificate of registration of operation, six – project office and nine – representative office. They work with various types of Vietnamese organisations: the Communist Party, government agencies, mass organisations, associations, research institutes, universities and local NGOs. INGO respondents work more often with government agencies and mass organisations than local NGOs (see Table 5).

Table 3: INGO respondents by types of registration certificates

Types of certificate	Number of organizations
Certificate of Registration of Operation	6
Certificate of Registration of Project Office	6
Certificate of Registration of Representative Office	9
Total	21

Table 4: Types of partners of INGO respondents

Types of INGOs' partners	Number of organizations
Organization belonging to the Communist Party of Vietnam	3
National or local government agencies	15
National or local mass organisations	14
Associations other than the mass organizations above	9
Research institute/ University	9
Local NGO	12
Other	1

4

OVERVIEW OF THE DECREE'S IMPLEMENTATION

The research finds that resources allocated to state management agencies to properly implement Decree 93 and Circular 07 are not adequate. They seldom receive training in the decree and seldom provide this kind of training to Vietnamese organizations that receive INGO assistance. As a result, the knowledge and application of the decree among key stakeholders are still limited. This lead to implementation difficulties, which will be described in details in the subsequent parts of the report.

4.1 STATE MANAGEMENT AGENCIES: LIMITED TRAINING AND FUNDING TO PROPERLY IMPLEMENT DECREE 93

Soon after Decree 93 and Circular 07 came into effect, the MPI organized 6 training workshops, to familiarize staffs of provincial DPis in the content of the documents. However, among three DPis interviewed (Kon Tum, Phu Tho and Son La), only DPI Kon Tum staffs indicated that they attended the training organized by MPI. The other DPis reported that they had learned the provisions of the decree by themselves, downloading the document from the Internet and studying it. Phu Tho and Kon Tum have issued further guidelines to implement Decree 93 and Circular 07 in the province. Other provinces that have done so include Dong Nai⁸, Ha Giang⁹, Ben Tre¹⁰, Lang Son¹¹, Quang Tri¹², Thai Binh¹³ and Lao Cai¹⁴.

Very few provinces organized training for Vietnamese organizations that receive INGO assistance. In all four researched provinces, no such effort was noted by the research team. In other provinces, such as Quang Ngai and Tra Vinh, the content of Decree 93 and Circular 07 was a small part of a broader training/workshop agenda¹⁵. Only Ben Tre is

⁸ Decision 36/2011/QD-UBND of Dong Nai People's Committee dated June 07, 2011.

⁹ Decision 1114/2011/QD-UBND of Ha Giang People's Committee dated June 02, 2011.

¹⁰ Decision 01/2011/QD-UBND of Ben Tre People's Committee dated January 07, 2011.

¹¹ Decision 11/2011/QD-UBND of Lang Son People's Committee dated June 17, 2011.

¹² Decision 31/2011/QD-UBND of Quang Tri People's Committee dated October 18, 2011.

¹³ Decision 06/2011/QD-UBND of Thai Binh People's Committee dated July 06, 2011.

¹⁴ Decision 45/2010/QD-UBND of Lao Cai People's Committee dated Dec 17, 2010.

¹⁵ Information about the training in Quang Ngai and Tra Vinh can ben obtained at <http://UBND.QuangNgai.gov.vn/quangngai/tiengviet/bangtin/2012/77603/> (Training in financial management of NGO projects) and http://www.travinh.gov.vn/wps/portal!/ut/p/c0/04_SB8K8xLLM9MSSzPy8xBz9CP0os3jHQHdHEzcPI-wMDV09nAyMv7wALQw9fd4sw_Q_2CbEdFAJmreaI!?WCM_GLOBAL_CONTEXT=/wps/wcm/connect/Web%20Content/portalttravinh/tintucsukien/tinhoatdongkhac/tra+vinh+tap+huan+boi+duong+kien+thuc+ve+cong+tac+doi+ngoai+nhan+dan (Tra Vinh: Training in people diplomacy). Articles are in Vietnamese.

reported to have organized a workshop focusing only on the management and utilization of INGO assistance¹⁶.

Decree 93 states that the funding for management, monitoring and evaluation of INGO assistance by State management agencies shall be provided from the State budget in accordance with the roles and responsibilities in managing, monitoring and evaluating INGO assistance¹⁷. In reality, no province has a separate budget for INGO aid management, monitoring and evaluation. Some provinces have allocated a budget to INGO aid mobilization. Thanh Hoa and Kon Tum, for example, have organized conferences with INGOs to attract more assistance to the province. Those conferences required an investment from the provincial budget. On the other hand, activities related to INGO aid management, monitoring and evaluation are funded by the normal operation budget of related departments. Given the fact that this budget is heavily constrained among many priorities, monitoring and evaluation of INGO assistance by local government departments are almost non-existent. This has implications for appraisal of INGO-funded projects, which will be described in more detail below.

4.2 INGOS AND INGO AID RECIPIENTS: LIMITED KNOWLEDGE AND APPLICATION OF DECREE 93

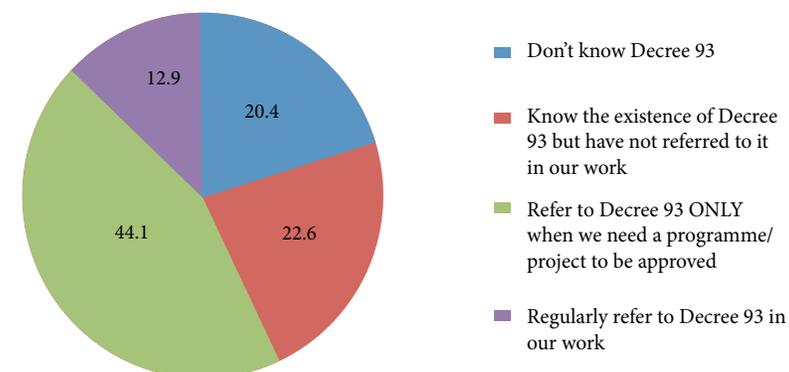
Among INGOs and INGO aid recipients, only 16% have attended a training workshop on Decree 93. Most of those mentioned VUSTA and PACCOM as the organizers of the training and none mentioned DPI. The remaining 84% in this group have never attended any training related to Decree 93.

Knowledge about and application of Decree 93 among INGO aid recipients is not high. Only 13% regularly refer to Decree 93 in their work, while 44% refer to it only when they have INGO projects to submit for approval. 43% of INGO aid recipients do not know about the decree or know it exists but have never referred to it in their work.

¹⁶ Information about the workshop in Ben Tre can be obtained at <http://www.dpi-bentre.gov.vn/index.php?Module=Content&Action=view&id=214&Itemid=770> (Workshop to roll out the Regulation on Management and Utilization of INGO Aid in Ben Tre province). Article is in Vietnamese.

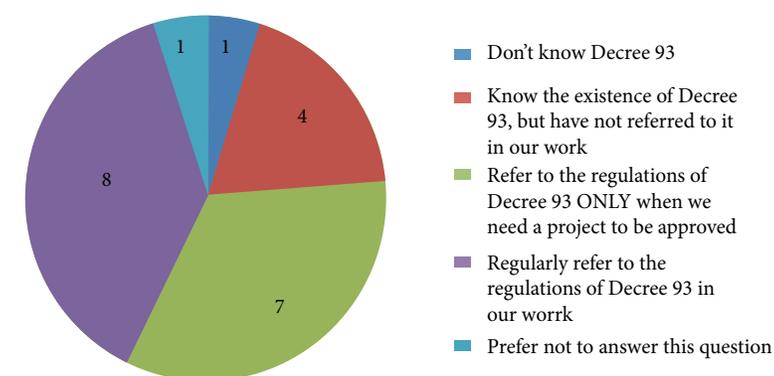
¹⁷ Point 6, Article 26, Decree 93.

Figure 1: Knowledge about and application of Decree 93 among INGO aid recipients (Unit: %)



INGOs possess better knowledge about and application of Decree 93 than the Vietnamese organizations that receive their funding. More than one third of them (eight out of 21) regularly refer to Decree 93 in their work, compared to just 12% among their partners. One third of INGOs (seven out of 21) refer to Decree 93 when they need approval for their projects. Adding those percentages together, we can say that three fourths of INGO respondents (15 out of 21) have already applied Decree 93. About one fifth of INGO respondents (four out of 21) have not consulted the provisions of the decree, and one out of 10 does not know about the decree or declined to give an answer.

Figure 2: Knowledge about and application of Decree 93 among INGOs



Insufficient knowledge of the provisions of Decree 93 among the recipients and INGOs has contributed to the delays they experience in getting an approval for their projects. For example, not knowing what papers need to be included in a dossier, or how many sets of a dossier need to be submitted, will force the organisations seeking an approval to fill the gap. This implies unnecessary costs in both efforts and time. This problem will be described in more detail in the section on appraisal and approval of INGO projects.

5

DEEPER ANALYSIS OF THE IMPLEMENTATION ISSUES

5.1 LACK CONSISTENCY OF STATE MANAGEMENT ROLES AT THE PROVINCIAL LEVEL

The research finds that the consistency of roles of state management agencies at the provincial level is not high. Lack of consistency was observed in appraisal and reporting practices, causing difficulties to INGOs, recipients and state management agencies.

At the provincial level, the government agencies that play significant roles in the implementation of Decree 93 are the Department of Planning and Investment (DPI) and Department of Foreign Affairs (DOFA)¹⁸. DPI is the focal agency for the management and utilization of INGO assistance as stipulated by the decree¹⁹. Circular 07 specifies further that DPI shall chair the appraisal of INGO assistance items that are subject to the approving authority of the Chairman of the provincial level People's Committees²⁰. The management of INGOs and INGO activities, however, falls under the mandate of DOFA, according to Decree 12/2012/ND-CP on Registration and Management of Activities of International Non-governmental Organizations in Vietnam and Circular 05/2012/TT-BNG to guide the implementation of that decree²¹. After reading all of these legal documents, one would expect that all provinces in Vietnam will follow the same pattern: DPI will be in charge of INGO project appraisal and DOFA will take the responsibility of INGO activities. This is not the case in the four researched provinces, as explained in Table 6.

¹⁸ In some provinces, like Phu Tho, the government unit responsible for foreign affairs has not been upgraded to the department level. It still remains a unit within the Office of the People's Committee. In this report, DOFA refers to either the Department of Foreign Affairs or the Unit of Foreign Affairs within the Office of the People's Committee.

¹⁹ Point 1, Article 40, Decree 93.

²⁰ Item a, Point 2, Article 4, Circular 07.

²¹ Point 4, Article 20, Circular 05/2012/TT-BNG says that DOFA is responsible for state management of INGO activities in provinces and centrally-managed cities.

Table 5: Role division between DPI and DOFA in INGO aid management

Province	DPI's role	DOFA's role
Phu Tho	DPI appraises projects ²³ funded by INGOs. The appraisal work mainly happens from November to February, when INGO projects are submitted for approval. DPI does not monitor INGO projects, citing lack of resources as the primary reason. DPI does not receive reports on INGO-funded projects. DPI staff needs to go to DOFA to get information. Currently, the department has one part-time staff in charge of the appraisal of INGO projects ²⁴ .	Serves as a contact point for INGOs. They consult DOFA when developing new projects. DOFA facilitates working visits of INGOs when foreigners are present. DOFA is the executive member of the province's Steering Committee for INGO Management ²⁵ . DOFA monitors projects funded by INGOs and receives all reports on INGO-funded projects. DOFA currently has three full time staff in charge of INGO management ²⁶ .
Thanh Hoa	DPI only participates in meetings to appraise INGO projects ²⁷ .	Serves as a contact point for INGOs. They seek DOFA's advice when developing new projects. DOFA assists INGOs in organizing consultation workshops with participation of sectoral agencies to discuss the design of new projects. DOFA organizes appraisal meetings for INGO projects. Core participants in these meetings include DPI, the Police and the Department of Defense. Often one meeting is organized to appraise a few projects ²⁸ . DOFA receives all reports on INGO projects.

²⁴ Interview with Phu Tho DPI staff.

²⁵ Point 3, Article 2, Regulation of the Steering Committee on INGO Management. The committee was established by the provincial People's Committee on December 07, 2011, and the regulation was issued on January 04, 2012.

²⁶ Interview with Phu Tho DOFA staffs.

²⁷ In Thanh Hoa, the research team was not able to interview DPI. The role of DPI in the management of INGO assistance was concluded based on the interview with DOFA.

²⁸ Interview with Thanh Hoa DOFA leader and staff.

Kon Tum	DPI is in charge of the appraisal of INGO projects. This responsibility was always under the mandate of DPI from the beginning of INGO work in the province. DPI also makes recommendations to the provincial PC to approve the project concept before a full proposal is being developed. DPI receives all reports on INGO projects. One staff of DPI is in charge of the appraisal of INGO projects ²⁹ .	From the establishment of DOFA in 2006, the department has been in charge of the mobilization of INGO assistance. If an INGO wants to work in Kon Tum, the first contact is DOFA. The department makes recommendations to the provincial People's Committee to permit an INGO to work in Kon Tum. INGOs must consult DOFA on the concept of new projects. DOFA gives advice on where to invest and in what areas. DOFA participates in some INGO activities, for example joining assessment team or participating in a project handover ceremony. 2 DOFA staffs are in charge of INGO activities ³⁰ . DOFA is the executive member of the provincial Committee of NGO Management.
Son La	DPI appraises INGO projects that are complex in investment terms. In 2012, the department appraised two projects out of 20 new and extended INGO projects. DPI does not participate in activities of INGO projects, nor receive reports from INGOs and INGO aid recipients. DPI has to go to DOFA to collect information when it produces reports for MPI ³¹ .	DOFA appraises projects most of INGO projects. The department conducts project appraisals since the beginning of INGO activities in the province. DOFA receives all reports on INGO projects ³² .

²⁹ Interview with Kon Tum DPI staffs

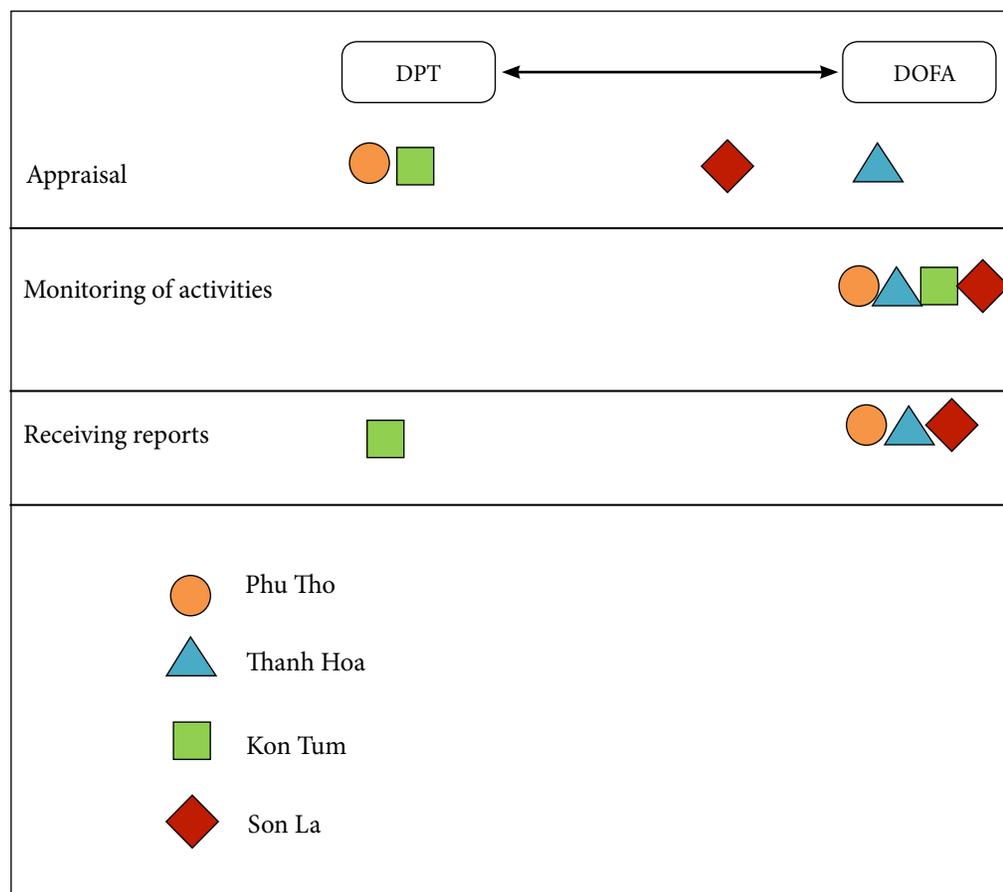
³⁰ Interview with Kon Tum DOFA staff.

³¹ Interview with Son La DPI leader and staff.

³² Interview with Son La DOFA leader and staff.

In the four researched provinces, DOFA plays a more important role in the management of INGO activities and assistance. In Thanh Hoa and Son La, the department continues to chair the appraisals of INGO projects. Without exception, DOFA facilitates and organizes all INGO activities in all provinces. The interaction between DOFA and INGOs is much more active than between INGOs and DPI. Only in Kon Tum province, INGOs and their Vietnamese partners send six month and annual reports to DPI. In the remaining three provinces, DOFA receives all reports and DPI staff must go to DOFA for data when they develop reports to send to MPI. The exhibit below presents the summary of the roles of DPI and DOFA in the key aspects of state management of INGO assistance.

Figure 3: Summary of the roles of DPI and DOFA in some INGO aid management aspects at the provincial level



This inconsistency presents some difficulties for DPI, DOFA and Vietnamese organisations that receive INGO funding:

1. Vietnamese organisations may not know where to start to get INGO-funded projects approved. One local NGO director told the research team: “We don’t know from where

to start to implement an activity in one province.” Greater consistency would eliminate this problem.

2. If DPI appraises INGO projects, but does not receive reports, as in the case of Phu Tho province, it sometimes lacks appropriate data to do a proper appraisal. For example, appraising an extension or a new phase of existing projects would require solid information about the previous implementation. Not having reports at hands forces DPI staff to go to DOFA to ask for reports, which implies greater management costs.
3. In all provinces, the research team observes that DOFA possesses greater knowledge of INGOs and their projects than DPI. It has already been said that INGOs and their Vietnamese partners have more frequent interaction with DOFA than with DPI. This interaction gives DOFA better understanding of INGOs’ activities and projects. Because of this better understanding, DOFA is also better positioned to appraise INGO projects. This will be described in more detail later.

The research team believes that separating INGO projects from INGO activities, and then assigning DPI to appraise INGO projects, while DOFA continues to be in charge of the management of INGO activities, creates unnecessary difficulties and costs for all stakeholders, including DPI, DOFA, INGOs and Vietnamese organisations that receive INGO funding. A better solution would be to put DOFA in charge of all issues related to INGOs, including project appraisal, reporting and management of INGO activities. DPI, of course, should be involved in the appraisal process to assess the relevance of a project in relation to the socio-economic development of a locality.

5.2 THE APPRAISAL AND APPROVAL PROCESS OF INGO PROJECTS IS CUMBERSOME AND TAKES LONGER THAN STIPULATED BY THE DECREE

The research finds that administrative burdens related to proposal document, appraisal and approval of INGO projects are sometimes not appropriate. The burdens are too high for small INGO projects with short durations. High administrative burdens cause unnecessary and widespread delays in approval, and consequently, negatively affect the implementation of INGO projects.

Decree 93 regulates INGO-funded projects through the whole project management cycle, from preparation through appraisal, approval, to implementation, monitoring & evaluation, and reporting. By far, the most important step, to which all parties, including state management agencies, INGOs and recipients, devote more time and energy than any other, is appraisal and approval. The questionnaire surveys show that INGOs and recipients mostly refer to Decree 93 when they have projects to be approved.

5.2.1 The decree's stipulations related to appraisal and approval of INGO projects are burdensome and much more restrictive than for investment projects

The decree stipulates the following terms related to appraisal and approval of INGO aid items:

1. All INGO aid items, including project and non-project ones, are subject to appraisal and approval by relevant authorities. There is no lower or upper budget or other limits for exemption, meaning even projects with a budget under USD 1000 need to be appraised and approved. INGO aid items that have not been approved are to be regarded as not legitimate and must be stopped for review by relevant authorities³³.
2. The project document to be appraised and approved must contain 13 key points: (1) problem statement, (2) long-term and short-term objectives, (3) main outcomes, (4) main activities, (5) time period and project areas, (6) commitments and conditions of donor and recipient, (7) broken-down budget, (8) counterpart funding, (9) management capacity, (10) project management mechanism, (11) implementation plan, (12) M&E and audit plan, and (13) sustainability³⁴. Those 13 key points are exactly the same as what is required for technical assistance projects using official development assistance (ODA) as stipulated by Article 14, Decree 131/2006/ND-CP on management and utilization of ODA. One must note that INGO projects are often much smaller than ODA projects. Again, the decree specifies no lower budget or other limit for simplification of the project document.
3. The appraisal dossier shall be made in eight sets (including the original version) for an INGO aid item that is subject to the approving authority of the Prime Minister³⁵. The decree does not determine the number of sets of dossiers that are submitted to other approving agencies, leaving them the right to establish the number. Provincial guidelines to implement the decree, by the force of the pattern set by the central level, usually require eight sets of the appraisal dossier also³⁶.
4. The appraisal shall involve relevant agencies to comment on the project document, and their comments need to be documented by the chair of the appraisal³⁷.
5. The deadline for appraisal of INGO aid items is 20 days following the receipt of their full and valid dossiers. The decree and circular specifies no deadline for approval after INGO aid items have been appraised³⁸.

³³ Point 4, Article 43, Decree 93.

³⁴ Point 1, Article 9, Decree 93.

³⁵ Point 2, Article 12, Decree 93.

³⁶ See regulations on management and utilization of INGO assistance of Quang Tri (Point 1, Article 8, Decision 31/2011/QĐ-UBND) and Dong Nai (Point 2, Article 6, Decision 36/2011/QĐ-UBND). Lao Cai is an exception as the province requires only 6 sets (Item đ, Point 3, Article 7, Decision 45/2010/QĐ-UBND)

³⁷ Article 4 – Appraisal and approval of INGO aid items, Circular 07.

³⁸ Point 3, Article 13, Decree 93.

6. The decision document on approving an INGO aid item (the original version), together with the program/ project document, the agreement on the INGO aid item, the dossier of the non-project aid item, and other related documents shall be sent to the Ministry of Planning and Investment, the Ministry of Finance and the Committee on International NGO Affairs within ten (10) working days as of the date on which the INGO aid item is approved³⁹. Again, this stipulation applies to all INGO projects and non-project assistance, regardless of their size.

Compared with investment projects, INGO projects must fulfil a much heavier burden of administrative procedures. The investment law, which was approved by the National Assembly, divides investment projects into three categories: no procedures, registration, and examination⁴⁰. The law establishes a list of conditional investment domains⁴¹, and only those projects on the list and those with a budget bigger than USD 15 million need to be examined before issuing investment certificates. Smaller projects that fall outside the list must only be registered, or even do not have to fulfil any administrative procedures (See Table 6).

Table 6. Administrative procedures for direct investments in business

Investment procedures	Domestic investment projects	Foreign investment projects
No procedures required	Projects capitalized at under VND 15 billion (USD 750,000) each and falling outside the list of conditional investment domains.	Not applicable
Registration	Projects capitalized at between VND 15 billion and under VND 300 billion (USD 15,000,000) each and falling outside the list of conditional investment domains. Registration must be done before the execution of investment projects.	Projects capitalized at under VND 300 billion each and falling outside the list of conditional investment domains. Investors must have investment certificates.

³⁹ Point 3, Article 15, Decree 93.

⁴⁰ The word used in the investment law for state management agencies to check investment projects before issuing investment certificates is “thăm tra” (examination). This word means to verify if what has previously been said is true or not. The word used in Decree 93 for state management agencies to check INGO projects before approval is “thăm định” (appraisal), meaning to assess the quality of INGO projects. The terminology may be different, but the nature of the activity remains the same: checking the content of projects and giving permission for implementation.

⁴¹ Those domains include national defense, security, social safety, banking, public health, culture, information, press, publishing, entertainment, real estate, exploration and exploitation of natural resources, environment, education and training.

Examination	Domestic investment projects and foreign investment projects capitalized at VND 300 billion or more each and those on the list of conditional investment projects. Investment certificates must be issued.
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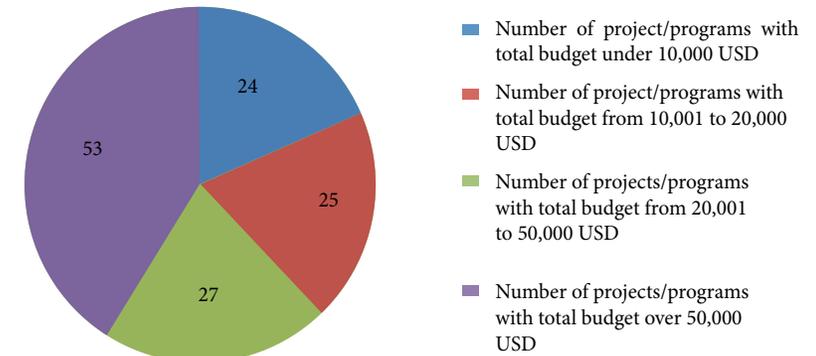
(Source: Investment Law 2005, Articles 45, 46 and 47)

5.2.2 INGO projects to be appraised and approved are often small in budget and short in duration

Analysis of INGO projects approved and reported at the provincial level show that the majority of projects are small ones in terms of total budget. Kon Tum province received a total of 129 projects with a total budget of USD 12,217,212 in the period of 2006-2011. This gives an average budget size of USD 94,707 per project. Out of the total number of projects, 24 projects (19%) had a total budget less than USD 10,000; 25 projects (19%) – between USD 10,000 and 20,000; 27 projects (21%) – between USD 20,000 and 50,000; and the remaining 53 projects (41%) – more than USD 50,000 (See Figure 4). If yearly budget is considered, then 34 projects (26%) have a yearly budget under USD 10,000 and only 44 (34%) have a yearly budget over USD 50,000. In Phu Tho province, the average total budget size of INGO projects is bigger, almost USD 154,000 in the period of 2010-2011. However, there are still 11 out of 46 projects (24%) with a total budget smaller than USD 10,000 (See Figure 6). Small projects are often very simple: provision of books for a school library, provision of scholarships for poor students, building classrooms or village cultural houses, provision of dental examination and treatment for children etc.

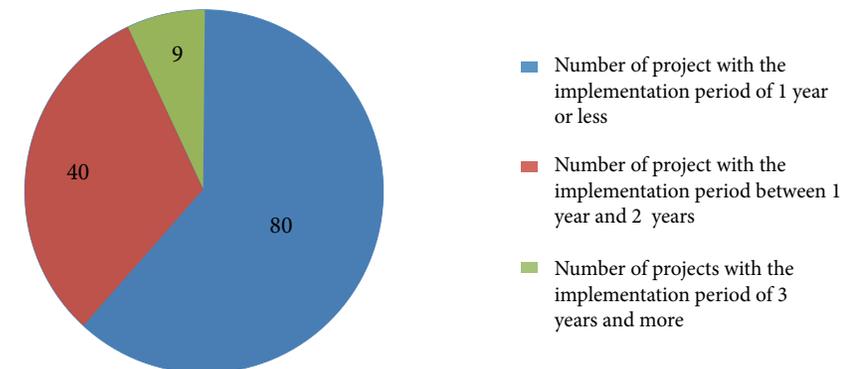
It is not only a small budget size that characterizes INGO projects, but also short duration. In Kon Tum province, statistics of INGO projects in the period 2006-2011 show that almost two thirds of them have a duration of 1 year or less, and only nine out of 129 projects span across three years or more (See Figure 5).

Figure 4: Composition of INGO projects by the total budget size in Kon Tum province, period 2006-2011



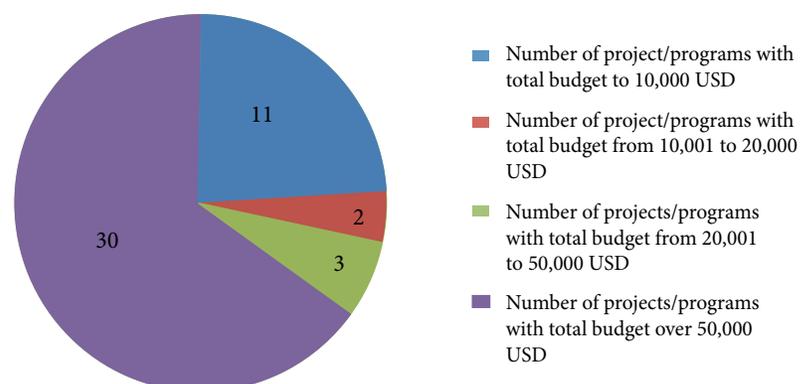
(Source: List of projects funded by INGOs and other foreign organizations in Kon Tum province, period 2006-2011, provided by Kon Tum DOFA)

Figure 5: Composition of INGO projects by the project duration in Kon Tum province, period 2006-2011



(Source: the same as in Figure 4)

Figure 6: Composition of INGO projects by the total budget size in Phu Tho province, in the period of 2010-2011



(Source: Summary report of INGO assistance and cooperation in Phu Tho province in 2011, provided by Phu Tho DOFA)

5.2.3 The actual process of appraisal and approval usually takes longer than stipulated by the decree

In the researched provinces, the approval of INGO projects always happens in two stages:

1. Approval of the concept of projects being developed. This approval can be issued by a formal decision of the provincial People’s Committee, like in Kon Tum, or informal agreement of DOFA or other authorities for the preparation of projects to go ahead, like in Thanh Hoa. In all provinces, consultation between INGOs / recipients and DOFA or DPI always takes place before the development of full project documents.
2. Approval of full project documents, as stipulated by Decree 93 and Circular 07.

The decree charges the appraising organisation to look at relevance, feasibility, effectiveness, suitability of budget allocations, capacity of the Vietnamese side, or legal status of the donor. In our interviews, however, the issue that comes up most prominently about appraisal is security. When Phu Tho DPI appraises an INGO project, it always seeks comments from the Police and Department of Defense to identify any security issue or geographical areas in the security zone (an toàn khu). The Police and Department of Defense are among the four core members of the appraisal committee in Thanh Hoa. The other two agencies are DPI and DOFA. Kon Tum province developed a list of border and security zone communes to be excluded from INGO projects. Son La province has the same list and policy as well. The security concerns reflect an attitude of a part of Government that “countries, international organizations, international

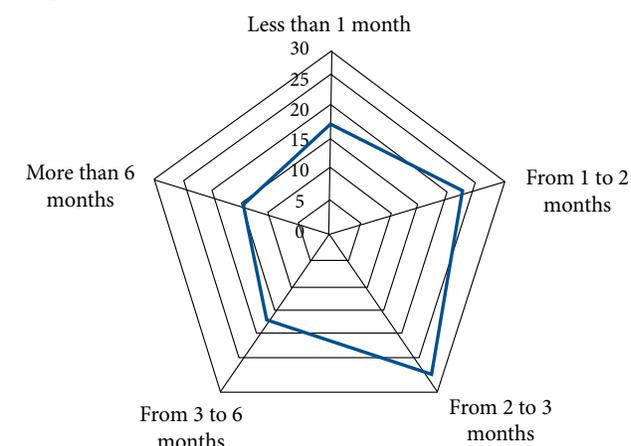
⁴² Article 7 – Process of mobilizing, negotiating, signing and submitting for approval of INGO aid items, Decision 38/2010/QĐ-UBND of Kon Tum Province People’s Committee dated October 14, 2010 on the Issuance of Regulation on Mobilization, Management and Utilization of Aid from International Non-governmental Organizations in Kon Tum province.

NGOs are seeking ways to form, develop civil society according to Western standards in Vietnam, and through this to accomplish the objective of overthrowing the socialist system by non-violent means”⁴³. An expert of INGO funding management highlights the watchful (cảnh giác) attitude when analyzing the issues of Decree 93. And one director of a local NGO stated: “At the local level they only watch if projects have any political or reactionary agenda”⁴⁴.

The research team is not arguing for or against this attitude in this report. We want only to emphasize that this attention to security is at least as strong as the desire to attract more INGO assistance for socio-economic development. When the security issue is considered, the trust and relationship between appraising agencies and INGO aid recipients (the implementing agency) are the deciding factors of how thorough and how long the appraisal process should be. At the provincial level, local mass organizations, for example the Women’s Union, have easier and faster appraisal and approval process for INGO-funded projects than local NGOs. The Women’s Union in Thanh Hoa province starts implementing projects even before a formal approval decision is issued. Organizations that are more independent from the state, like local NGOs established under VUSTA, sometimes face double approval: once by VUSTA at the central level and once by the People’s Committee at the provincial level.

With regard to appraisal and approval time, the questionnaire surveys reveal that the process usually takes longer than permitted by Decree 93. 28% of recipients say they need to wait for two to three months for an INGO project to be approved since the submission of all required papers. 32% have to wait even longer: three to six months and more. Only 40% of INGO aid recipients receive an approval decision within the time limit set by Decree 93: between one and two months or less (see Figure 7).

Figure 7. Average time taken from the submission of complete dossiers to approval, according to recipients

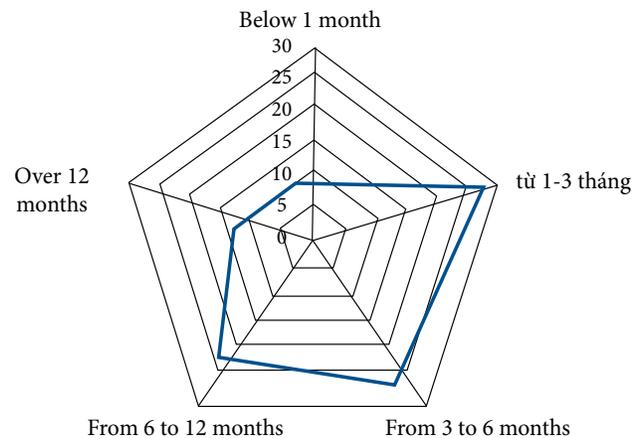


⁴³ See the article “Civil society – a scheme of peaceful evolution” (Article in Vietnamese: Xã hội dân sự - một thủ đoạn của diễn biến hoà bình) of Duong Van Cu, Nhan Dan Online, at <http://www.nhandan.com.vn/cmlink/nhandandientu/toisu/chinh-tri/2.670/x-h-i-dan-s-m-t-th-o-n-c-a-di-n-bi-n-hoa-binh-1.365283>

⁴⁴ An in-depth interview.

INGOs' waiting time is reported to be even longer. 6/19 INGOs have to wait for one to three months; 5/19 for three to six months and 4/19 for six to 12 months. Only 2/19 INGOs have to wait one month or less (see Figure 8). Longer waiting time for INGOs is probably because they rarely submit projects for approval by themselves⁴⁵, but usually do it via their Vietnamese partners. The time lag between the moment INGOs expect their partners to submit dossiers for approval and the moment of actual submission adds up to the waiting time.

Figure 8. Average time taken from the submission of complete dossiers to approval, according to INGOs



Interviews with DPIs and DOFAs, the agencies that appraise INGO assistance, do not indicate a problem with appraisal deadlines. The interviewees from those agencies said that most appraisals fell within the permitted timeframe of 20 days as stipulated by Decree 93. The difference in responses between the two groups, the organizations submitting projects for appraisal and the state agencies appraising those projects, may exist for the following reasons:

1. State management agencies define the appraisal in a narrow way that starts from the moment a complete dossier is submitted and finishes when the appraisal report and draft approval decision land on the desk of the approving authority. The appraisal period reported by DPIs or DOFAs excludes the approval time, whereas INGOs and INGO aid recipients are more concerned with the approval, because it is the legal condition for starting the project implementation. Decree 93 sets a time limit for appraisal only, leaving the approval time unregulated. This makes it possible that the appraising agencies have completed the appraisal within 20 days, but many INGO aid recipients still have to wait for a few months to get their projects approved.

⁴⁵ The team noted only one instance of an INGO directly submitting a project document for approval. It is East Meets West with a project to build 8 charity houses.

2. In some cases, the appraisal process cannot start because the operation permit of the donor has not been renewed or included in the dossier. Decree 93 requires appraising agencies to check the operation permit or legal status of donors. If a copy of the permit is missing in the dossier or the permit has expired, the appraising agency will ask the recipient to supply a proper one before starting the appraising process. A number of interviews with recipient organizations indicate that the permit renewal is not always timely: there is often a lag of one month or more between the expiry date of the old permit and the issuance of a new one. Under the old legal framework for INGO operations (Decision 340/TTg of the Prime Minister dated May 24, 1996), INGOs with the Permit of Operations need to renew their permits annually, INGOs with the Permit of Project Office – every other year, and INGOs with the Permit of Representative Office – every three years. The need for a frequent renewal of permits is a part of the problem. The new legal framework (Decree 12/2012/ND-CP of the Government dated Mar 01, 2012), effective from June 01, 2012, is better because it extends the validity periods of certificates of registrations⁴⁶ to three years for Certificate of Registration of Operations, five years for Certificate of Registration of Project Office, and five years for Certificate of Registration of Representative Office.
3. Limited knowledge of Decree 93 among INGO aid recipients causes delays in the appraisal and approval process. Not all recipients, especially local ones, know that an eligible dossier includes four items: (1) a letter of recommendation of the organization seeking approval for an INGO aid item; (2) a letter from the donor side confirming its agreement with the content of the INGO aid item and informing on, or promising to consider, the provision of the INGO aid item; (3) a draft program/project document; (4) a copy of the registration for operation and/or a copy of legal documents relating to the legal status of the donor side⁴⁷. Missing any of these, and the appraisal stops until the organization seeking approval supplies the missing document.
4. The majority of INGO-funded projects are small, with a total budget under 50,000 USD. Consulting various government agencies on individual projects can be time consuming. A common practice is to bundle several projects together and organize one appraisal meeting for all of them. As the result, the projects that were submitted first have to wait longer for an approval than those submitted last.

5.2.4 The capacity of agencies in charge of appraising INGO projects is often insufficient

In all researched provinces, DOFA has more intensive interaction with INGOs and INGO aid recipients than DPI. From the moment an INGO starts working in a province until its departure, DOFA is always the contact point. INGOs consult DOFA on projects and seek permissions for working visits. DOFA staff from time to time participate in INGO activities, such as project assessments or evaluations. DPI, on the contrast, almost never

⁴⁶ It is a new name for permits under Decree 12/2012/ND-CP.

⁴⁷ Item c, Point 3, Article 3, Circular 07.

participates in such activities. The frequent interaction gives DOFA much better knowledge about projects funded by INGOs than DPI.

This has an implication for appraisal of INGO aid items. DPI's limited understanding of INGO projects makes it hard for the department to give good recommendations to the People's Committee regarding project next phases or geographical expansion. As one staff member of Phu Tho DPI put it: *"When we appraise a document for the second phase of a project, we need to know how effective the first phase was. But we don't know, because we can't come to the project area to inspect due to the lack of funding."* Thus, the appraisal was simply to check if the headings of the project document correspond to the requirements of Decree 93.

DOFA staffs also voice this concern. Even though they have better knowledge about INGO projects than DPI, they still lack thorough understanding of the effectiveness of INGO projects. Kon Tum DOFA found it difficult to give recommendations to the People's Committee whether to allow an INGO to expand to another district, because they were not able to assess the effectiveness of its work in the first district. The lack of a separate budget line for monitoring and evaluation of INGO projects was again cited as the main reason for inadequate monitoring.

5.2.5 Comments of INGO aid recipients and state management agencies on appraisal and approval of ingo projects

Vietnamese organizations that receive small INGO grants complain that the appraisal and approval procedures are not suitable for the projects they implement.

Mr. Nguyen Cong Khoa, the standing member of the Executive Committee of the Association to Support the Disabled and Orphans in Kon Tum, said:

"Procedures and forms of Circular 07 are too complex. We have projects with budget around 200-300 million VND (USD 10,000-15,000), and we have to fill all the forms. It is too complicated. It might be suitable for a project with a budget of a few billion VND, but not for project with a budget under 1 billion. We have to rewrite our project documents for a few times to meet the requirements."

Another voice from Thanh Hoa province states the same: *"All the appraisal and approval requirements are barriers for us to receive INGO projects. Our projects are small and do not require counterpart funding from the province, and those administrative procedures need to be much simplified."* – the leaders of the Forestry Club under Thanh Hoa Union of Science and Technological Associations.

Not only INGO aid recipients express concerns about the appraisal and approval requirements of Decree 93. *"Requirements of Decree 93 are similar to the requirements of ODA management. NGO projects are small, but even they have budget under 100 million VND (USD 5,000), they must be appraised and approved. Donors want the whole process to be simple, but we have to act according to the legal provisions."* – Staff of Kon Tum DPI.

Those comments are understandable when we look at three sample projects implemented in Kon Tum province in 2011.

The donor	Name of project	Total budget (USD)
Plan International	Support training to improve skills in taking care of disabled people	3,800
The VinaCapital Foundation	Support in medical equipment, wheelchairs and equipment for emergency care	4,064
Xuan - Printemps	Scholarship for poor ethnic students	4,634

It is very costly in terms of time and energy relative to the funding received to require the implementing agency of those projects to:

1. Develop a project document containing 13 key points (problem statement, long-term and short-term objectives, main outcomes, main activities, time period and project areas, commitments and conditions of donor and recipient etc.)
2. Submit a dossier containing eight sets for appraisal and approval
3. Wait for 20 or more days for approval before the start of the implementation.

Furthermore, requiring the appraising agency to consult with many agencies and the approving agency to send the approval decision and project document (stamped between pages) to MPI, MOF and COMINGO necessitates needless costs for the provincial government. MPI, MOF and COMINGO will not, and should not, read this kind of project documents. Producing and sending papers that nobody will read is a waste.

5.3 THE REPORTING REQUIREMENTS OF INGO PROJECTS ARE HEAVY AND DIFFICULT TO IMPLEMENT

Similar to the appraisal and approval issue, the research finds the reporting requirements are too heavy for small INGO projects. This implies greater costs of compliance for Vietnamese organizations that receive INGO assistance, as well as greater costs of monitoring and reading reports for state management agencies.

5.3.1 The decree's requirements for reporting

Decree 93 lists seven different reports required for state management of INGO assistance. Responsibilities for compiling these reports belong to INGO aid recipients, managing agencies, approving agencies and MPI. All reports, except the last one, should be sent to MPI, MOF and COMINGO (See Table 7).

Table 7: Reports required by Decree 93 for state management

Type of report	Prepared by	Sent to	Deadline
Semi-annual progress report	INGO aid recipients	1. The managing agency 2. The approving agency 3. MPI 4. MOF 5. COMINGO	15 July of the reporting year
Terminal report	INGO aid recipients	1. The managing agency 2. The approving agency 3. MPI 4. MOF 5. COMINGO	Six (06) months following the completion of the implementation of an INGO aid item
Semi-annual and annual consolidated reports on the mobilization of INGO assistance	Managing agency of INGO aid recipients	1. MPI 2. MOF 3. COMINGO	30 July of the reporting year and 31 January of the following year.
Semi-annual and annual consolidated reports on the results of the approval and implementation of INGO assistance	Approving agency	1. MPI 2. MOF 3. COMINGO	30 July of the reporting year and 31 January of the following year.
Annual consolidated reports on the approval and implementation of INGO aid resources across the country	MPI	Prime	Not specified.

Similar to the provisions about appraisal and approval, the decree does not set a lower budget or other limit for compiling and sending reports. In theory, all INGO projects, even small ones, need to adhere to the reporting regime.

Circular 07 creates templates for reports that INGO projects need to use. Those templates incorporate financial and narrative information. The template for the annual progress report, for example, includes narrative information on implementation progress, assessment of progress, opportunities and challenges, lessons learnt, next year plan, and recommendation. Financial information in the report comprises figures on total disbursement, broken down into disbursement of INGO aid fund and Counterpart fund, disbursement rate, cumulative amount disbursed etc. Those templates very much resemble best reporting practices in project management.

5.3.2 Comments of INGO aid recipients and state management agencies on reporting requirements

INGO aid recipients and provincial state management agencies are unanimous that the reporting regime and templates are too complex and impossible to follow. *“Too many reports are required: 6-month, 1 year, project completion. The templates are very complicated. The template for 6-month report contains 4 sheets: 2 sheets for activity reporting (planned input – output with details to the number of beneficiaries) and 2 sheets for disbursement reporting. We lose so much time and energy for that.”* – Director of a local NGO said.

DOFA Thanh Hoa shares the same opinion. *“Reports are too long and too detailed. The whole system of reporting is not appropriate. Too many report templates that the Ministry does not need and will not read”* – the Director of DOFA said.

Decree 93 establishes a reporting regime with which all INGO projects need to comply. It has been said that over 50% of INGO projects have a total budget under USD 50,000. If all of those projects send 6-month, annual progress and completion reports to MPI, MOF and COMINGO, the costs to the recipient organisations to produce those reports and state management agencies to read them are very high, without comparable benefits.

6

RECOMMENDATIONS

Decree 93 and Circular 07 are normative legal documents, having the state power to enforce compliance on relevant state agencies, INGOs and INGO aid recipients. As such, the documents should contain basic minimum requirements that everyone must follow, leaving suggestions, recommendations and best practices to educational and other entities. With this understanding, acknowledging the concern for security and having analyzed the implementation issues, the research team recommends the following changes to the decree:

1. The solution that Investment Law applies to investment projects needs to be used in the management of INGO projects. The burden of administrative procedures needs to be appropriate to the size and nature of INGO-funded projects. Reduction in administrative procedures will result in savings in effort and time of state management agencies, INGOs and recipient organisations. State management agencies will not have to read and assess the quality of small projects, leaving it in the hands of the implementers and donors. INGOs and recipient organizations will have more effort and time to implement projects and make impact.
2. Reduction of administrative procedures can be accomplished in the following way:
 - a. To establish a list of restrictive domains, under which all INGO projects, regardless of size, are required to be appraised and approved, following a proper consultative process involving DOFA, DPI, the Police, the Department of Defense and other relevant agencies. This list might include national security and defense, religion, formulation of normative legal documents, socio-economic development strategies, master plans, plans of the country, a sector or a geographical region etc.
 - b. Outside the list of restrictive domains, INGO projects with a budget under USD 100,000 need only register with relevant agencies, without having to be appraised and approved. The implementing organization bears the responsibility that the content of the project document, as well as the implementation are fully compliant with the provisions of laws. No report is required from these projects. The emphasis of state management and control changes from pre-check to post-check.
 - c. Projects with budget from USD 100,000 to USD 500,000 must go through a simplified appraisal and approval, which means DOFA, in consultation with maximum two other agencies, is responsible for both appraisal and approval. The project documents to have to contain all the points or headings mentioned in Decree 93. The projects falling to this category must only comply with a simplified reporting regime (financial only).
 - d. Projects with budget over USD 500,000 must go through a proper consultative appraisal and approval involving DOFA, DPI, the Police, the Department of Defense

and other relevant agencies. They must also comply with a full reporting regime (narrative and financial).

3. Besides the big changes presented above, the team also recommends smaller changes to Decree 93 and Circular 07 as follows:
 - a. The decree should establish a maximum number of days needed for approval, not appraisal. This would eliminate the situation that an appraisal is on time, but the approval drags on and on, delaying the start of project implementation.
 - b. The management of INGO activities and INGO projects should be unified under the mandate of one agency. The decree and circular give freedom to provinces to decide what government agency takes this mandate.

To improve the implementation of the present decree, the research team recommends the following:

1. Provinces should assign DOFA as the focal point for all activities related to INGOs, including chairing appraisal of INGO projects.
2. Provinces should allocate a specific budget for state management agencies, DPI and DOFA, to monitor and evaluate INGO-funded projects.
3. State management agencies should provide more training and guidance on the content of the decree and circular to Vietnamese organizations that receive INGO funding.

ANNEX

ANNEX 1: LIST OF IN-DEPTH INTERVIEWS

Phu Tho province

Name of person interviewed	Position and organization
Mr. Nguyễn Long Giang	Deputy Head of the Unit of External Economic Relations – Phu Tho DPI
Mr. Nguyễn Xuân Huệ	Staff of the Unit of External Economic Relations – Phu Tho DPI
Mr. Nguyễn Đình Minh	Staff of the Unit of Foreign Affairs, Office of the People's Committee of Phu Tho province
Mrs. Tạ Thị Hằng Mến	Staff of the Unit of Foreign Affairs, Office of the People's Committee of Phu Tho province
Mr. Triệu Đăng Khoa	Staff of the Unit of Foreign Affairs, Office of the People's Committee of Phu Tho province
Mr. Hoàng Văn Công	Director of the Cooperative Alliance of Phu Tho province

Thanh Hoa province

Name of person interviewed	Position and organization
Mr. Nguyễn Song Hoan	Director of Thanh Hoa Department of Foreign Affairs
Mr. Kim Ngọc Hiệp	Head of the Reception and Consular Unit, Thanh Hoa DOFA
Mr. Hoàng Văn Lưu	Chairman of Thanh Hoa Farmer's Union
Mr. Lê Ngọc Thông	Head of the Economic Unit, Thanh Hoa Farmer's Union
Mrs. Trịnh Thị Tiếp	Chairwoman of Thanh Hoa Red Cross
Mrs. Mai Thị Nhung	Standing Vice-Chairwoman of Thanh Hoa Red Cross
Mrs. Thuý	Vice-Chairwoman of Thanh Hoa Women's Union
Mr. Khương Bá Tuấn	Director of the Forestry Club under Thanh Hoa Union of Scientific and Technological Associations

Kon Tum province

Name of person interviewed	Position and organization
Mr. Lưu Công Cường	Head of the Unit of External Economic Relations, Kon Tum DPI
Mr. Trương Quốc Việt	Staff of the Unit of External Economic Relations, Kon Tum DPI
Mr. Nguyễn Công Khoa	Standing member of Kon Tum Association of the Disabled and Orphans
Mrs. Triệu Thị Linh	Head of the Economic Unit, Kon Tum Women's Union
Mrs. Ngô Thị Thanh Thuý	Deputy Head of the Unit of Professional Affairs Management, Kon Tum DOFA

Son La

Name of person interviewed	Position and organization
Mr. Lê Minh Phong	Deputy Director of Son La DPI
Mr. Triệu Văn Cơ	Head of the Unit of External Economic Relations, Son La DPI
Mrs. Lương Thị Vân Anh	Deputy Director of Son La DOFA
Mr. Đặng Minh Tuấn	Son La DOFA
Mrs. Lò Thị Mai Kiêm	Chairwoman of Son La Women's Union

Hanoi

Name of person interviewed	Position and organization
Mr. Trần Quốc Trị	Vice President, Secretary General of SEARAV
Mr. Nguyễn Đình Anh	Former Head of the Unit of INGO Finance in the Ministry of Finance
Mrs. Trần Thị Thanh Hương	Director of ORBIS Vietnam
Mrs. Vũ Thị Hiền	Director of the Centre of Research and Development in Upland Areas (CERDA)
Mrs. Lò Thị Mai Kiên	Chairwoman of Son La Women's Union
Mrs. Thân Thị Chung	Director of the Centre for Community Socio-economic and Environmental Development (CSEED)
Mrs. Lê Thị Hoài Phương	Director of the Center for Sustainable Community Development (CSCD)
Mr. Cao Vĩnh Hải	Director of the Consulting Center for Environment Resources and Rural Poverty Alleviation (CERPA)
Mrs. Nông Thị Hồng Hạnh	Head of Unit of International Organizations and International NGOs

ANNEX 2: QUESTIONNAIRE FOR INTERNATIONAL NGOS

STUDY ON THE IMPLEMENTATION OF DECREE NO. 93/2009/ND-CP

Questionnaire for International NGOs

Dear INGO Directors,

Decree No. 93/2009/ND-CP dated 22 October 2009 on the Management and Utilization of Aid from International Non-Governmental Organizations (INGO) aims at facilitating the management and operation of INGO aids.

In order to identify evidence-based recommendations for improving the implementation of the decree, VUSTA, CARE International in Vietnam and NGO Resource Centre, with the support of CIDA and Irish Aid, conduct a study on the implementation of Decree 93. The study will provide inputs for a stakeholder dialogue, including the state management agencies, recipient organizations and donors. The overarching purpose of the whole process is to facilitate the implementation of the decree 93 and promote the resource mobilization, aid effectiveness and the development of civil society in Vietnam.

We respectfully ask you to spend 20-30 minutes to answer all questions in this questionnaire. Your inputs will help us understand better how Decree 93 is implemented, so that we can make good recommendations for improvement. We want to assure you that ALL information you provide here will be used for this study ONLY. We will not disclose it to a third party in any other forms than aggregated results without your explicit consent.

If you don't have time to answer this questionnaire, we would suggest delegating this task to a senior leader in your organization who has in-depth knowledge of its programmes and projects.

Please mark **X** or **✓** in the box of the most appropriate option/s. With open questions, please write in blank space provided.

Thank you for your co-operation!

Leader of the consultant team,

Nam Pham Quang (Mr.) – pqnam@ymail.com Tel: 0912281496

Other contacts: Nguyen Thu Ha (Ms.) Email: thuha@depocen.org Tel: 0904679233

or Do Hoang My (Ms.) Email: dohoangmy@depocen.org Tel: 0917741185

Landline: (04) 39351418

1. Organization name:

2. Name and position of the respondent:

Telephone or email address:

3. Year your organization officially/legally established in Vietnam is:.....

4. Year your organization's first project implemented in Vietnam is:

5. What types of certificate would best describe your organization legal status in Vietnam? (select ONLY 01 suitable box)

- Operational Registration Certificate
- Project Office Registration Certificate
- Representative Office Registration Certificate

6. Annual budget of your organization in the last three years?

Year	2010	2011	2012
Total budget (estimate in USD)			
Percentage of the total budget transferred to Vietnamese organizations to implement programmes / projects (estimate)	%	%	%
Number of Vietnamese organizations that receive funding from your organization to implement programmes / projects			

7. In the next three year to 2015, your organisation budget allocated/earmarked for Vietnam will be? (select ONLY 01 suitable box)

Significantly increased	Slightly increased	No change	Slightly decreased	Significantly decreased	No idea

8. What types of organization are your Vietnamese partners? (select as many options as appropriate)

- Organizations belonging to the Communist Party of Vietnam
- National or local government agencies
- National or local mass organizations (Vietnam Fatherland Front, Farmer's Union, Women's Union, Communist Youth League, Veteran's Union, and the Confederation of Labour)

- Associations other than the mass organizations above
- Research institute / University
- Local NGO
- Others (specify)

9. In how many and what provinces does your organization implement or fund programmes/projects in the last three years?

Please list the name of the provinces here:.....

10. For the last three years, how many programmes / projects did your organization submit for approval and how many of them got approved?

Year	2010	2011	2012
Number of submitted programmes / projects			
Number of approved programmes / projects			

11. How long does it take on average for programmes / projects to be approved from the submission of all require of papers? (select ONLY 01 suitable box)

- Below 1 month
- From 1 to 3 months
- From 3 to 6 months
- From 6 to 12 months
- Over 12 months

12. In process of appraisal and approval of programme / project documents, has there been any programme / project that needs to change significantly in content to get approval?

- No
- Yes

If Yes, please let us know why:

13. What is the biggest challenge facing your organization in the appraisal / approval process of your programmes / projects?

14. How do you deal with that challenge?

15. What statement below would best describe your organization (Choose only ONE option)?

- We don't know there is a decree regulating the management and utilization of INGO aids → Skip to question 22
- We know the existence of Decree 93 regulating the management and utilization of INGO aids, but have not referred to it in our work
- We refer to the regulations of Decree 93 ONLY when we need a programme / project to be approved
- We regularly refer to the regulations of Decree 93 in our work
- We prefer not to answer this question.

Now, we would like to know your opinions regarding the main aspects of Decree 93

16. The decree's stipulations concerning the appraisal and approval of new programmes/ projects are:

- | | | | | |
|-----------------------------|-----------------------------|---|-----------------------------|-------------------------------------|
| Easy to understand | | → | Difficult to understand | |
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> |
| | | | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
-
- | | | | | |
|-----------------------------|-----------------------------|---|-----------------------------|-------------------------------------|
| Easy to understand | | → | Difficult to understand | |
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> |
| | | | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
- Consistently applied across places and sectors → Inconsistently applied
- | | | | | | |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------------------|
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------------------|

If you tick box #4 or #5 in any of the three questions above, please explain why you think so:

17. The decree's stipulations concerning the implementation of programmes / projects are:

- | | | | | |
|-----------------------------|-----------------------------|---|-----------------------------|-------------------------------------|
| Easy to understand | | → | Difficult to understand | |
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> |
| | | | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
-
- | | | | | |
|-----------------------------|-----------------------------|---|-----------------------------|-------------------------------------|
| Easy to understand | | → | Difficult to understand | |
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> |
| | | | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
- Consistently applied across places and sectors → Inconsistently applied
- | | | | | | |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------------------|
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------------------|

If you tick box #4 or #5 in any of the three questions above, please explain why you think so:

18. The decree's stipulations concerning the appraisal and approval of revisions of programmes / projects are:

- | | | | | |
|-----------------------------|-----------------------------|---|-----------------------------|-------------------------------------|
| Easy to understand | | → | Difficult to understand | |
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> |
| | | | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
-
- | | | | | |
|-----------------------------|-----------------------------|---|-----------------------------|-------------------------------------|
| Easy to understand | | → | Difficult to understand | |
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> |
| | | | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
- Consistently applied across places and sectors → Inconsistently applied
- | | | | | | |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------------------|
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------------------|

If you tick box #4 or #5 in any of the three questions above, please explain why you think so:

19. The decree's stipulations concerning monitoring and evaluation of programmes / projects are:

- | | | | | |
|-----------------------------|-----------------------------|---|-----------------------------|-------------------------------------|
| Easy to understand | | → | Difficult to understand | |
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> |
| | | | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
-
- | | | | | |
|-----------------------------|-----------------------------|---|-----------------------------|-------------------------------------|
| Easy to understand | | → | Difficult to understand | |
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> |
| | | | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
- Consistently applied across places and sectors → Inconsistently applied
- | | | | | | |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------------------|
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------------------|

If you tick box #4 or #5 in any of the three questions above, please explain why you think so:

20. The decree's stipulations concerning reporting of programmes / projects are:

- | | | | | |
|-----------------------------|-----------------------------|---|-----------------------------|-------------------------------------|
| Easy to understand | | → | Difficult to understand | |
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> |
| | | | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
-
- | | | | | |
|-----------------------------|-----------------------------|---|-----------------------------|-------------------------------------|
| Easy to understand | | → | Difficult to understand | |
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> |
| | | | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
- Consistently applied across places and sectors → Inconsistently applied
- | | | | | | |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------------------|
| 1. <input type="checkbox"/> | 2. <input type="checkbox"/> | 3. <input type="checkbox"/> | 4. <input type="checkbox"/> | 5. <input type="checkbox"/> | 6. <input type="checkbox"/> No idea |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------------------|

If you tick box #4 or #5 in any of the three questions above, please explain why you think so:

21. Have you, or other staff members of your organization, ever attended a training in Decree 93?

No Yes

If Yes, who organized this training?

22. What changes do you suggest to the regulations governing the management and utilization of INGO aids in order to maximize aid mobilization and effectiveness?

End of questionnaire: Thank you for your cooperation!

ANNEX 3: QUESTIONNAIRE FOR AID RECIPIENTS

STUDY ON THE IMPLEMENTATION OF DECREE NO. 93/2009/ND-CP

(Questionnaire for aid recipients)

Decree No. 93/2009/ND-CP dated 22 October 2009 on the Management and Utilization of Aid from International Non-Governmental Organizations (INGO) aims at facilitating the management and operation of INGO aids.

In order to identify evidence-based recommendations for improving the implementation of the decree, VUSTA, CARE International in Vietnam and NGO Resource Centre, with the support of CIDA and Irish Aid, conduct a study on the implementation of Decree 93. The study will provide inputs for a stakeholder dialogue, including the state management agencies, recipient organizations and donors. The overarching purpose of the whole process is to facilitate the implementation of the decree 93 and promote the resource mobilization, aid effectiveness and the development of civil society in Vietnam.

We respectfully ask you – director or another leader of the organization to spend about 30 minutes to answer all questions in this questionnaire.

Please mark **X** or **✓** in the box of the most appropriate option/s. With open questions, please write in blank space provided.

We want to assure you that ALL information you provide here will be used for this study ONLY. We will not disclose it to a third party in any other forms than aggregated results without your explicit consent.

You can check the validity of this study via:

Mrs. Nguyen Thi Thanh Nhan, Manager of “CSO Capacity Building” Component
CARE International in Vietnam – 92 To Ngoc Van, Tay Ho, Hanoi.

Tel: 04 3716 1930 Ext 135

Thank you for your co-operation!

Leader of the consultant team,

Nam Pham Quang (Mr.) – pqnam@ymail.com Tel: 0912281496

Other contacts: Nguyen Thu Ha (Ms.) Email: thuha@depocen.org Tel: 0904679233

or Do Hoang My (Ms.) Email: dohoangmy@depocen.org Tel: 0917741185

Landline: (04) 39351418

Name of the respondent:

Title of the respondent:

Tel: Email:

PART A: OVERALL

A.1 Organization name:

A.2 Year your organization officially/legally established in Vietnam is:

A.3 Address:

A.4 Operating locations in the last three years (city/province):

.....

A.5 Your host agency (or agency granting you operation license is (if any):

.....

A.6 What are your major operation lines? (you can select multiple options)

- 01. Agriculture and rural development (incl. agriculture, irrigation, forestry, aquaculture) in combination with poverty reduction
- 2. Development of social infrastructure (health, education & training, labor, job, population)
- 3. Environmental protection and management of natural resources, prevention, mitigation and control of disasters and epidemics
- 4. Strengthening institutional/managerial/technical capacity, human resource management; techno transfer, capacity building in research and implementation
- 5. Humanitarian work
- 6. State management
- 7. Others (please specify)

A.7 What is your type of organization? (select 01 option)

- 1. Organizations belonging to national or local government agencies
- 2. Organizations belonging to the Communist Party of Vietnam
- 3. National or local mass organizations (Vietnam Fatherland Front, Farmer's Union, Women's Union, Communist Youth League, Veteran's Union, and the Confederation of Labour)
- 4. Those having State regular workforce, getting State supports in terms of budget and facilitation for operation (not belong to group 3)

- 5. Social and mass organizations, social-occupational organizations.
- 6. Social funds, charity funds
- 7. Science and technology organizations, research institutes
- 8. Other NGOs

A.8 Where does your major budget/fund come from? (please select 01 option)

- 1. State budget
- 2. iNGO programs/projects
- 3. Income from sales of services/business
- 4. Others (please specify).

A.9 Annual budget and number of programs/projects that your organization received in the last three years?

Year	Number of programs/projects	Total budget received (estimates, in USD)
2010		
2011		
2012		

PART B. DECREE NO. 93/2009/ND-CP

B.1 Which statement below would best describe your organization (Choose only 1 option)?

- We don't know there is a decree regulating the management and utilization of INGO aids → **Skip to question B11**
- We know the existence of Decree 93 regulating the management and utilization of INGO aids, but have not referred to it in our work
- We refer to the regulations of Decree 93 ONLY when we need a programme / project to be approved
- We regularly refer to the regulations of Decree 93 in our work

Now, we would like to know your opinions regarding the main aspects of Decree 93

B.2 The decree's stipulations concerning the appraisal and approval of new programmes/projects are:

Easy to understand → Difficult to understand

1. 2. 3. 4. 5. 6. No idea
Easy to understand → Difficult to understand

1. 2. 3. 4. 5. 6. No idea
Consistently applied across places and sectors → Inconsistently applied

1. 2. 3. 4. 5. 6. No idea

If you tick box #4 or #5 in any of the three questions above, please explain why you think so:

B.3 The decree's stipulations concerning the implementation of programmes/projects are:

Easy to understand → Difficult to understand

1. 2. 3. 4. 5. 6. No idea

Easy to understand → Difficult to understand

1. 2. 3. 4. 5. 6. No idea

Consistently applied across places and sectors → Inconsistently applied

1. 2. 3. 4. 5. 6. No idea

If you tick box #4 or #5 in any of the three questions above, please explain why you think so:

B.4 The decree's stipulations concerning the appraisal and approval of revisions of programmes / projects are:

Easy to understand → Difficult to understand

1. 2. 3. 4. 5. 6. No idea

Easy to understand → Difficult to understand

1. 2. 3. 4. 5. 6. No idea

Consistently applied across places and sectors → Inconsistently applied

1. 2. 3. 4. 5. 6. No idea

If you tick box #4 or #5 in any of the three questions above, please explain why you think so:

B.5 The decree's stipulations concerning **monitoring and evaluation** of programmes / projects are:

Easy to understand → Difficult to understand

1. 2. 3. 4. 5. 6. No idea

Easy to understand → Difficult to understand

1. 2. 3. 4. 5. 6. No idea

Consistently applied across places and sectors → Inconsistently applied

1. 2. 3. 4. 5. 6. No idea

If you tick box #4 or #5 in any of the three questions above, please explain why you think so:

B.6 The decree's stipulations concerning **reporting** of programmes / projects are:

Easy to understand → Difficult to understand

1. 2. 3. 4. 5. 6. No idea

Easy to understand → Difficult to understand

1. 2. 3. 4. 5. 6. No idea

Consistently applied across places and sectors → Inconsistently applied

1. 2. 3. 4. 5. 6. No idea

If you tick box #4 or #5 in any of the three questions above, please explain why you think so:

B.7 Were you/your organization consulted during the preparation of the Decree 93?

Yes No

B.8 Have you, or other staff members of your organization, ever attended a training in Decree 93 and Circular No. 07/2010/TT-BKH instructing the implementation of Decree 93?

Yes No

If Yes, who organized this training?

B.9 Are you aware that Decree No. 93 supersedes Decision No. 64/2001/QD-TTg regulating the management and utility of iNGO aids?

- Yes No (*Skip to question B11*)

B.10 Compared to Decision No. 64/2001/QD-TTg, what are improvements of Decree 93?

B.11 How long does it take on average for programmes / projects to be approved since the submission of all require of papers? (select ONLY 01 option)

- Below 1 month From 2-3 months Over 6 months
 From 1 - 2 months From 3-6 months

B.12 How long does it take on average for your organization to prepare one set of program/project document/dossier for submission? (select ONLY 01 option)

- Below 1 month From 2-3 months Over 6 months
 From 1 - 2 months From 3-6 months

B.13 In the process of appraisal and approval of programme / project documents, have the competent authorities ever exchanged/discussed, shared information or consulted you about any issues related to project dossiers?

- Yes No

B.14 Could you please suggest any changes to Decree 93 and Circular 07 to better facilitate the management, receipt and use of iNGO aids?

End of questionnaire: Thank you for your cooperation!