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# READING DOCUMENT

**Module title:** Consensus of stakeholders to implement urban development policy

**Module hours:** 16

**Module hour distribution:**

<i>Present</i>	<i>Discuss</i>	<i>Go in practice</i>	<i>Total</i>
08 periods	08 periods		16 periods

# INTRODUCTION

## 1. PURPOSE

Improve knowledge of methods and tools for building policy consensus for urban development management. Especially the ability to attract and engage stakeholders in the policy-making process.

## 2. REQUIREMENTS

- Understand clearly relevant regulations, laws and policies regarding the participation of stakeholders in policy development
- Identify solutions and attract participation of relevant parties in the policy making process

## 3. SUBJECT, TIME

### 3.1. Object

This training and refresher course is developed for the following target groups:

- Group 1 : Leading officials of the Provincial People's Committee: Chairman, Vice Chairman of the Provincial People's Committee (including provinces and centrally run cities) and officials who are subject to resource planning next to this position .
- Group 2 : Leading officials of the district-level People's Committee: Chairman, Vice Chairman of the district-level People's Committee (including districts under centrally run cities; cities, towns, and districts under the province) and officials from source planning area adjacent to this title .
- Group 3 : Leading civil servants and professional civil servants related to the field of urban development management at the provincial level .
- Group 4 : Leading civil servants and professional civil servants related to the field of urban development management at district level .

### 3.2. Time

Training and refresher time: 02 days (16 lessons)

## 4. PROGRAM CONTENT

## CONTENT

### I. CONCEPT, IMPORTANCE, PRINCIPLES OF CONSENSUS OF STAKEHOLDER PARTIES FOR POLICY IMPLEMENTATION

#### 1.1. CASE STUDY 1: DISCUSSION TO CREATE CONSENSUS ON LAND POLICY

The amended Land Law will regulate the land ownership regime, powers and responsibilities of the State to represent the entire people's ownership of land and unify land management, land management and regulations. land use, rights and obligations of citizens and land users with respect to land within the territory of the Socialist Republic of Vietnam.

According to Resolution No. 671/NQ-UBTVQH15 on organizing the collection of people's opinions on the draft Land Law (amended), the time for people's opinions begins on January 3 and ends on March 15.

Recently, the organization of collecting people's opinions on the draft Land Law (amended) is being conducted simultaneously across the country. Once again, we clearly see that in the process of perfecting land policy, the people's voice is always heard and respected.

#### **Results of collecting people's opinions on the draft Land Law in your locality?**

1. Create huge consensus ☐
2. Create mass consensus ☐
3. Create consensus Normal ☐
4. Create little consensus ☐
5. Unable to reach consensus ☐

#### 1.2. THE CONCEPT OF POLICY CONSENSUS

**Policy consensus** is the ensure responsive, inclusive, participatory and representative decision-making at all levels. Involves collaboration between all stakeholders, including local authorities, the private sector, civil society, women, organizations representing youth, as well as those representing people with disabilities, local residents, professionals, academic institutions, trade unions, employers' organizations, migrant associations and cultural associations, to identify opportunities for economic development urban areas, identifying and solving challenges. *[Summary and analysis of documents from UN-HABITAT]*

### 1.3. THE IMPORTANCE OF POLICY CONSENSUS

#### ► Better policy

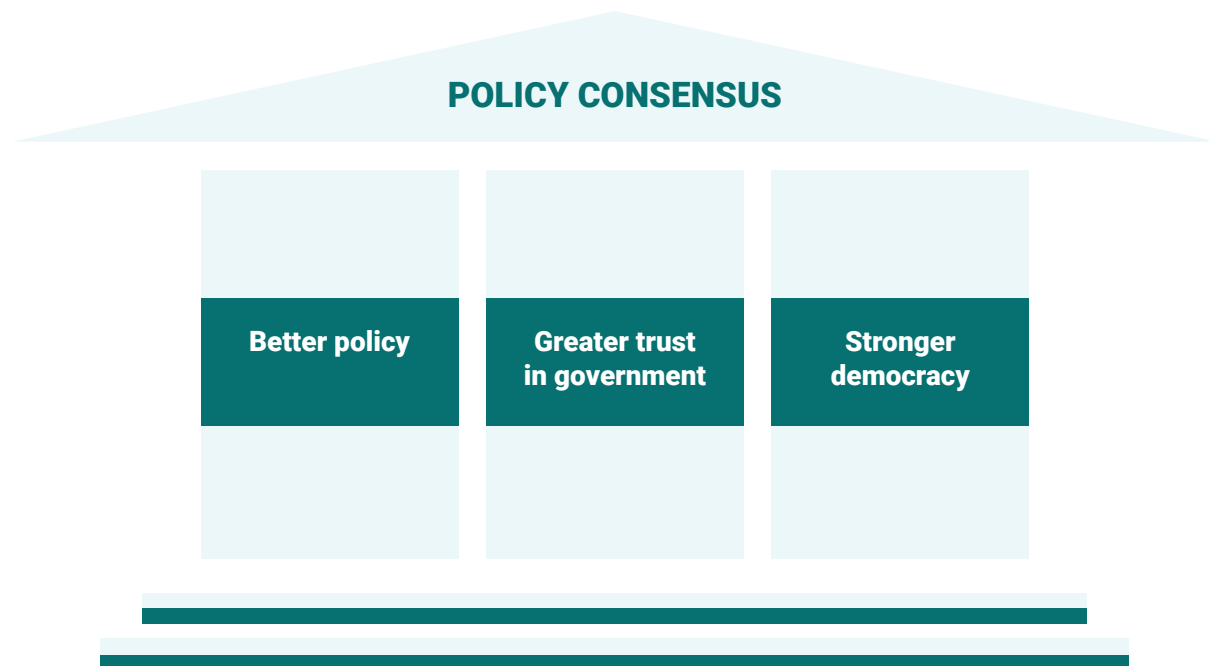
Stronger government-citizen relationships will encourage citizens to devote time and energy to community issues. It uses and values citizen input as a resource. Information, consultation and active participation provide government with a better basis for policy making, helping it become a learning organization. At the same time, it ensures more effective implementation, as people are fully informed about the policy and participate in the policy development process.

#### ► Greater trust in government

Information, consultation and active participation give citizens the opportunity to learn about government policy plans, to give their opinions and contribute to the decision-making process. This participation creates greater acceptance of political outcomes. Government represents openness, making it more trustworthy to the people – sovereignty in any democracy. By building trust in government and better public policy, strengthening the relationship between government and citizens enhances government legitimacy.

#### ► Stronger democracy

Information, consultation and active participation make government more transparent and responsible for policy – making. Strengthening government civic relations strengthens the grassroots and encourages citizens to be more active in society. It supports citizen participation in the public sphere, challenges such as participating in political debates, voting, association, etc. All this leads to a stronger democracy.



## 1.4. PRINCIPLES TO ENSURE POLICY CONSENSUS



### (1) Commitment

*There is a need for strong leadership and commitment to information, consultation and active participation in policy-making at all levels, from politicians, senior managers and civil servants.*



### (2) Rights

*Citizens' rights to access information, provide feedback, be consulted and actively participate in policy making must have a solid basis in law and policy. The government's obligations to answer to citizens when exercising their rights must also be clearly stated. Independent oversight bodies, or equivalent bodies, are needed to enforce these rights.*



### (3) Clarity

*The objectives and limits for information, consultation and active participation in policy-making should be clearly defined from the outset. The respective roles and responsibilities of citizens (in providing input) and governments (in making the decisions for which they are accountable) must be clear to all.*



### (4) Time

*Public consultation and active participation should be undertaken as early as possible in the policy-making process. This allows for a wider range of policy solutions. It also increases the chances of successful implementation. There must be sufficient time for consultation and participation to be effective. Information is needed at all stages of the policy cycle.*



### (5) Objectivity

*Information provided by the government in the policy-making process must be objective, complete and accessible. All citizens must be treated equally when exercising their right to access information and participate.*



### (6) Resources

*Sufficient financial, human and technical resources are needed for effective public information, consultation and active participation in the policy-making process. Government officials must have access to appropriate skills, guidance and training. An organizational culture that supports their efforts is critical.*



## **(7) Coordination**

*Initiatives to inform citizens, request their feedback and consult with them should be coordinated across government. This helps strengthen knowledge management, ensure policy coherence and avoid duplication. It also reduces the risk of “consultation fatigue” – negative reactions resulting from too much or poorly implemented consultation – among citizens and civil society organisations.*



## **(8) Accountability**

*Governments have an obligation to account for the use of citizen input they receive – whether through feedback, public consultation or active engagement. To enhance this accountability, the government needs to ensure an open and transparent policy-making process, amenable to external monitoring and evaluation.*



## **(9) Evaluation**

*Evaluation is necessary to adapt to new requirements and changing conditions for policy making. Governments need the tools, information and capacity to evaluate their performance in strengthening relationships with citizens.*

To apply this principle in practice



## **(10) Active citizenship**

*Governments benefit from active citizens and a vibrant civil society. They can take concrete actions to facilitate citizen access to information and participation, raise awareness and strengthen civic education and skills. They can support capacity building among civil society organizations.*

## II. LEGAL REGULATIONS RELATED TO POLICY CONSENSUS IN VIETNAM

### 2.1. LEGAL DOCUMENTS RELATED TO POLICY CONSENSUS IN VIETNAM



In Vietnam, the participation of relevant parties is one of the mandatory contents in the policy development process specified in legal documents such as laws, resolutions, and decrees. *The Law on Promulgation of Legal Documents* in 2015 (amended and supplemented in 2020) stipulates the collection of comments on policies in requests to develop laws and ordinances (Article 36), and the collection of comments on policies in requests. developing a decree of the Government (Article 86), for policies in the proposal to develop a resolution of the Provincial People's Council (Article 113). At the same time, *the Law* also stipulates the collection of comments on draft laws, ordinances, and resolutions of the National Assembly and the National Assembly Standing Committee (Article 57), and the collection of comments on draft decrees of the Government. (Article 91), for draft resolutions of the Provincial People's Council (Article 120). In addition, Decree No. 34/2016/ND-CP dated May 14, 2016 of the Government regulates the participation of organizations and individuals in the process of making requests to develop legal documents (Article 11). of organizations and individuals in the process of drafting legal documents (Article 32).

In addition, Law No. 10/2022/QH15, Law on Implementing Democracy at the Grassroots, 2022 has very clear regulations on the Rights of Citizens in implementing Democracy at the Grassroots, which are: To make information public and request to provide complete, accurate and timely information according to the provisions of law; Propose initiatives, contribute

opinions, discuss and decide on the implementation of democracy at the grassroots according to the provisions of this Law and other relevant laws; Inspect, monitor, make recommendations, reflect, complain, denounce, and initiate lawsuits against decisions and acts that violate the law on implementing democracy at the grassroots according to the provisions of law. And be recognized, respected, protected and guaranteed legitimate rights and interests in implementing democracy at the grassroots according to the provisions of law. *[Article 5, Law No. 10/2022/QH15, Law on implementing democracy at the grassroots]*

Besides, there are also some following legal documents:

- Law on Organization of Local Government 2015.
- Law amending and supplementing a number of articles of the Law on Government Organization and the Law on Local Government Organization in 2019.
- Law on Citizen Reception 2013;
- Law on Complaints 2011;
- Law on Denunciations 2018;
- Law on Referendum 2015;
- Law on Implementing Democracy at the Grassroots 2022;
- Law on Supervision Activities of the National Assembly and People's Council 2015;
- Law on Access to Information 2016.

## **2.2. PARTICIPATE IN GIVING OPINIONS IN THE PUBLIC POLICY PLANNING PROCESS**

Stakeholders have the right to contribute opinions in the public policy planning process, including:

- Agencies, organizations and individuals in the State apparatus:
  - Parliamentary agencies:
  - State administrative agencies at central and local levels:
- Central Committee of the Vietnam Fatherland Front and member organizations;
- Vietnam Chamber of Commerce and Industry (for requests to develop legal documents related to the rights and obligations of businesses); Ethnic Council (for draft decrees containing regulations on implementation of ethnic policies);
- Subjects directly affected by the policy, including individuals, businesses, state agencies, societies, associations, and organizations representing individuals and businesses whose rights and interests are affected when there is a new policy.

## 2.3. PARTICIPATION OF ORGANIZATIONS AND INDIVIDUALS IN THE PROCESS OF MAKING PROPOSALS TO DEVELOP LEGAL DOCUMENTS AND THE PROCESS OF DRAFTING LEGAL DOCUMENTS

During the process of drafting projects and draft legal documents, the drafting agency may mobilize the participation of research institutes, universities, societies, associations and other relevant organizations. officials or experts and scientists in the following activities:

- Evaluate the impact of policies in projects and draft documents;
- Drafting documents and other activities at the request of the drafting agency

*[Article 32 of Decree No. 34/2016/ND-CP Regulating the participation of organizations and individuals in the process of making requests for developing legal documents]*

In addition, in Article 26, Law No. 10/2022/QH15, the Law on Implementing Democracy at the Grassroots, clearly stipulates the contents of people's opinions before the competent authority decides (for commune level).

- Draft socio-economic development plan of the commune level; Plan to transform economic structure and production structure; projects on fixed farming, settlement, new economic zones and plans for developing industries and occupations at the commune level.

district-level land use planning and adjustment plan; The management and use of land funds are assigned to the commune-level People's Committee for management.

## 2.4. EVALUATE THE IMPACT OF THE POLICY

The impacts of the policy evaluated include:

- Economic impacts are assessed on the basis of analyzing costs and benefits for one or several contents of production, business, consumption, investment and business environment, and competitiveness of the country . businesses, organizations and individuals, national or local economic development structure, public spending, public investment and other issues related to the economy.
- Social impacts are assessed on the basis of analyzing and forecasting impacts on one or several contents of population, employment, property, health, environment, healthcare, education, travel. again, poverty reduction, traditional cultural values, community and social cohesion, ethnic policies (if any) and other issues related to society.
- Gender impacts (if any) are assessed on the basis of analysis and forecast of economic and social impacts related to opportunities, conditions, and capacity to perform and enjoy the rights and benefits of women. each gender.”.

The impact on the legal system is assessed on the basis of analyzing and forecasting the impact on the unity and synchronization of the legal system; the ability of agencies, organizations and individuals to enforce and comply with the law; Vietnam's ability to implement and comply

with international treaties to which the Socialist Republic of Vietnam is a member.”.

- The impact of administrative procedures (if any) is assessed on the basis of analysis and forecast of the necessity, legality, reasonableness and compliance costs of administrative procedures to implement the policy.

*[Article 6 of Decree No. 34/2016/ND-CP Regulating the participation of organizations and individuals in the process of preparing proposals for developing legal documents and Decree No. 154/2020/ND-CP amending and supplementing a number of Article of Decree 34]*

## **2.5. FORMS OF PROVIDING INFORMATION TO RELEVANT PARTIES, CONSULTING AND ATTRACTING RELEVANT PARTIES TO PARTICIPATE**

The Council of Councils provides information to stakeholders, consults and attracts stakeholders to participate through many forms, including:

- Collect opinions through posting on the website of the agency requesting the development of legal documents; Agencies and units conducting policy impact assessments; The agency in charge of drafting and promulgating documents;
- Collect opinions by sending draft documents requesting comments to relevant individuals and organizations;
- Organize conferences and discussions to get opinions from relevant individuals and organizations;
- Organize direct policy dialogues with subjects directly affected by the draft resolution;
- Collect opinions through mass media for agencies, organizations and individuals to give their opinions.

Especially in Article 26 of Law No. 10/2022/QH15, Law on implementing democracy at the grassroots also very clearly specified Forms of people participating in local government opinions (specifically here at the commune level).

## **2.6. CASE STUDY 2. GERMANY’S EXPERIENCE IN ENGAGING STAKEHOLDERS TO CREATE CONSENSUS IN SUSTAINABLE DEVELOPMENT STRATEGIES**

When seeking to implement proposed measures, especially in advance of legislative amendments, the German Government engages in dialogue with stakeholders and other relevant parties. This provides an opportunity to explain proposed measures and allows stakeholders to present their ideas, criticisms and suggestions for improvement. Furthermore, it often improves the quality of government actions and increases public acceptance of decisions. During the update process the

In the National Sustainable Development Strategy, people were engaged both through the Internet and through sessions/conferences that allowed different interest groups to present their views. For many years now, the German Government has also organized a forum dialogue

held three or four times a year to facilitate a regular exchange of ideas and information on the international sustainability agenda between governments. and representatives of non-governmental organizations, churches, local governments, the scientific and academic community, and the private sector. Youth delegates for sustainable development bring the perspectives of future generations into the national debate and accompany government delegations to relevant negotiations and to the HLPF. In addition to these youth delegates, the German delegation to the HLPF also included representatives of the private sector, trade unions and environmental and development associations.

The Charter for the Future is a further effort to engage civil society actors, especially in dialogue to promote global sustainable development. Since 2014, discussions have been held with the participation of more than 100 organizations and initiatives and members of the community on how to create opportunities for the future for people around the world and establish responsibilities that Germans can assume in this regard. During an open online dialogue and numerous special events, proposals were advanced which were then compiled in the form of a Charter with recommendations.

A national tour brought these issues to a wide audience. The Charter was originally submitted to the Prime Minister, creating motivation to make the new Nation sustainable

The development strategy is more international in its outlook and is helping to implement the 2030 Agenda by initiating multi-stakeholder partnerships. A large number of specialized dialogue forums are also organized. The German government uses these regularly and on a case-by-case basis to engage relevant civil society groups.



Berlin skyline panorama  
Source: JFL Photography/Adobe Stock Images

## 2.7. EXERCISE

### Question?

1. Your thoughts on the importance of preconditions that create consensus ? in site clearance management?
2. In your opinion, do leaders' thinking need to change to move towards policy coherence in implementation ? Why?
3. What types of skills do you think are important for policy engagement?
4. What are the promises (commitments) regarding stakeholder engagement?
5. What forms of stakeholder engagement do you know?
6. Why is it necessary to get community opinions when planning?
7. Receiving community opinions when making construction planning?

## III. OVERVIEW OF ENGAGING CONSENSUS FOR POLICY IMPLEMENTATION

### 3.1. GENERAL OVERVIEW OF URBAN MANAGEMENT AND URBAN GOVERNANCE

- **Urban management**

*Urban management is:* the process of influencing through mechanisms and policies of urban management entities (government levels, social organizations, functional departments and agencies) on urban activities. market to change or maintain operations. (*Urban Management Textbook, Statistics Publishing House*)

*Urban management is:* the process of continuously, organized, planned and purposeful impact of the management subject on management objects according to a certain process to ensure economic development. urban socio-economic direction in a oriented way

- **Urban governance**

*Urban management is:* the government (or urban authority) must be the main subject, using many different tools such as: political, administrative, economic, legal, social, educational, communication to solve common urban affairs, aiming to build a civilized, modern city and best serve people in both material and spiritual fields.

Participatory governance requires a political framework and an organizational and procedural structure to be effective. Stakeholder engagement in long-term sustainable development works best if it is organized as an ongoing process rather than conducted on an ad hoc basis or through one-off engagement activities. are not relevant at different points in the policy cycle. A structured process allows stakeholders as well as governments to plan in advance, bringing together evidence, reports and other documents to deliver well-researched contributions at the appropriate time in policy cycle. Permanent institutional arrangements enable the capacity

of civil society representatives to be strengthened over time and relationships of support and cooperation of trust to be built". *[United Nations (2020), Stakeholder engagement & the 2030 agenda./ Stakeholder engagement & the 2030 agenda]*

### **3.2. THE ROLE OF STAKEHOLDER ENGAGEMENT IN PUBLIC POLICY MAKING TO CREATE CONSENSUS**

- Strengthening government-people relations is a means for the government to carry out its leadership role more openly, effectively, prestigiously and successfully. When using information, consultation and active participation, the role of leadership in government is to choose and decide on the approach .
- Provide diverse and multi-dimensional information for the policy making process. The participation of relevant parties provides a lot of useful information for SCS leaders, including information about policy issues and the causes and consequences caused by policy issues, about possible solutions to problem solving, about the positive and negative impacts of proposed policy solutions. Thereby, councilors can more clearly generalize about policy subjects, the existing socio-economic context of the policy as well as harmoniously combine the interests of relevant parties.
- Better understand policy linkages, synergies and trade-offs: Information, consultation and active participation give citizens the opportunity to learn about government policy plans, to give their opinions and contribute to the decision-making process. This participation creates greater acceptance of political outcomes. Government represents openness, making it more trustworthy to the people – sovereignty in any democracy. By building trust in government and better public policy, strengthening the relationship between government and citizens enhances government legitimacy.
- Participatory policies are more likely to be sustainable because they build on local capacity and knowledge, and because participants have “ownership” of any decisions given and are therefore more likely to comply with them. Participatory policies are therefore more likely to be compatible with long-term development plans.
- Working closely with local communities through stakeholder engagement can help decision makers gain insight into the communities they serve, allowing them to work more effectively and create better result. In turn, communities can learn how the decision-making process works and how they can effectively influence it.
- The process of working and achieving things together can strengthen communities and build adaptive capacity through developing awareness of problems in the community, as well as finding ways to solve them. It can strengthen local organizations, and build confidence, skills and ability to collaborate. In this way, it increases people’s potential to reduce their vulnerability. In turn, this empowers people and allows them to tackle other challenges, individually and collectively.

*[Adapted from Twigg, 1999 - Building a Collaborative Governance Framework]*

### 3.3. OPPORTUNITIES AND RISKS TO ENGAGE STAKEHOLDERS FOR POLICY CONSENSUS-BUILDING ENGAGEMENT

 Opportunity	 Risk
<ul style="list-style-type: none"> <li>- Involvement of multiple stakeholders allows for the inclusion of a wide range of knowledge, experiences and 'on the ground' issues</li> <li>- To provide better policy information</li> <li>- Priority</li> <li>- Identify policy linkages, trade-offs, and synergies</li> <li>- Give up ownership rights</li> <li>- Support solving complex, interdisciplinary problems .</li> </ul>	<ul style="list-style-type: none"> <li>- Sector-based participation mechanisms can reinforce barriers and weaken cross-sectoral collaboration</li> <li>- If forms of participation do not consider the differences in power and resources of the actors involved, they can lead to policies that narrowly serve benefits specific interests and they are at risk of capture .</li> <li>- Risk management must be very careful. In particular, consideration must be given to the implications of stakeholder selection in terms of expected outcomes, political preferences and political implications.</li> </ul>

### 3.4. MAIN FACTORS AFFECTING THE EFFECTIVENESS OF PUBLIC POLICY IMPLEMENTATION

#### ► Nature of the policy problem

The nature of the policy problem, the diversity or uniqueness of the policy object's behavior, the number of people in the policy object, and the number of policy object's behaviors that need to be adjusted all directly affect the policy. Next comes the effectiveness of public policy implementation.

#### ► The correctness and specificity of the policy (or policy quality)

- The correctness of the policy. The correctness of policy is the basic premise for effective policy implementation. Correct policies, consistent with objective laws and social development, demonstrating public benefits, promoting social development, and bringing practical benefits to policy beneficiaries will gain recognition. receive and support from policy beneficiaries, implementers and society, thereby contributing to improving implementation efficiency.
- Clarity and specificity of the policy. The clarity and specificity of the policy is a key factor for effective policy implementation, is the basis for policy implementation activities of the policy implementation subject, and is also the basis for conducting evaluation. and monitor policy implementation.

### ➤ **Resources for policy implementation**

Whether or not resources for policy implementation are adequate is also a factor affecting the effectiveness of policy implementation. Therefore, ensuring resources for policy implementation is an indispensable factor for effective policy implementation. Resources for policy implementation include: financial resources, human resources (human resources), information resources, equipment resources... Accordingly, it is necessary to allocate sufficient funds for implementation. policy; Ensure human resources to implement policies in both quantity and quality, especially ensuring management skills and administrative skills for policy implementation staff.

### ➤ **Interaction, exchange and coordination between agencies and individuals in policy implementation**

Interaction and exchange between agencies and individuals in policy implementation is an important factor for effective policy implementation. Interaction and exchange are aimed at making relevant agencies and individuals clearly understand the content of the policy as well as the implementation plan, thereby creating unity in awareness of policy goals. and related issues.

### ➤ **Reception and support of policy subjects**

Policy objects greatly affect the effectiveness of policy implementation. Whether a policy achieves its intended purpose or not depends not only on the quality of the policy and the capacity of the subject implementing the policy, but also on the attitude of the policy object.

### ➤ **Qualities and capacities of policy implementers**

Any policy needs to rely on the subject implementing the policy for implementation. The fact that the policy implementer understands and masters the policy, invests in policy implementation, has a spirit of innovation, creativity, responsibility for work and has a relatively high level of management is an important condition. important for effective policy implementation.

### ➤ **Organizational apparatus and operating mechanism of policy enforcement agencies**

The organizational structure and operating mechanism of administrative agencies (policy enforcement agencies) have a very important influence on the effectiveness of policy implementation.

### ➤ **Economic, political, cultural and social environment**

A major factor affecting the effectiveness of policy implementation is the policy environment including the economic, political, cultural and social environment. The implementation of any policy is subject to the influence and constraints of the environment. The right environment will be conducive to policy implementation. An unsuitable environment will hinder policy implementation.

### 3.5. CASE STUDY 3: INDONESIA'S STAKEHOLDER ENGAGEMENT



In Indonesia, Presidential Decree No. 59 Year 2017 is the legal basis for the establishment of the National Coordination Group on Sustainable Development, including the Committee Steering Committee, Implementation Group, Technical Working Group and Expert group.

Members of the Implementation Group, Technical Working Group and Expert Group include representatives from government, philanthropic and private organizations, civil society organizations, academics and experts. The selection of non-governmental representatives to the National Coordination Group is determined entirely by the non-governmental coalition itself.

**Steering Committee:** To help make decisions on important issues, provide staff oversight or convene key allies on important changes. This can be useful for solving a particularly charged problem where stakeholder oversight can bring legitimacy to the process. For example, deciding which organizations should fund a particular goal

**Implementation team:** Develop plans to implement sustainable development and publicize the plans, or propose the most comprehensive initiatives and solutions.

**Advisory body (expert group):** To advise leadership on specific issues, i.e. indicators and data collection, to convene technical experts to provide solutions for technology transfer technology or cooperation.

**Technical Team:** To explore a specific problem or to undertake a specific area of work such as

a stakeholder mapping exercise. Tends to be time bound.

*Then, discuss some outstanding issues in the locality where the training is held*

**Who receives and responds to comments, feedback, and complaints in local land recovery?**

1. People's Committee of commune - ward - town ☐
2. Land fund development center ☐
3. Compensation, support and resettlement council ☐
4. District-level People's Committee ☐
5. Department of Natural Resources and Environment ☐
6. Representatives of elected bodies ☐
7. Newspaper and radio agencies ☐
8. Legal Aid Center ☐
9. Other ☐

## IV. BUILDING AND IMPLEMENTING POLICY CONSENSUS BETWEEN GOVERNMENT AND RELATED PARTIES

### 4.1. THE LEVELS ENSURE THE PARTICIPATION OF STAKEHOLDERS IN PUBLIC POLICY MAKING

In the SCSC, the relationship between the State and citizens is expressed in citizens' participation in the SCSC process as stakeholders. The participation of stakeholders in the Council is expressed at three levels below:



## 4.2. DEVELOP AND IMPLEMENT POLICY CONSENSUS IN SITE CLEARANCE MANAGEMENT.

Site clearance is the act of a competent agency or organization carrying out the relocation of houses, construction works, residents, etc. in a certain part of land for the purpose of implementing planning, renovation, and construction of new works according to the decision of the State.

Pursuant to the provisions of [Article 66 of Land Law 2013](#), [Article 67 of Land Law 2013](#), [Article 68 of Land Law 2013](#), [Article 69 of Land Law 2013](#), [Article 70 of Land Law 2013](#), [Article 93 of Land Law 2013](#).

To properly implement all steps in site clearance work, it is necessary to mobilize the participation of the political system, focusing on mass mobilization work and implementing democratic regulations at the grassroots level in compensation work. Site clearance creates consensus from the People, thereby contributing to implementing projects on schedule, specifically:

1. Regarding policy mechanism: Develop detailed policy framework on compensation, support and resettlement when the state recovers land in the province in accordance with actual local conditions.
2. Regarding land management and planning: Specialized agencies coordinate closely with the People's Committees of communes, towns and other agencies and departments to manage land according to planning and plans. Use approved land, prevent encroachment, illegal construction and limit disputes, ensure the basis for determining the correct status, origin and duration of land use, serving well in planning Compensate and support accurately and according to regulations.
3. When cadastral measurement serves site clearance, always carefully select a capable and experienced consulting unit to contract the measurement and organize acceptance according to regulations, avoiding improper implementation of procedures. , procedures lead to errors, take time to adjust, thereby disrupting and slowing down project implementation progress.
4. Timely arrange capital sources for project implementation, especially funds to pay compensation and support for people whose land is recovered to strengthen people's confidence and reduce costs incurred.
5. Promote advocacy, propaganda and dissemination of policies and laws on land, compensation and support, resettlement as well as the purpose and meaning of the project to those whose land is recovered. First of all, exemplary officials, party members, and the masses aim to raise awareness of responsibilities, obligations, and rights in complying with the State's land recovery policy to implement the project.
6. Fully implement the process of publicity, transparency and dialogue with subjects whose land is recovered to convince and overcome shortcomings to minimize questions and

complaints of land owners. revoked, speeding up the progress of site clearance for assigned projects.

7. Receive, verify, clarify and resolve promptly, without prolonging delays, especially recommendations from those affected by the projects, in order to promptly overcome shortcomings and resolve them. strictly and in accordance with the law while ensuring the rights of the people.
8. Timely report difficulties and problems, propose solutions to handle and resolve them as required, as a basis for implementing the next steps, accelerating the progress of projects.
9. Competent authorities and branches need to regularly investigate and collect information to adjust, amend and supplement compensation and support policies, especially compensation prices for construction works. Architectural objects attached to the land and crop prices are close to reality in order to create high consensus among those whose land is recovered to carry out works and projects.

## **Survey**

### **Method of notifying land acquisition in your locality?**

1. Organize a people's meeting ☐
2. Announce by document ☐
3. Mass media ☐
4. Listed at headquarters ☐

### **4.3. DEVELOP AND IMPLEMENT POLICY CONSENSUS IN IMPLEMENTATION MANAGEMENT AFTER THE PLANNING IS APPROVED.**

- Publicly announce the approved planning

Announcing and publicizing the approved planning demonstrates democracy, openness and transparency in state management; It is both a “necessary” condition to promote and introduce investment attraction planning; so that the people know, the people do, and the people inspect and supervise the implementation of the planning; Prevent and early detect construction cases that violate planning, avoid having to demolish buildings due to construction that goes against planning, violates planning and violates regulations on management of planning and urban architecture that cause waste. waste of social resources.

In order to announce and publicize planning effectively, before organizing the announcement and publicity, the agency responsible for publicly announcing the planning project needs to prepare the following contents:

1. *Make a plan to announce and publicize the planning, clearly defining:*
  - Choose the form and location of public announcement;
  - Determine funding to publicly implement the planning.
  - Assign specific responsibilities of relevant agencies and organizations to ensure planning information is disclosed regularly and continuously, meeting management and supervision requirements.
2. *Print complete planning project documents and confirm and stamp the approved documents.*
3. *Content and minutes of handing over documents to management agencies at all levels*
  - Provide planning information
    1. *Providing information on construction planning is carried out in the following forms:*
      - Direct explanation at the request of agencies, organizations and individuals;
      - Providing information in paper documents and electronic documents at the request of agencies, organizations and individuals;
      - Posted on the website of the state management agency on urban planning and mass media;
      - Providing publications on planning.
    2. *The construction planning management agency is responsible for providing information about construction locations, construction boundaries, red line boundaries, construction grade and other information related to planning when organizing and Individuals have requests within the scope of construction planning projects under their management.*
    3. *Agencies, organizations and individuals that request information in writing must pay a fee for providing the information they request.*
    4. *Agencies and organizations providing information must be responsible before the law for the time of providing information and the accuracy of documents and data provided.*
    5. *Methods and tools for building policy consensus for urban development management*
      - Building sustainable relationships:
      - Management through influence and negotiation:
      - Managing complexity and interdependencies:
      - Management roles, accountability and motivation:

Any particular stakeholder engagement approach can usually be applied to a wide range of issues. No particular approach is better than another: “Various forms of public participation have been successful in achieving the goals of high-quality and acceptable assessments and decisions. widely accepted, and each form has at times failed to achieve these goals. There is no single best form or set of procedures to achieve good results in every situation.” Experience shows that the success of a particular approach will also depend on external factors such as the stage of the decision-making process, as well as the political and cultural context.

Some approaches and methods used to reach consensus:

➤ **Approaches commonly used to inform discussion through stakeholder engagement**

- **Public meeting/conference:** Arrangements formal, prescribed times and places at which members of the public and other interested parties can give evidence or question public authorities about the decisions under consideration review.
- **Poll:** Similar to opinion polling, but collects views after people have been introduced to the issue and have thought about it.
- **Focus groups:** Small groups of invited or recruited people discuss a topic or proposal; provides insight into their reactions, values, concerns and opinions, and shows how group dynamics influence opinions.
- **Nominal Team Process:** A structured team interaction method designed to generate a prioritized list of high-quality ideas in two hours or less.
- **Delphi process:** People with different expertise or interests related to an issue participate in a series of planned and facilitated discussions in stages (in person or by correspondence).
- **Charrette:** Between 20 and 60 people working collaboratively to find a solution to a given problem within a certain period of time (usually a day).
- **Citizen advisory groups:** Small groups of people representing different interests or expertise (e.g., community leaders) that meet regularly or ad hoc to discuss concerns and provide editorial input.
- **Advisory groups:** Forums that bring together key representatives of civil society (NGOs and civil society organizations), economic and political sectors, to make recommendations policy and demonstrate ongoing dialogue between these actors.

➤ **Methods are often used to inform the discussion process through stakeholder engagement**

- **Multi-stakeholder policy workshops:** Small groups composed of key stakeholders and technical experts, aimed at gathering multiple perspectives on the important questions raised by the dialogue.
- **Round table:** Representatives with different views or interests come together to discuss

and/or make decisions on an equal basis.

- **Citizen Representative Task Force:** People with special knowledge or who represent certain united community interests may be appointed to a temporary task force, organized to consider in-depth a issue that needs to be decided.
- **Study group:** 5 to 20 people who agree to meet 3 to 5 times to discuss a specific topic (or, meetings scheduled weekly or monthly for more complex topic groups).
- **Co-research groups:** Co-opted national and/or regional stakeholders and institutional representatives agree to participate in multiple supported workshops.
- **Scenario workshop:** A local meeting where scenarios are used to stimulate vision generation and dialogue between policymakers, experts, businesses and concerned citizens.
- **Referendum:** For cost-saving reasons, the only form of large-scale public decision is popular vote . All regular registered voters (or all those who meet a stated criteria) can express their opinions.
- **Consensus conferences:** These are held at the national level, usually by a “neutral” organization.
- **Citizens’ Jury:** Participants are recruited by lottery to serve their communities by participating in discussions about planning decisions that will affect the population in their geographic location:
- **Citizens’ Panels:** Citizens’ panels are similar to juries, except that they also develop a series of options before deciding which to choose.
- **Local monitoring, supervision and information committees:** Established at the time of (pre) site selection or created when constructing a risky production facility, these committees are a mechanism for ongoing engagement and dialogue among stakeholders and with the general public.
- **Collaborative arrangements for participatory site selection:** Committees bring together citizen representatives and different types of technical experts who work together over long periods of months or years to develop solutions that are acceptable from both a technical and social standpoint.

### ► Combined methods

- **Deliberate mapping:** A group of UK universities proposed this method to evaluate the effectiveness of different courses of action according to economic, social, ethical and science given by the participants.
- **Three-step process:** Renn et al. (1993) developed a three-step process for stakeholder input into public policy decisions.

- **Tiered approach:** A combination of different levels and forms of participation can be implemented to resolve the tension between broad democratic participation and feasibility

#### ► Comprehensive approach

Use a comprehensive bottom-up approach , as well as consultation and discussion techniques. This method gives the following results : Content (specific decision results); Procedures (modification of decision process); The context .

*Among all approaches and methods, the role of the convener (chair) is extremely important, greatly determining the success of reaching consensus . The convener is responsible for ensuring that the results of the commitment effort effectively influence decisions and provide appropriate justification for that influence .*

### 4.5. LEVEL OF INTERACTION AND ENGAGEMENT STRATEGY WITH STAKEHOLDERS.

Increase the level of decision-making authority for stakeholders

	Notification	Advise	Relate to	Cooperate	Power
<b>Community engagement goals</b>	To provide the community (people, businesses...) with fair and objective information to assist them in understanding problems, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions	Work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered	Collaborate with the public on every aspect of the decision, including developing alternatives and identifying preferred solutions	Ultimately the decision is in the hands of the public

	Notification	Advise	Relate to	Cooperate	Power
<b>Promise to the community</b>	Send any notices to the public	Inform, listen and acknowledge concerns and provide feedback on how public input influences decisions	Will work with the public to ensure that public concerns and issues are directly reflected in the alternative solutions developed and provide feedback on the extent to which public comments are influenced by decision	Look to the public for direct advice and innovation in developing solutions and incorporate public suggestions and proposals into decisions to the maximum extent possible.	Do what the public decides
<b>Tools, for example</b>	<ul style="list-style-type: none"> <li>- Flyer</li> <li>- Web page</li> <li>- ...</li> </ul>	<ul style="list-style-type: none"> <li>- Public comments</li> <li>- Focus group</li> <li>- Survey</li> <li>- Public meeting</li> </ul>	<ul style="list-style-type: none"> <li>- Seminar</li> <li>- Intentional voting</li> </ul>	<ul style="list-style-type: none"> <li>- Citizen advisory committee</li> <li>- Build consensus</li> <li>- Participatory decision making</li> </ul>	<ul style="list-style-type: none"> <li>- Use ballots</li> <li>- Decisions</li> </ul>

*Note: according to United Nations (2020), Stakeholder Participation in the SDG Policy Cycle/ Participation of stakeholders in the SDG Policy Cycle*

### **Question?**

1. Strategies to create local engagement You?
2. What difficulties does your locality encounter in the process of creating cohesion?
3. What solutions do you have to overcome those difficulties?

## 4.6. IMPLEMENTATION PROCESS TO CREATE CONSENSUS

### ► Step 1: Establish the problem

- Identify issues to bring up to create consensus: Specific policy areas
- Target setting at all levels : This puts activities in context and creates links with broader government goals
- Goals to be achieved. They are about the results, the effects you want to achieve. Goals help you focus on what's important when planning, implementing, or evaluating.

### ► Step 2: Develop a plan

- Develop a vision to engage stakeholders in the policy making process
- Establish evidence to engage stakeholders as to who achieves and what?
- Determine who should participate
- Determine how stakeholders will participate
- Establish specific and customized outreach strategies for different groups
- Set challenges and ways to overcome them
- Registration process

### ► Step 3: Implement and get consensus

- **Notice:** Factual information is needed to describe a policy, program or procedure; the public needs to know the outcome of a process/decision;
- Collect opinions and information : The main purpose is to listen and collect information; interpret and analyze collected data; identify specific individuals/groups;
- **Participation:** Two-way information exchange at the request of the organizational unit or relevant parties; have the opportunity to discuss and propose policy and program details; Criteria for participation are defined.
- **Cooperation:** Willingness to solve problems with relevant parties; have a commitment to identify relevant options through dialogue and respect recommendations; have the time and resources to discuss complex issues.
- **Partners:** Organizations willing to empower stakeholders to co-develop solutions; there is a formal/informal agreement to implement the solutions created with the stakeholders.

#### ► **Step 4: Resolve conflicts during the consensus process**

- **Policy Dialogue:** A small ad hoc group established to facilitate informal but structured dialogue between a range of stakeholder representatives and policy actors, often with a view to The purpose is to generate useful upstream proposals or options for policymakers to consider.
- **Regulatory negotiations or rulemaking negotiations:** Representatives of interested and affected parties work together with regulatory government agency staff to draft proposed rules. Participants are nominated by the group they represent, or chosen for some recognized expertise. Participants need to have or develop negotiation skills. The function of such negotiations is to refine the regulation before adoption, to avoid legal or other challenges, and to demonstrate its ability to meet the needs of affected parties.

#### ► **Step 5: Form consensus**

- Draft rules that create consensus
- Confirm the results of the consensus

#### ► **Step 6: Evaluation and supervision**

Governments evaluate information, consultation and active engagement activities to determine their level of success in strengthening government-citizen relations. They check the effectiveness, efficiency and completeness of these activities in achieving the goals previously set .

- **Informal assessment:** Through informal contacts with civil society organizations and citizens and by asking and listening to their opinions, government officials get an impression of how their activities are received by the public.
- **Collect and analyze quantitative data:** The government can collect data on many relevant areas, such as the number of requests for documents and information products, and the number and content of complaints. Complaints and suggestions received, about attending events, etc
- **Participant surveys and public opinion polls:** Surveys among event attendees or readers of government publications can reveal information about their usage and views of their contacts with the government.
- **Evaluation:** These are in-depth and systematic assessments of activities. They may involve extensive and diverse data collection as well as in-depth analysis

## 4.6. CASE STUDY 4: EXPERIENCE OF SOME COUNTRIES IN CREATING POLICY CONSENSUS

### ► **Singapore : Work as a service labour Response to the UN DESA Institutional Readiness Assessment**

- Leadership framework to lead and drive transformation
- Collaboration is part of the new core competency framework and performance assessment of officers, which also draws on whole-of-government and cross-sector projects
- Pay attention to staff rotation within and between ministries, and external job rotation
- WOG 's policy agenda
- The Prime Minister's Office leads inter-agency/stakeholder working groups from planning to implementation
- Network of partnerships and engagement of a whole-of-government and practice community to share capacity development efforts

### ► **Algeria:**

To attract relevant stakeholders to create policy coherence. Several Algerian ministries, including the Ministry of Environment and Renewable Energy, the Ministry of Health, Population Reform and Hospitals, the Ministry of Higher Education and Scientific Research, the Ministry of National Solidarity, Family and Status of Women, Ministry of National Education, Ministry of Agriculture and Rural Development and Ministry of Water Resources, organized workshops and awareness-raising training for civil servants, focusing on the SDGs directly related to their field.

During the workshops will be done:

- Develop and present a performance management initiative to promote collaboration and coordination for policy alignment
- Scenario: For a new SDG unit, your agency is looking for qualified staff. How will you organize the recruitment process?
- Three separate groups :
  - + Group 1 Write a job profile
  - + Group 2 Determine the profile of the board members
  - + Group 3 Develop simulation questions \_ \_ \_ \_

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