

DISCUSSION MATERIAL



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Discussion material (1)-1

Country name: VIETNAM

Name of organization: RRBO

1	<p><u>Issue 1</u></p> <hr/> <p>Describe the bad impact or real trouble derived from the issue</p>	<p><u>Legal framework</u></p> <ul style="list-style-type: none"> - Law on Water Resources (No. 08/1998/QH10) was endorsed by the National Assembly on May 20, 1998 and has taken effect since January 1st 1999 - Government Decree (Decree No. 179/1999/ND-CP) signed by the Prime Minister on December 30, 1999 on implementing the Law on Water Resources. This Decree has taken effect since January 15, 2000. <p>+ Under the administration of the government, there are two water resources management ministries. Ministry of natural resource and environment (MonRE) in charge of national water resources management; Ministry of Agriculture and Rural Development (MARD) manages water resources in river basins and irrigation systems; therefore the application of law on water resources in real life is difficult.</p> <p>+ Functions and tasks of the relevant ministries and provincial departments are overlapped and not clearly defined for they have similar responsibilities in water resources management which include: water resources allocation, water rights, environment and water quality monitoring, dispute management etc...</p> <p>+ Each water user sector has its own organization for management and exploitation of water sources (agriculture, industry, aquaculture, domestic use, navigation etc...). therefore, there has not been any integrated management or organization among these sub-sectors which leads to fragmented management.</p>
2	Cause of the issue	Law and mechanism for law implementation arrangement are not compatible from the central to provincial levels. The functions and tasks are overlapped. The integrated water resources management functions do not fall in responsibility of any organization.
3	Proposal (1)	<ol style="list-style-type: none"> 1. Adjust Law on Water Resources and Decree on law enforcement to adapt to governmental and provincial organization for the time being and for the future. 2. Build decree to determine specific functions to state agencies who have to be responsible for integrated management of water resources and sectoral water resources management agency and the linkage between them. 3. Continue to establish RBOs and clearly identify functions, duties and mechanisms for these consultant organizations. 4. Formulate and approve: planning for water resources development in river basin and planning for management and exploitation of hydraulic infrastructure of river basin as technical and scientific basis for integrated and sectoral water resources managements.
4	Remarks	

Discussion material (1)-2

1	<p><u>Issue 2:</u></p> <p>Describe the bad impact or real trouble derived from the issue</p>	<p><u>Organization</u></p> <ul style="list-style-type: none"> - So far, 8 RBOs and sub-RBOs have been formed by MARD and respective provinces and are being operated. - The tasks and functions have been fixed; the relevant organizations and members hold concurrently many positions. The RBO staff comes mainly from state administration agencies, rather than from water use households; RBO Office is present and important to MARD, yet not to other sectors. The Office and equipment are being prepared, capacity building carried out through training and management technology developed. The above mentioned reasons explain for the ineffective operation. - Water resources development planning and infrastructure management and exploitation planning are being formulated yet not approved. Therefore, there is not legal and technical basis for the RBO to carry out its consultant functions in integrated water resources management and river basin planning management. That is the reason why the operation of these RBOs meets a lot of difficulties.
2	Cause of the issue	<ul style="list-style-type: none"> - These RBOs are newly formed and being completed. The financial source coming from MARD and provinces seem limited whereas their positions are being consolidated. As a result, operation of RBOs is insignificant.
3	Proposal	<ol style="list-style-type: none"> 1) Complete the organization and human resource, especially in office of RBO (in terms of office, equipment, technology and personnel). 2) Develop and issue regulations reflecting the position of RBO in MARD and to relevant water sectors. 3) Develop and plan water resources development, management and exploitation of hydraulic structure system and approval of these plans. 4) Capacity building and study tours to exchange experience and information for RBO's human resources.
4	Remark	

Discussion material (1)-3

1	<p><u>Issue 3:</u></p> <p>The bad impact or real trouble derived</p>	<p><u>Financial</u></p> <p>The shortage of finance explains for the asynchronous investment in structures. The improvement and upgrading of old structures are not in time. The building of management and development plans is slow. As a result, the water resources management, water allocation and water rights are difficult to be implemented.</p> <ul style="list-style-type: none"> - New structures can not put into operation whereas old ones can not fully operate due to their reduced capacity compared to design. Technical basis is not enough for water resources management, allocation and meeting water demands. - Droughts during dry season and inundation during rainy season are frequent. Disputes on water supply and drainage of water use households become more prevailing.
2	Cause of the issue	<ul style="list-style-type: none"> - Despite good investment, resulted output and effectiveness are not reasonable. Each sector develops in its own way without any sound coordination which leads to incompatible development and integrated use of water resources can not be met.
3	Proposal	<ol style="list-style-type: none"> 1) The government and provinces should finance the new construction of infrastructure in a synchronous way and support regular maintenance and upgrading of existing structures. 2) To seek for financing from international organizations, governmental organizations, bilateral donors to invest in water resources development and management. 3) Socialization of investment in hydraulic infrastructure as well of the process of management and exploitation of hydraulic structures. 4) To complete the policy and mechanism for investment, management, taxation and exploitation of water resources
4	Remarks	

Discussion material (1)-4

1	<p><u>Issue 4</u></p>	<p><u>Technical</u> Guidelines to integrated water resources management, water resources allocation, water rights are not available. Technical equipment, technology, science and staff capacity fail to meet requirements of the ministry, sector and RBOs. System of data and information is difficult to obtain, collected and synthesized.</p>
	<p>The bad impact or real trouble derived</p>	<ul style="list-style-type: none"> - Lack of procedure, criteria and technology for management and allocation of water resources. Empirical process and actual maneuver are the only basis for sector management, rather than general management. - Provision of outdated technical, equipment and technology; lack of information exchange and training to build capacity of staff explain for low qualifications.
2	<p>Cause of the issue</p>	<p>Each water user has separate procedure, criteria and technology for its own. Yet the coordination of them causes contradictions (among hydropower, agriculture, aquaculture, navigation, environment etc...)</p>
3	<p>Proposal</p>	<ol style="list-style-type: none"> 1. There should be guidelines on integrated water resources management, water rights and allocation for common application. 2. Training to improve capacity of personnel in terms of technology and experience in water resources management is necessary. 3. Preparation of documents, general criteria and sectoral criteria for application. 4. Improved investment in advanced technology, equipment, technical science in order to facilitate the calculation, design and implementation of water resources management and allocation process.
4	<p>Remarks</p>	