

## Viet Nam: National Water Resources Council<sup>1</sup>

### I. Background

Viet Nam has a long history of water management related to its monsoon climate. Irrigation and drainage have allowed intensive paddy production while flood control works have greatly reduced the risk to large populations living in the lowland deltas and coastal areas. However, a number of water-related challenges have increased in recent times. Water quality is deteriorating in many areas due to urban and industrial activities and saline water intrusion is increasing as dry season river flows are reduced. The poor condition and financial sustainability of hydraulic works limits agricultural output in many areas. Although Viet Nam has adequate water resources overall, local and seasonal shortages are increasing, causing impacts on water users and the environment.

The water resources sector in Viet Nam can contribute to the achievement of national goals and support the implementation of the Comprehensive Poverty Reduction and Growth Strategy adopted in 2002 through, among other things, income generation throughout the economy, reduced risk and improved food security and social well-being of the poor, and improved sustainability of natural resources and the environment. However, the sector has not performed well due to fragmentation of responsibilities among national ministries and among provinces and agencies within river basins. The country has not yet developed a comprehensive and strategic approach to investment and management of water resources, with various sectors each undertaking their own planning. Although a progressive legal base, including a number of important and far-sighted reforms, is provided by the 1998 Law on Water Resources, progress in implementing the Law is still slow and supplementary legislation is not yet in place.

### II. Ministry of Natural Resources and Environment

In November 2002 the Government assigned the Ministry of Natural Resources and Environment (MONRE) to take over responsibilities of state management of natural resources as well as other natural resources and environment. The Decree separates state water management functions under MONRE from public water services delivery which will be carried out by the Ministry of Agriculture and Rural Development and other ministries with water-related responsibilities. The Prime Minister's Decree specifically assigns to MONRE the responsibility for:

- surveying and licensing basic water resource allocation
- survey, inventory and assessment of water resources and establishment of data bases
- implementation of measures to protect water resources
- support for the National Water Resources Council.

The formation of MONRE marked a major step in the institutional development of the water sector by bringing water resources together with environmental and other natural resource management responsibilities and in separating water resource management from the irrigation and drainage services under the Ministry of Agriculture and Rural Development and other water-related services under other ministries.

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Within MONRE the Department of Water Resource Management (DWRM) was set up in 2003 to carry out state management of water resources. Figure 1 at the end of this paper gives the organizational structure of the DWRM.

### III. National Water Resources Council

The Law on Water Resources (No. 8/1998) enabled the creation of the National Water Resources Council (NWRC) as well as river basin planning management boards. The formation of these new organizations also marked a new step in coordination and advice to Government at the central and river basin level.

#### 1. Functions

The NWRC was established under a Decision of the Prime Minister (No. 67/2000/QD-TTg). That Decision indicates that:

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

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

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

According to the accompanying Regulation on the Organization and Operation of the National Water Resources Council, the Council will:

1. Proactively investigate, recommend and advise the Government on major policies, projects and important issues in water sources field
2. Organise discussion among specialists, scientists for recommendations on National water resources strategies, major and important projects under Government authority;
3. Recommend on report, major and important projects on water resources as required by Ministries, agencies, and provinces or as required by the Government.

#### 2. Structure and Reporting Lines

According to the Law on Water Resources and subsequent legislation, the membership of the NWRC includes:

- Chairman of the National Water Resources Council: Vice Prime Minister;
- Standing member: Minister of Natural Resources and Environment;
- Other permanent members: Vice Ministers of the Ministry of Natural Resources and Environment; Ministry of Agriculture and Rural Development; Ministry of Fisheries; Ministry of Science and Technology; Ministry of Planning and Investment; Ministry of Finance; Ministry of National Defence; Ministry of Construction, Ministry of Transportation; Ministry of Industry; Ministry of Public Health; the Chairman of NWRC Office; and four specialists working in water sector.

Non-permanent members include representatives of central and local agencies with regards to specific issues and are invited by the Chairman of NWRC at each session of the Council. Appointment of members of the Council is the responsibility of the Prime Minister.

The NWRC reports to the Government through the Chairman. The Council is an official body within the Government, with an Office located in, and funded by, the Ministry of Natural Resources and Environment. In practice, the NWRC works closely with MONRE. The Council requests MONRE to undertake various tasks and to report the results to it. The Ministry also refers important, policy-related draft material to the Council for its review and comment before these are submitted to the Government.

The National Water Resource Council meets twice per year in the first and the fourth quarter of the year. The Chairman of the Council may also convene irregular meetings. Also, information may be circulated to Council members at other times and their responses may be requested.

### **3. Office**

The Office of NWRC is located in DWRM. The department as a whole is assigned to work on water resource management activities which are related to the functions of the Council. The Director General of the Department may assign any staff to work on assignments for the Council.

The Office of the NWRC is responsible to:

1. Develop agendas and issues for Council meetings and workshops;
2. Prepare documents related to operations of the Council between the council meetings;
3. Communicate with Council members and collect responses from them;
4. Prepare and submit reports to the Government;
5. Carry out studies, surveys and consultations, including organization of consultation groups;
6. Develop and maintain a National Water Resources Profile and other needed information tools to assist NWRC;
7. Develop annual plans and budgets for the Council activities; and
8. Manage the operation, personnel and facilities of the Council.

In addition to the staff of the Office, a number of other ministries and agencies have been involved in Council support activities through working groups, workshops and training activities. Working groups have been formed on training and awareness, data and information management, development of the Council's multi-year work plan, preparation of a National Water Resources Profile and National Water Resources Strategy, and various legislative development tasks. Workshops on these topics have included other stakeholders besides staff of ministries and agencies.

## **IV. NWRC Accomplishments**

The Office of the NWRC has produced the following documents for submission to the Council:

### **1. Strategic Plan for National Water Resources Council**

A strategic work plan for the Council for the period of 2002 – 2007 was prepared, based on i) the Council's legal mandate, ii) the preliminary results of the Water Sector Profile, iii) knowledge of policy and institutional issues for the water sector in Vietnam, and iv) activities undertaken by similar apex bodies in other countries.

### **2. National Water Sector Profile**

The National Water Sector Profile was produced with the assistance of Asian Development Bank (ADB) and in collaboration with various departments of the ministries with responsibilities for water resource management in Vietnam.

The purpose of the Profile is to provide a planning tool for the National Water Resources Council and other water managers to identify water resource management issues and formulate strategies and disseminate information.

The Profile seeks to:

- Facilitate the coordination with other national water sector information activities, recognizes that all water resource management activities in.
- Describe the national policy and institutional arrangements in the water sector, capacity for water resources management, water resources status, and the sector's infrastructure and financial resources.
- Provide a brief statement of sector issues, capacity evaluation and possible responses.

### **3. National Water Resources Atlas**

A National Water Resources Atlas was prepared, consisting of maps which describe the key factors that are important in managing water resources and provides a picture of the water sector in Vietnam. The Atlas is a companion document to the Profile, mentioned above.

### **4. Government Decree on Water Resources Information Management**

A Decree on coordinated information management in the water resources sector was prepared for MONRE and NWRC. This Decree specifies the role of MONRE as the overall coordinator of water resources data and information, while a number of ministries and agencies are defined as "custodians" of specific databases.

### **5. Government Decree on Licensing Water Use and Groundwater Discharge**

A licensing Decree for exploitation and utilization of water and discharge of wastewater was also prepared for MONRE and NWRC. The Decree details the organizational arrangements and the policies and procedures within an agreed licensing framework.

### **6. National Water Resources Strategy**

NWRC has placed a high priority on the development of a National Water Resources Strategy during 2004. Although there have been various strategies and development plans in various water related sub-sectors, this will be the first overall coordinating strategy for water resources management. The purpose of the NWRS is to indicate how the Government plans to achieve clear goals and objectives in the water sector in an integrated and effective manner. The NWRS will help to guide the strategies and plans of water-related ministries as well as provincial and river basin plans. The Strategy will present and show connections between:

- national goals
- current and expected water resource status and management issues
- water resource management goals and policies, and
- action plans to achieve these goals.

### **7. Government Decree on Integrated River Basin Management**

A Decree on integrated river basin management is also being prepared for MONRE and NWRC in order to clarify the overall approach to river basin management and the role of river basin organizations. Up to the present time, as a result of somewhat conflicting or unclear legislation, the roles of MONRE and MARD in the area of river basin planning and management have not been well defined. This has caused, in part, poor progress in establishing these river basin organizations and poor results under technical assistance projects at the river basin level. The

Decree will present the approach, structure and other details for integrated river basin management organizations.

## V. Evaluation

Although the NWRC had a period of inactivity in 2001-2003, it is now functioning effectively and beginning to take on an important advisory role for Government. In June 2003, Deputy Prime Minister Nguyen Tan Dung, Chairman of the Council, said:

Water resources management and protection against adverse effects caused by water have been a great task of both Government and people in the development of the country. In the past the Government and the Party have paid constant attention to water resource management. Guidelines have been prepared on the management, utilization and protection of water resources for socio-economic development and the improvement of people's living standards. The National Water Resources Council has also contributed in advising the Government and the Prime Minister on water resources issues.

On behalf of the Government and the Prime Minister, Deputy Prime Minister Nguyen Tan Dung expressed his appreciation of the efforts of NWRC and expresses sincere thanks to international donors, who has been assisting Vietnam in the management, exploitation, utilization and protection of water resources. He went on to say:

Water is an essential resources and has a critical role in the sustainable development of the country. Water resources management efforts have resulted in substantial achievements. However, in comparison with development needs there are still many shortcomings in terms of planning, management, utilization and protection of water resources.

According to Law on Water Resources, National Water Resources Council has the responsibility to advise the Government and Prime Minister on important water resources issues, including: national water resources strategies and policies, major river basin planning, plans for major inter-basin diversions, projects for protection, exploitation and utilization of water resources; cooperation in international rivers; settlement of disputes regarding water resources and exchange of information and data. These are issues of great significance. The NWRC has the responsibility to proactively advise the Government on the protection and sustainable development of water resources, thereby making an important contribution to the industrialization and modernization of the country.

Further time and efforts will be required to build up the capacity of the Council to carry out this mandate. In June 2003 the Office of NWRC reported to the Council on issues regarding the performance and capacity of the Council. These and other factors affecting the Council's effectiveness are mentioned below.

### 1. Inter-ministry Involvement

The involvement of various ministries and stakeholders is important to implement integrated water resources management. NWRC is an advisory and coordinating body and needs to base its work on participation from all water-related sectors.

Serious efforts are being made to build up an inter-ministry network and participation of stakeholders, such as through working groups. This is a relatively new approach in Vietnam and takes additional time and resources. Ministries, agencies, provinces, mass organizations and others have been involved in working groups and information workshops. These steps are demonstrating that ministries and stakeholders are willing to work together provided that a suitable mechanism for their cooperation is provided.

Ministries, agencies and other groups should recommend important topics for Council consideration. If ministries and agencies do not bring important issues for the Council to consider it will be difficult to prepare agendas and to ensure that the work of the Council results in the maximum benefit to the Government.

## **2. Strategic Approach**

It was agreed by NWRC at its first meeting (June 2001) that the Council should adopt a strategic work plan to guide its activities and meeting agendas and the activities of ONWRC. The strategic plan should be based on the legal mandate of the Council, the major issues in the water resources sector and the perspectives and needs of the various ministries. This strategic plan has now been developed and is being implemented through the activities of the Office and others.

The Council needs to continue to take a strategic approach to its role. There are significant policy, institutional and other cross-cutting issues which should be addressed in the water sector. The Council should be careful to set the correct priorities in order to advise Government on these important issues but, on the other hand, to avoid duplicating the role of MONRE or other ministries or taking on tasks which it is not ready or capable to handle.

## **3. Office of Council**

The Office of NWRC is still small and not yet well experienced. In the past, the low level of organization and staffing created delays in handling the work related to the Council and in preparing for Council meetings. In order to carry out the NWRC's strategic plan, including coordination of working groups and consultation with stakeholders, a well-organized Office with adequate staff and budget is needed. Further capacity building is needed for the staff of the Department of Water Resources Management and the Council Office and other participating ministries and agencies. This capacity building should focus on topics such as: management and organisational skills, technical skills, policy development skills, information management, communications, writing and reading legal and other technical documents, and skills in participatory approaches.

## **4. Technical Assistance**

Support from donor organizations such as ADB, Netherlands, AusAID and Danida is very important to continue capacity building. These projects can help to create awareness and skills for IWRM. Ongoing support should be provided to continue this capacity building and awareness creation process, since this will involve many changes the approach to water resources management and will take time to implement.

## **5. International Collaboration**

The Council, Office and other participating ministries, agencies and provinces have participated in a number of international conferences, study tours, and exchange visits with countries such as Australia, Denmark, France, Indonesia, Malaysia, Thailand and many others. This international contact has been arranged, in part, through donor-assisted projects as well as through participation in international organizations such as the ASEAN Working Group on Water Resources Management, the Global Water Partnership, the Network of Asian River Basin Organizations (NARBO) and others.

International contact and collaboration is particularly useful for senior level decision makers and water managers. There is a real benefit from first-hand observation and communication with direct counterparts in order to build up the awareness and commitment at the senior level for

integrated water resources management. A network of water sector apex bodies would, therefore, also be a useful mechanism for building up the capacity of the Vietnam NWRC.

**Figure 1 Organizational Structure of Department of Water Resources Management and Office of NWRC, MONRE**

