

INGO Forum Meeting 2012

Wednesday 7 November 2012, from 14:00 to 16:30 hours

Chairs:

Marko Lovrekovic, VUFO-NGO Resource Centre Managing Co-Director
Don Tuan Phong, VUFO Vice President / PACCOM Director General

Venue:

VUFO-NGO Resource Centre Meeting Room
Building F1, La Thanh Hotel, 218 Doi Can, Hanoi

Participants:

40 individuals from 37 organizations

Agenda:

1. Welcome and introduction
2. INGOs' inputs for 2012 Consultative Group meeting (CG)
3. Update on Decree 12 and other legislative news by PACCOM
4. Public image of INGOs and civil society in Vietnam
5. Other issues

INGOs inputs for 2012 Consultative Group meeting (CG)

Peter Newsum, Country Director from CARE / INGO Representative at the CG, gave an overview of the CG meeting. It is the highest policy dialogue between the Government of Vietnam and all development partners, including INGOs. For the past 10 years CG meetings have been organized twice a year: (1) an informal 'mid-year' CG in June and (2) formal 'year-end' CG in December. CG meetings are co-chaired by the World Bank and the Ministry of Planning and Investment (MPI); and often honoured by the Prime Minister's presence. The next CG meeting will be held on 10 December 2012 in Hanoi. The INGO community in Vietnam holds one seat at the CG, which is shared by four democratically elected INGO representatives. The current INGO representatives at the CG are country directors from Oxfam, Asia Foundation, CARE and International Center–VAVAF. The Managing Co-Director of the VUFO-NGO Resource Centre coordinates INGOs' participation at the CG.

Peter reported that the INGO group had attended a recent preparatory meeting organized by MPI Minister Bui Quang Vinh and Marko Lovrekovic provided more details. Here is a summary:

- 1) to discuss a new proposed format of the CG:
 - * starting in 2013 CG will have a name: Vietnam Development Forum;
 - * informal (mid-year CG) meetings to be terminated;
 - * formal (year-end CG) meetings to be shortened to one day;
 - * action plan, as a follow-up to CG, to be developed;
 - * ODA commitments to be officially declared at the CG;
 - * CG Secretariat to be established.
- 2) proposed agenda for the upcoming CG 2012:
 - * Creating a Foundation for Sustainable Development
 - * Solutions for Development and Skills for the Future
 - * Implementation of Green Growth
 - * Report on Anti-Corruption

Other topics were proposed and discussed, including an ongoing study of implementation of Decree 93. Minister Vinh suggested a separate discussion about the study (at a later date) outside

the CG because the study has not been completed yet. Several development partners, including INGO representatives, proposed and strongly endorsed discussion on the Land Law revision. At the time of submission of these minutes, MPI recommended to the Prime Minister that discussion on Implementation of Green Growth be replaced by the Land Law revision in the CG agenda.

The INGO group proposed to Minister Vinh that the Government takes into consideration a more active participation of Vietnamese (local) partners at the CG. The minister said it should not be a problem and MPI will discuss it with the Government. The minister also stated that INGOs will remain active participants in future CG meetings.

INGOs preparations for the CG meeting 2012

INGO usually have a very short time to speak at the CG. With all present ambassadors, heads of development, ministers and vice-ministers – verbal inputs from INGO representatives are limited to a few minutes per each session. However, every year INGOs distribute an official statement which is relevant to the agenda. Marko Lovrekovic invited all interested INGOs to send their inputs via email if they would like to share comments related to education and/or issues relevant to the Land Law revision. INGOs should email their brief comments directly to <director@ngocentre.org.vn> or one of the two people listed below.

Le Kim Dung (Oxfam) volunteered - on behalf of Oxfam - to take the lead in drafting the statement regarding the Land Law revision. She also informed the participants that there is an informal working group already engaged in relevant discussion and other INGOs are welcome to join this discussion by contacting her directly at <lkdung@oxfam.org.uk>.

Sven Coppens (Plan in Vietnam) volunteered to take the lead in drafting the statement regarding education. Other INGOs involved in educational programmes, especially higher education and skills training, are welcome to email their comments to <sven.coppens@plan-international.org>

Eduardo A. Sabio (VECO Vietnam) noted that information from annual reports prepared by the VUFO-NGO Resource Centre's working groups could be used and incorporated into the official INGO statement at the CG. Marko Lovrekovic agreed and clarified that drafting team will certainly use all the information from these reports that may be relevant to the CG agenda.

Update on Decree 12 and other legislative news by PACCOM

Don Tuan Phong, VUFO Vice President and PACCOM Director General, briefed the participants on Decree 12 and other legislative news. He confirmed that Decree 12 had come into effect on 1 June 2012 but the Ministry of Foreign Affairs (MOFA) has not yet released the required circular with guidelines; has not issued new forms for registration certificates; and has not appointed a department that will be responsible for INGOs. He also confirmed that the transfer of current (valid) permits to 'registration certificates' has not been done for the reasons listed above. COMINGO and PACCOM are authorized to issue temporary letters, which may serve as valid documents. All registered INGOs are welcome to request temporary letters from PACCOM -- while waiting for registration certificates -- in case their local partners, banks, suppliers or contractors require some form of official document. These letters may be renewed by PACCOM.

Don Tuan Phong stated that the majority of INGOs had not experienced any problems in the absence of new certificates. However, some INGOs face obstacles and PACCOM is willing to assist them on a case-by-case basis. MOFA has advised that the circular might come out at any time. The change in the procedure, compared to previous regulations, is that MOFA will be issuing certificates based on recommendations from PACCOM and COMINGO. However, INGOs will not apply directly to MOFA – they will continue submitting all paperwork to PACCOM. Also, the approved certificates will be handed out to INGOs by PACCOM.

Don Tuan Phong informed the participants that COMINGO is planning a third international conference with INGOs in Vietnam. The original date had been planned for December 2012, but VUFO management has decided to postpone the conference until March 2013. PACCOM will coordinate with the VUFO-NGO Resource Centre and share details about the conference at least two months in advance. Previous international conferences with INGOs were organized in 1992 and 2002. The upcoming conference aims to assess INGOs cooperation during the past decade and ways to cooperate more closely.

Questions and answers

Temporary letters: Don Tuan Phong said that none of the INGOs has a new certificate yet. The system of temporary letters from PACCOM is working, as many INGOs confirmed. Some INGOs in Hanoi and HCMC have already obtained two letters in a row, which enabled them to continue daily operations without interruptions.

Exception to temporary letter: Peter Newsum (CARE) mentioned a case where the system did not work quite as well. Don Tuan Phong explained that the issue was with the Ministry of National Defence and the INGO in question resolved it directly with them. Jonathan Guthrie from Norwegian People's Aid (NPA) added that NPA was part of the project in question. The problem is the sensitive nature of the project (landmines and UXO).

Transfer from valid permits to certificates: Marko Lovrekovic asked about the procedure for INGOs with valid (old) permits which submitted 'supplemental documents' to PACCOM and those whose permits will expire soon. Don Tuan Phong responded that INGOs should submit supplemental documents as soon as possible. PACCOM will make amends for all INGOs who provided supplemental documents as soon as the new circular is released.

Upgrade: Operations – Project Office – Representative Office: Jonathan Guthrie (NPA) asked about organizations which wanted to upgrade to a higher level of registration. Should they submit their applications for the current level; or could they apply for a higher level now? Don Tuan Phong advised that they should finalize the 'transfer' from permits to registration certificates first; and later apply for a higher level.

New INGOs in Vietnam: Peter Newsum (CARE) asked about the process for new INGOs arriving in Vietnam. What documents will be required when the new circular comes out? Don Tuan Phong stated that new INGOs should submit their application in the regular way; and PACCOM will release a temporary letter until the registration certificate is issued.

Specific questions: Several INGOs asked very specific questions concerning their rubber stamps, visas, work permits, bank transactions etc. Don Tuan Phong addressed those questions individually. The meeting minutes will detail only questions applicable to the majority (or a large number) of INGOs. Don Tuan Phong urged INGOs to contact PACCOM by email / phone call for individual inquiries. However, they should keep in mind that PACCOM receives about 100 requests/inquiries every month.

Public image of INGOs and civil society in Vietnam

On 31 August 2012 the newspaper Nhan Dan published an article 'Civil Society - a Tactic of Peaceful Evolution'. The article has generated a strong reaction among Vietnamese NGOs and several INGOs because of its negative portrayal of civil society, non-governmental organizations and donors in Vietnam. The People's Participation Working Group, which brings together representatives of over 70 VNGOs and other agencies, held a meeting to discuss the article and sent a letter to the newspaper's management.

Marko Lovrekovic clarified that the INGO Forum is not intended to discuss the article itself, as it

represents an opinion of one individual – not the official line from the Government of Vietnam. However, the VUFO-NGO Resource Centre would like to initiate a series of discussions on the public image of INGOs and other civil society organizations in Vietnam. PACCOM has already expressed its view that the article does not represent the official line of the Government or the party.

During the open discussion that followed INGO representatives expressed a wide range of views, comments and thoughts. Sven Coppens (Plan) raised a question about any negative impact on INGOs' work which the article may have caused. He also added that there had been no negative impact on Plan's projects. A few participants agreed that it is too late to send any official response/letter to the newspaper but it is a good opportunity to engage in discussion on INGOs' role in Vietnam's development.

Wilfred Theunis (VVOB) agreed and suggested that INGOs should not react to the article, but instead develop a paper about NGO achievements. Ian Bromage (MCNV) said that INGOs should continue promoting and publicizing their work. Philip Hazelton (APHEDA) said that PACCOM should increase support to INGOs in promoting their work. Andy Baker (Oxfam) suggested that INGOs talk to VNGOs and see how can they best help them. Peter Newsum (CARE) proposed that PACCOM use the upcoming international conference in March 2013 to promote INGOs' work.

Philip Hazelton (APHEDA) said that a journalist had approached his organization. He suggested that INGOs discuss with PACCOM how to get more positive stories into Vietnamese newspapers. Marko Lovrekovic reported that the Institute for Society Economy and Environment (ISEE) had conducted an evaluation of INGOs' cooperation with the Government during the past decade; and had completed a report which will be presented at the conference in March 2013.

Thao Hoang Phuong (ActionAid) said that VUFO and PACCOM had been working with VTV4 to highlight the work of INGOs. She said that ActionAid received a letter from provincial authorities asking ActionAid to work jointly on projects. This indicates that provincial authorities regard INGOs positively. William Taylor (Asia Foundation) said the best thing that INGOs can do is to work with local people and promote their projects. Ian Bromage (MCNV) added that the Capacity Development Working Group was looking into developing a code of conduct for INGOs. Le Kim Dung (Oxfam) said that INGOs should not respond to the article but start promoting their work positively, using a broader approach.

All participants agreed to continue this discussion through the Capacity Development Working Group and to maintain regular contact with the People's Participation Working Group on the subject.

Other issues

Marko Lovrekovic reminded INGO representatives that the 2012 Salary and Benefits Survey Report has been completed and those INGO members who have not collected it yet should do so. The VUFO-NGO Resource Centre's team is finalizing the INGO Directory for 2012-2013.

The meeting closed at 16:35 hrs.