

International NGOs Operating in Vietnam: Current Situation, Outstanding Issues and Policy Suggestions

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Abstract: Through field surveys in six provinces and cities (Hanoi, Yen Bai, Thanh Hoa, Da Nang, Ho Chi Minh City, and Kien Giang) in the form of interviews with local authorities (Departments of Foreign Affairs, Departments of Planning and Investment, and provincial Unions of Friendship Organisations) and international non-governmental organisations (INGOs) that have projects in the survey areas and consultation with local people, the survey team discovered a number of outstanding issues and problems in the activities of INGOs, as well as in the state management of INGOs. From such findings, this article presents their current development status and comes up with some recommended solutions to improve the management mechanism and improve their operational efficiency.

Keywords: International NGOs (INGOs), policy recommendations, Vietnam.

Subject classification: Economics

1. Introduction

In the 30 years since Vietnam implemented the "renovation" policy so far, international NGOs (INGOs) have supported Vietnam in social development and its social development management. INGOs have made great contributions to the socio-economic development of Vietnam that have been recognised by the Government and local authorities as well as by the people. INGOs

have brought many benefits, and positive changes in the lives of millions of beneficiaries, such as contributing to economic development, formulation of appropriate policy frameworks as well as contributing to more openness and deepened the integration of Vietnam into the international community.

However, in the course of operation, many limitations have been arising that still adversely affect the performance of INGOs in Vietnam. Those issues may come from

INGOs or the state management of INGO activities, such as poor effectiveness in some projects, the delayed and slow licensing procedures of the state management agencies, the inadequate and insufficient system of legal documents on INGO management. To tackle such issues, Vietnam needs to overcome the limitations to improve the operational efficiency of INGOs in Vietnam in the near future. Operational efficiency of INGOs needs to be improved according to some criteria, such as how to make sure that INGOs' activities can best support Vietnam in socio-economic development, with an emphasis on boosting the attraction of aid capital sources and financial resources; improving sustainability and far-reaching effects of projects; facilitating the attraction and implementation of INGO projects.

2. Actual status of INGOs in Vietnam

2.1. The number of INGOs and their aid values

After Vietnam became a unified country and with the US embargo in 1979, there were almost no INGOs operating in Vietnam. In 1989, thanks to the renovation policy, many INGOs were attracted to operate in Vietnam. In the same year, the People's Aid Coordinating Committee (PACCOM) was established to coordinate the activities of INGOs in Vietnam. For the past 30 years, the number of INGOs that have been operating in Vietnam was more than 1,000 organisations, and by 11 April 2018 as many as 479 INGOs were operating [4] with the total aid valued of USD 3.7 billion (see Figure 1). INGOs have been present and operating in almost all localities in the country in many rich and diversified forms,

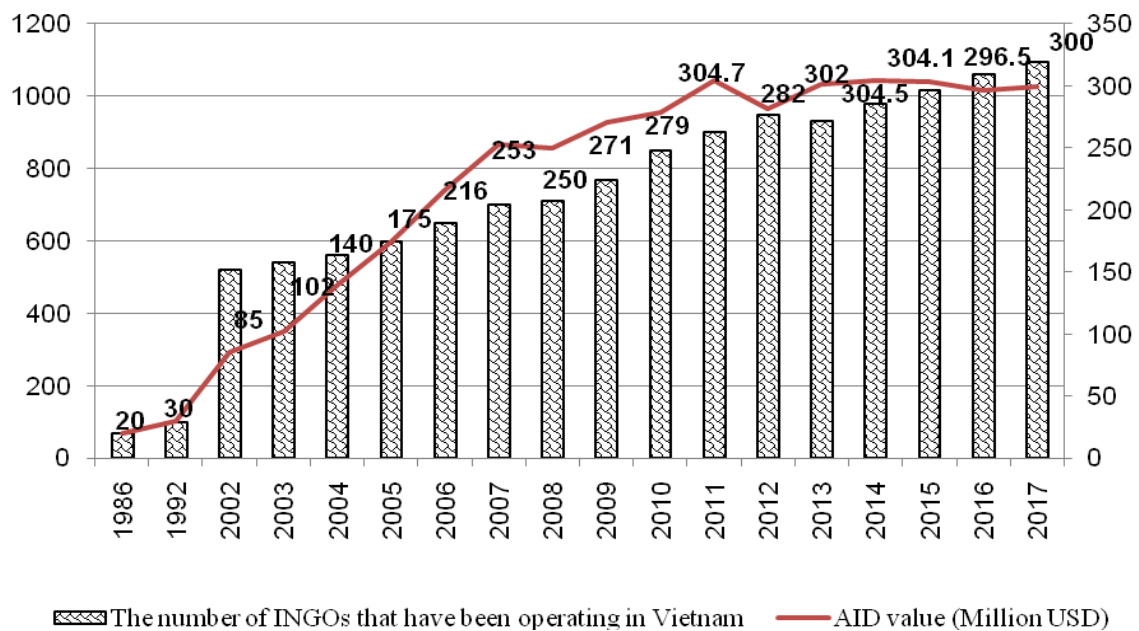
contributing positively to disaster relief, support for people with disabilities, medical aid, education development, rural development, environmental protection, and poverty reduction and others.

2.2. Areas and locations of INGO operations

The areas of INGO activities are often determined based on their purposes e.g. as Oxfam is involved with *poverty reduction, social inequality, people's participation and State responsibilities*. The World Population Foundation identifies its area of activity as *sexual and reproductive health issues* (SRH). The WWF is concerned with the *protection of the environment and natural resources*. Save the Children is concerned with *children's rights* and the FHI Foundation with *health and quality of life*. Based on the local socio-economic conditions and the needs of the people, INGOs specify their intervention projects.

In general, INGO activities are very rich and diverse in terms of local aid needs. Meeting various needs of Vietnam, INGOs operate in many different fields. About half of the INGOs operate in two to four areas and a quarter of them only focuses on one area of their expertise. Most INGOs are operating in the field of economic development, poverty reduction and provision of social services such as health and education. These are the fields that INGOs are very experienced in and they implemented them right from the first days they arrived in Vietnam.

Concerning localities, a large number of INGOs have identified that "[their] help can be given everywhere in Vietnam, but priority is given to mountainous areas of northern Vietnam, highlands and coastal areas".

Figure 1: Number of INGOs and their Total Aid Value³

Source: Working Committee on Foreign Non-Governmental Organisations (2018). Data before 2006 is taken from the Ministry of Foreign Affairs (2017).

INGOs operate extensively in different localities not only in mountainous and rural areas but also in urban areas. The issues of urban poverty, migration, HIV, grassroots democracy, human rights, adaptation to climate change, and policy advocacy have been given increasing attention. The selection of locations in which INGO are operating depends on each organisation's strategy and priorities. Priority will be given to those localities with outstanding issues, in addition to criteria such as partners, geographical accessibility as well as geographical representation. For example, Oxfam only focuses on those provinces where ethnic minorities live because they consider them to be a priority. Organisations interested in HIV, e.g. the FHI Foundation and PACT, focus on "hot" localities, such as

Hanoi, Ho Chi Minh City, Can Tho, Quang Ninh, Hai Phong, and Dien Bien, where there is a high proportion of people living with HIV and risks of new HIV infections. The number of operating localities depends on the budget as well as the representation required. In addition, there are many organisations interested in people with HIV, older adults, youth, LGBTQ and migrants. INGO activities not only focus on poverty reduction in rural and mountainous areas but also expand to urban areas, as well as other specific issues and target objects.

However, after Vietnam officially graduated to a low middle-income country (since 2010), it is expected that there will be fewer funds for INGOs. This change may lead to the withdrawal of a number of donors focusing on poverty reduction.

Besides, there may be a change in the strategic approach for bilateral donors and transitions from INGOs former activities to playing the role of service providers. INGOs are also actively seeking ways to access new funding in the context of this change, including close cooperations with the private sector, becoming a social enterprise, and providing consulting services.

Moreover, a clear trend of change in recent years is that, in addition to the "conventional" fields, a good number of INGOs have started to operate in such areas as human rights, grassroots democracy, state governance, and civil society development. According to many INGOs, the need for poverty reduction is not as urgent as before, and the Government of Vietnam has more resources to invest in difficult areas thanks to the outstanding economic development achievements in the past three decades. In addition, such issues as human rights, civil society development and the responsibility of the State are increasingly important for Vietnam's comprehensive and sustainable development efforts.

3. Outstanding limitations that reduce operational effectiveness of INGOs

3.1. The socio-economic efficiency of many INGO projects is still not high

Through actual surveys and direct exchanges with local people and people working in INGOs, as well as state management staff, it is shown that alongside with effective and appropriate INGO projects, the socio-economic efficiency of many projects is still poor. This is reflected in the fact that INGO

projects are: (i) not really significant in terms of funding scale; (ii) limited in terms of suitability; (iii) characterised with low sustainability, with human resources after the end of the project not being retained, and things getting back to the starting point only a few years after the end of the project; and (iv) less likely to replicate and to exert far-reaching effects.

The INGO aid value in the 30 years since the renovation is about 3.7 billion USD, but the average share is very small. In 2016, the INGO aid value that Vietnam received was USD 280 million, and if dividing this amount into provinces and cities nationwide, the value then is even much smaller. In 2016, Hanoi received 2.28 USD million of INGO aid capital [3], while in Kien Giang province it was less than one million USD [5].

In Kien Giang province, during the first six months of 2017, there were six INGO projects in the field of socio-economic development. The highest funded project (committed capital equals disbursed capital) had a value of USD 42,919, and the lowest one had a value of USD 4,833 (equivalent to about VND 100 million). The total committed funding budget was USD 112,393, and the disbursed funding budget was USD 79,565. All these figures were too small for the province's socio-economic development needs, let alone the proportion of its contribution to the province's socio-economic development effectiveness [5].

In Yen Bai province, according to the data from its Department of Planning and Investment, in 2016, there were also projects with funding of less than USD 2,000. In Da Nang and Ho Chi Minh City, in 2016, there were quite a few INGO

funded projects whose funding was only a few thousand USD [1], [2]. These figures were too small for the needs of major cities such as Da Nang and Ho Chi Minh City. Therefore, the effects of these projects were not high and meaningful.

According to the evaluation of many experts and state managers on INGOs in the provinces surveyed by the research team, most of the INGO projects are still spread, unfocused, only implemented in small scale, and primarily experimental. Therefore, they are limited in the application of new technologies, leading to poor project effectiveness and limited ability to absorb technology transfer for applications as well as maintenance work. The content of some projects is inconsistent with the State's development programmes and plans. Some INGOs are too focused on the sustainability of the project, so they set their selection criteria too high and, therefore, excluded the poor people who could not access some poverty reduction programmes.

According to a staff member of the Vietnam Women's Union of Kien Giang province (2016), there was an INGO project⁴ to provide support for the poor people in Kien Giang to build houses. International volunteers under the INGO project came to work and supported the construction of houses, but most of them were students so they could not help with house construction work practically. Even a delegation of 30-40 foreigners came to the locality but failed to report to the authorities; so, the police arrived to check and demanded explanations. In addition, certain INGO projects were completely ineffective, with their funding spreading thin, each person benefiting a bit and the implementation time was extended. In

Kien Giang, the same INGO as mentioned above provided emergency assistance to each person with VND 200,000 but did not bring that money to the beneficiaries. Rather, it required them to collect such money themselves. It so happened that an older adult who was entitled to such emergency assistance had to take a taxi motorbike to collect the money. After receiving the money, he complained that he received VND 200,000 as a subsidy but taking a taxi motorbike cost him VND 200,000. This made the recipient unhappy.

According to an official from the Vietnam Women's Union of Ho Chi Minh City, she had previously participated in a project to build septic toilets for people in the mountainous province of Lai Chau. In some areas with favourable water sources, the project was successful, but it was not possible to replicate the model for the benefit of people in mountainous areas because septic toilets require water from above. To use a septic toilet, there must be a pump and a water tank on an elevated position. This generated very high costs, so the project could not be implemented.

Some INGOs were small in scale, but their operations were spread in many localities, with long project durations and high administrative costs. In addition, this source of aid was not properly coordinated. Many mountainous localities are populated by a large number of ethnic minorities with a high rate of poor households, but they only enjoyed a low aid value.

Therefore, INGOs *cannot play a key role in local development but only provide support to a modest extent*. Localities still have to rely on the overall development policy of the State for their overall

development, and rely on the State budget allocations for socio-economic development.

3.2. Some INGO projects were heavily promotional, more focused on introducing their kindness than providing development grants

A good number of INGO projects were implemented with a formalistic character. Splitting grants, extending financial support periods, showing off financial support, etc., made INGO projects less effective but focused on "demos and ostentatious show-offs" of their kindness. This made local governments ask the question: "What is the essence behind this funding?". Relating this issue with some INGOs, they replied, "We also need to install a decent background with necessary lettering on it for our gift-giving activities for videotaping and photographing purposes of showing our donors and sponsors in order to appeal for their continued financial support." What about the people? In fact, in a seminar on INGO topics in 2017 in Ho Chi Minh City, according to an officer of an INGO project funding scholarships for poor school students overcoming difficulties, a school student who was a target beneficiary did not go to the stage to get gifts. That INGO project officer afterwards came to the house to give the gift and asked for the reason why student refused. The student said, "I felt ashamed, so I did not accept it. If I went on stage, more people would know about my situation".

3.3. Licensing procedures are still complex and time-consuming

During direct interviews with INGOs' staff working in six surveyed provinces and cities

(namely, Yen Bai, Hanoi, Thanh Hoa, Da Nang, Ho Chi Minh City, and Kien Giang), almost all the respondents said that administrative procedures of Vietnam are still cumbersome, time-consuming and must go through many agencies and management levels; especially, the procedures for applying for new licences, renewing licences, modifying and supplementing operation localities in the operation's registration certificates, and certificates for the registration of project office establishments, and certificates for registration of INGOs' representative offices. This also coincides with the opinion of officials in charge of state management (i.e. officials working at the Department of Foreign Affairs and the Vietnam Union of Friendship Organisations) on the activities of INGOs in the surveyed provinces and cities.

Besides, overlapping in licensing and multiple licensing for the same incumbents still happen. According to some INGOs, although the licensing for certain INGOs has been granted by a competent central agency [7], when coming to the localities those INGOs have to apply for their licences at the provincial level and the district level which causes difficulties for them⁵. At the local levels, opinions of many agencies and management levels must be obtained in many places in order to get permits. In Ho Chi Minh City, for example, in order to obtain a license it is not only necessary to obtain approval by the Central Government but also in the locality must be the consensus and agreement of the INGO Working Group, which consists of eight agencies: the Vietnam Union of Friendship Organisations, the Department of Foreign Affairs, the Department of Finance, the Department of

Planning and Investment, the Department of Public Security, FOSCO Company, the Sub-committee on Religious Affairs (under the Department of Home Affairs), and the City People's Committee Office.

Strangely, despite many obstacles and a very time-consuming procedure, INGOs still successfully managed to obtain their licences. Someone with a high position in an INGO in Da Nang also said: "We are familiar with the complicatedness and difficulties in obtaining a license. Very hard to get a licence, it may appear, and we manage to obtain it anyway. The only thing is that it takes us a lot of time".

In addition, to license an active project or renew an operation license for an INGO requires not only the consent of the public security agency (i.e. the police) and the local government but also the appraisal and approval of the competent sectoral agency in charge of the sector or field in which the project operates (e.g. to implement a medical project requires the approval of the Ministry of Health, for education and training projects the approval of the Ministry of Education and Training). Therefore, all these factors lead to a situation that is not only lacking synchronisation and unity but also very complicated. This situation causes doubts within many INGOs. A staffer of an INGO operating in the field of children in Ho Chi Minh City shared: "Certain projects of ours have been implemented for a long time in Vietnam, but when applying for an extension, they are still subject to following the established procedures and processes, still have to get opinions from eight competent specialised agencies. These agencies call us to explain the terminology. We have just explained the terminology at this city department; then other city departments send

us their official correspondence asking us to explain such terminology again. It takes about half a month for that official correspondence to arrive at required destinations". This person also shared: "...it seems that the local Government is still suspicious, still questioning what those funding projects are truly after, so it is necessary to look very carefully ... it proves that there is no trust ... so it is very time-consuming for the project...".

3.4. The system of legal documents governing INGOs is still limited

Some limitations in the system of legal documents governing INGOs in Vietnam are as follows: (i) lack of legislated legal framework to coordinate the activities of INGOs; (ii) lack of penalties and sanctions against those INGOs that violate laws in Vietnam; (iii) lack of legal mechanisms to regulate the structure of state management apparatus governing INGO activities as a basis for local authorities to organise their implementation; (iv) lack of mechanisms to establish INGOs whose founders are Vietnamese people to support overseas Vietnamese on the one hand, and on the other hand, to finance foreign countries and carry out people's external activities to build the image of Vietnam in the international arena; and (v) lack of legal documents regulating the activities of INGOs when using the internet as a tool to raise funds and propagate.

The management of INGO activities in Vietnam is still inadequate. Currently, this work is mainly based on such legal documents as the Government's Decree No.93/2009/ND-CP dated 22 October 2009 promulgating the Regulation on management and use of INGO aid; the

Government's Decree No.12/2012/ND-CP dated 1 March 2012 on the registration and management of INGO activities in Vietnam; and Decision No.40/2013/QĐ-TTg dated 10 July 2013 on the issuance of the National Programme to promote the mobilisation of INGO aid for the period of 2013-2017. Some of these documents are now expired, and others are no longer suitable to the context of socio-economic development of Vietnam. According to the 2017 socio-economic report of the General Statistics Office of Vietnam (under the Ministry of Planning and Investment), the economic scale in 2017 at current prices reached VND 5,007.9 trillion; and the GDP per capita is estimated at VND 53.5 million, equivalent to USD 2,385. The current socio-economic picture in Vietnam has also dramatically changed, and efforts are now not focused on supporting people to eradicate hunger but on poverty reduction. The living standard of the people has been significantly improved. Many portions of the population are now better off with favourable economic conditions and the disposition to support other people in the country. Therefore, Vietnam's policies must also show the spirit of not being too dependent on INGO aid. Currently, Vietnam also has the right to choose those projects that bring about socio-economic efficiency, not just receiving whatever given by INGOs.

Vietnam's legal documents are only restricted to managing INGOs operating in Vietnam while legal documents to create an environment for the establishment and operation of INGOs established by Vietnam still remain desirable. The appearance of INGOs established by Vietnam will be an important channel not only to support overseas Vietnamese but also to effectively

implement the work of people's diplomacy, enhancing the position of Vietnam in the international arena.

Through actual surveys, some INGOs' opinions stated that in order for INGOs to be fully eligible and treated fairly, Vietnam should soon promulgate the Law on Associations and the Law on Demonstrations for the people to express their sentiments. However, this is one of the sensitive issues that should be pondered and considered. On the other hand, the Law on Association will be an opportunity if it facilitates INGOs to operate but will also be a risk because if it is too rigid, it will inhibit the development of INGOs.

4. Some recommendations for Vietnam to improve the system of policies for management and improvement of INGO performances

4.1. Completing legal documents related to management of INGO activities, simplifying administrative procedures, creating opportunities for INGOs to develop

The socio-economic picture of Vietnam is entering a new period - a period of economic upswing in the context of the vigorous development of the information technology revolution which greatly changes the mode of production (the world's mode of production is entering into the industrial revolution 4.0), social relations are greatly influenced by the internet-based information network, information is transmitted faster than ever before, and the economy is developed under the market mechanism. In addition to the economic development factor, the rapid dissemination of

information via the internet is a premise for non-governmental organisations in general and INGOs in particular to develop rapidly and strongly in Vietnam in the upcoming time. Therefore, Vietnam needs to complete and perfect legal documents to manage the activities of NGOs/INGOs, enabling them to develop freely under the market mechanism (effectively linking donors to the need for funding) within the legal framework, avoiding a situation where these organisations grow too fast for the State to control.

Through the above analysis, based on the survey results of INGOs, INGO management agencies and the people, the system of adequate legal documents governing INGOs still remains desirable. The existing ones are very careless and simple, inappropriate, difficult to apply, and difficult to implement. Those current legal documents in black and white are to encourage, create favourable conditions, and call for INGOs. However, the actual exercise of state management of INGO activities is performed through a licensing mechanism which is neither "closing doors" nor "opening doors". Rather, it is like "slightly/half opening doors" for INGOs. This makes life difficult not only for INGOs but also for state management agencies in managing INGOs and target beneficiaries.

4.2. Promoting the development of the "humanitarian industrial business model" chain

In order to develop INGOs in Vietnam, one of the important factors is to create an enabling environment for INGOs to operate under the model of "social enterprises", and

to promote the development of the "humanitarian industrial business model". Social enterprises here will develop according to market principles, and they will mobilise capital in society to meet the needs of funding. These businesses will work for social purposes, not for the purposes of any individuals or interest groups.

Accordingly, the State should: (i) allow INGOs to have their own legal status and participate in the market; (ii) allow INGOs to mobilise social capital not only through calling for funding but also conducting profitable business activities in order to have financial resources for the implementation of donor projects; not allow such capital to be transmitted abroad; and (iii) allow INGOs to commercialise their available products.

4.3. Building and maintaining sustainability, improving the effectiveness of INGO aid

It can be seen that sustainability (i.e. the continuation of operations) and effectiveness (especially the ability to replicate good project models) of INGOs in Vietnam are still limited. Therefore, the Government of Vietnam needs to:

- Develop a mechanism for the coordination between INGOs and the State, and amongst INGOs. This mechanism should be coordinated by a competent INGO management agency with sufficient power and function.

- Have a forum for information sharing between the State and INGOs, as well as amongst INGOs. Thereby, it is possible to share best practices concerning development models or effective projects for replication and development.

- Coordinate, from central to local levels, to study and develop procedures for appraising results of projects so that good results can be institutionalised and replicated.

- Intensify regular monitoring and evaluation to improve INGO aid effectiveness, consolidate and strengthen the capacity of lead agencies in charge of INGO work.

To replicate good models, through exchange and sharing of opinions, it is well suggested that the replication of good models is not necessarily a copy of models but should focus on replicating the model's principles, such as participation of the people, role of parties, new techniques, or new varieties. Replication should be considered as a model simplification and built into a guideline or policy.

Besides, financial management is an important field of INGO aid programmes and projects. This is because, first of all, it shows the sovereignty element of Vietnamese partners in holding the revenue and expenditure contents and items. On the other hand, it serves the state management of finances, and at the same time helps relevant management agencies through the project's financial revenue and expenditure activities to come up with a more comprehensive and substantial assessment of foreign partners. The financial loosening of the project will make it difficult for Vietnamese partners to assess the goodwill of foreign partners since it is not known how much the administrative fee spent actually is (in practice some foreign partners spend too high administrative fees, sometimes up to 50-60% of the total value of the project). Control of financial and accounting practices helps to evaluate

project effectiveness, taking it as one of the premises for planning a sustainable development of the project in the future.

4.4. Some other solutions

In addition to the above solutions, in order to improve the operational efficiency of INGOs, Vietnam also needs to reform the INGO management apparatus from central to local levels; create a dialogue mechanism between INGOs and state management agencies, allow INGOs to participate in the State policy advice and advocacy process; enhance communication and dissemination of information to change the perception of the INGO work; strengthen training and human resource development; and strengthen inspection, supervision and monitoring of INGO activities.

5. Conclusion

It can be affirmed that INGOs play an important role in and exert a positive influence on the socio-economic development of Vietnam. Therefore, Vietnam should continue to improve the policy system, create favourable conditions for INGOs to improve their operational efficiency, and attract more capital from INGOs for Vietnam.

Notes

^{1,2} The paper was published in Vietnamese in: *Phát triển bền vững Vùng*, số 1, 2018. Translated by Luong Quang Luyen, edited by Etienne Mahler.

³ As of 11 April 2018, 479 INGOs were operating in Vietnam.

⁴ For the sake of anonymity, the INGO is not named here.

⁵ Hoang Phuong Lien, Region Director in Yen Bai, World Vision Vietnam, 22 September 2017.

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