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OFFICE OF THE NATIONAL ASSEMBLY OF VIETNAM

UNITED NATIONS DEVELOPMENT PROGRAMME

PROJECT: STRENGTHENING THE CAPACITY OF REPRESENTATIVE BODIES IN VIETNAM

GUIDELINES ON PUBLIC CONSULTATIONS FOR THE ETHNIC COUNCIL AND COMMITTEES OF THE NATIONAL ASSEMBLY

(Reference material)

For internal use only

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PREFACE

Viet Nam's political program for national development in the transition period to socialism (supplemented and developed in 2011) clearly sets out that the State is 'to serve the people, to be closely linked with the people, to fulfill the people's democratic rights, to respect and listen to the people and to be supervised by the people'.

In this context, creating conditions within which people can express their opinions on policy topics is essential. The key means to promote socialist democracy and national unity were set out in the Party's political report at the XIth Party Congress; one of the key priorities is 'to have mechanisms and laws for the people to express their opinions, aspirations and perform their rights'. Accordingly, the inclusion of public consultations in the decision-making process is of prime importance.

Public consultations can be incorporated into different levels and stages of the decision-making process. Indeed, public consultations have been applied by the executive in Viet Nam since the 1980s in the form of taking opinions on the constitution, draft laws and ordinances and on issues of interest to the people.

Public consultations are also of prime importance for the activities of the Ethnic Council and the Committees of the National Assembly (NA), particularly in the drafting of laws, ordinances and resolutions, as well as in the collecting of information and evidence serving the work assigned by the National Assembly and its National Assembly Standing Committee. In addition, the consultation process

helps members of NA Committees to maintain relations with constituents.

The NA Committees have a history of holding some consultations. Acting on the basis of elements of the Law on Laws 2008, some NA Committees have held public consultations, in the course of which they have made use of certain consultation tools such as consultative meetings, social surveys, and meetings with experts, to collect information and evidence to serve their work.

However, the regulations and procedures of public consultations are not clearly defined in the core legal documents, so that public consultations by NA Committees have not yet become regular activities, and furthermore meaning that some committees have become confused about and hesitant in conducting public consultations. A further problem is that the holding of public consultations is not consistent among committees.

In this context, the Project “Strengthening the capacity of representative bodies in Viet Nam (Phase 3)” decided to compile “*Guidelines on public consultations for the Ethnic Council and the Committees of the National Assembly*”. The guidelines will act as a reference work for members of the Ethnic Council and Committees of the National Assembly and their supporting staff, helping them organise consultation activities.

The guidelines include the following major contents: the concept of public consultations; the significance of public consultations in activities of the NA Committees; the legal framework of public consultations; steps to conduct public consultations; and details on the tools for public consultations.

The aim of the guidelines is to help readers to apply consultation knowledge and skills, and so the contents of the guidelines are presented with relevant illustrations and examples. It is not necessary

for readers to read the guidelines from the beginning to the end. Sections can be selected for reading.

We hope that this will be prove a useful source of reference for members of the Ethnic Council and Committees of the National Assembly and their supporting staff in conducting public consultations, thereby serving the work of the Committees. The authors would welcome readers' comments for further improvement.

CHAPTER I: OVERVIEW OF PUBLIC CONSULTATIONS

1. CONCEPT OF PUBLIC CONSULTATIONS

One of the key requirements in the process of the promulgation and amendment of policies or laws is that they must come from life. Conversely, life should be introduced into laws or policies at the earliest stage of drafting or preparatory work. One of the most important means to bring life into policies is by implementing public consultations before promulgating a legal document or policy¹. To this end, elected bodies, government agencies and policy makers should collect public opinions in the planning and legislative process. These activities are what are known as “public consultations”.

To implement consultation activities, one should understand the public consultations process.

1.1. What are public consultations?

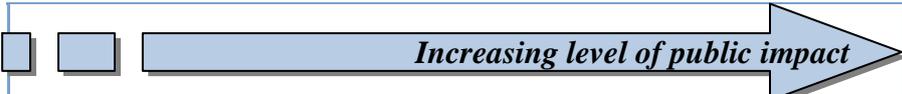
Public consultations can be understood as the intentional activity of the government to inform stakeholders about prospective initiatives, and to listen and to discuss with those affected a relevant decision, solution or policy which is planned to be promulgated or which is already promulgated.

Accordingly, public consultations should be regular elements of the work of elected bodies and deputies, so as to improve the oversight, planning and promulgation of policies.

In the spectrum of public participation in state administration below, public consultations operate at three levels.

¹ In this guideline, we use the term “public” with broader meaning than the term “people”. The public consist of all groups of people who are related to the policies. They are citizen, associations, civil organizations, scientists, experts and relevant authorizations.

Diagram 1: Increasing level of public impact in the State’s decisions²



	Inform	Consult	Involve	Collaborate	Empower
Public participation goal	Provide the public with balanced and objective information to assist them in understanding the problem, and its alternatives, opportunities and solutions.	To obtain public feedback on analysis, alternatives and decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the public	The State will keep the people informed	The State will keep the people informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	The State will work with the people to ensure that their concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	The State will look to the people for advice and innovation in formulating solutions and incorporate their advice and recommendations into the decisions to the maximum extent possible.	The State will implement decisions in line with popular requirements.
Example techniques	- Fact sheets - Web sites - Open house	- Public comments - Focus groups - Surveys - Public meetings	-Workshops, public hearings - Deliberative polling	- Citizen advisory committees - Consensus building - Participatory decision-making	- Citizen juries - Ballots - Delegated decision

². Source: International Association for Public Participation, at: <http://www.iap2.org>

Consultations can take many forms, some more passive, others more active. For instance, elected bodies can take the initiative in bringing forward issues for public consultation, in which case they may focus on certain stakeholders (groups of people or organizations), or elected bodies may react in response to input. Consultations can be used to gather opinions prior to a decision being made with regard to a law or policy under consideration. They can also be used to gain a better understanding of how the public perceive the implementation of a law or policy that has already been passed. This process can help create consensus and support for policies.

1.2. Contributors to public consultations (who to target?)

Box 1: Public consultations: Who to listen to?

- Direct and indirect beneficiaries.
- The directly and indirectly vulnerable.
- Managers and implementers at the same or even higher levels.
- Protectors (associations).
- Supporters (enterprises).
- Qualified persons (experts, such as professionals living in the localities).
- Neutral with regard to rights and/or damages.

In the term “public consultations”, the public can be understood to be any party whose rights are affected or related to the decisions to be made, or even any party with an interest in the issue. The public consists of: those who are affected by the policies and decisions; direct and indirect beneficiaries; protectors; supporters; qualified persons; and those responsible for managing and implementing policies. The public can also be understood in a wider sense to be each citizen, or groups acting in support of their interests, such as consumer protection groups, environmental protection organizations, or groups

concerned about issues as varied as public healthcare, science, education, trade, agriculture, and employment.

The right of individuals to give comments to public consultations activities is recognized by the law. However, state agencies need to encourage public participation, feedback, and dialogue so that the public can more easily play a role in the consultation process.

1.3. Topics for public consultations (On what to consult?)

Public consultations focus on the collection and provision of information necessary for the individuals, agencies and organizations responsible to decide on a policy or law, so enabling them to select what they should and should not do.

Depending on the objectives of and contributors to public consultations, organizations need to identify appropriate topics. For instance, when gathering public opinions and comments on draft laws, the legislature needs to ask the public **how the policy affects their interest**. Accordingly, appropriate topics need to be carefully selected, to ensure they relate to the interests and obligations of the individuals, agencies and organizations concerned.

Elected bodies can also conduct public consultations in the course of **performing their oversight function**. Then, the consulted topics should focus on seeking and evaluating whether any policy, law or decision has been implemented in compliance with given objectives or not. Public consultations should thus focus on expected or unexpected consequences and if the policy or law has achieved its aims. Elected bodies can also gather public opinions to assess if decisions are implemented equally, impartially, and lawfully or not. Furthermore, they can collect public opinions and comments so as to identify whether their decisions are implemented economically or not.

1.4. Objectives of public consultations

In public consultations, the following objectives should be reached:

- The collection of relevant public opinions and comments.
- Listening to the feedback of the compliance with these policies.
- An assessment of the feasibility of policies applied.
- The gathering of information which facilitates the alteration of policies or laws so as to ensure they take account of public needs.
- Changes in the awareness of the people in relation to their participation in state and social affairs.

1.5. Principles of public consultations

Public consultations need to be implemented under the following principles:

Compliance: Consultation processes should be in line with the relevant laws and regulations.

Transparency: Those who conduct public consultations must be open and transparent in relation to the objectives and procedures of and the topics for public consultations.

Continuation: Public consultations should be implemented continuously and from the early stages of the policy or law-making process.

Professionalism: Plans for public consultations should be implemented as agreed. It is important to identify the main tools and techniques being used and to assess the participation of the people.

Right to full involvement in implementing public consultations: T. Broad consultation is necessary since it ensures that the decision-maker receives opinions from those who might not normally be consulted, thereby giving people a chance to apply their rights.

Respect for diversity: The decision-makers should seek opinions from all perspectives.

Appropriate planning and timeframe: Public consultations should only be implemented when the objectives and topics for public consultations are clear. The participant must have sufficient time to consider the issue, and any time limit for making comments must be made public well in advance of meetings.

Feedback: A notifying and feedback mechanism should be put in place. The feedback mechanism will ensure citizens will have a sense that the process is legitimate and that their concerns will be considered.

Commitment: A strong commitment to and the flexible application of consultation tools, together with the active participation of the people, is a prerequisite to the success of public consultations.

2. SIGNIFICANCE OF PUBLIC CONSULTATIONS

Public consultations contribute to legislative and oversight work by facilitating an understanding of the key issues in society. The process ensures that the ideas and opinions of the public are taken into account, and that state agencies are more open and accountable. Moreover, public consultations provide an opportunity to check the NA's work by gathering the opinions of constituents. Collected information from public consultations also enables the NA to develop policy options; as one MP said: "At present, the NA is enjoying a range of dishes. There might be more delicious dishes, but the NA does not know if there are, and thus cannot order them"³.

Public consultations are a key means to improve committee work within the parliamentary system. In particular, public

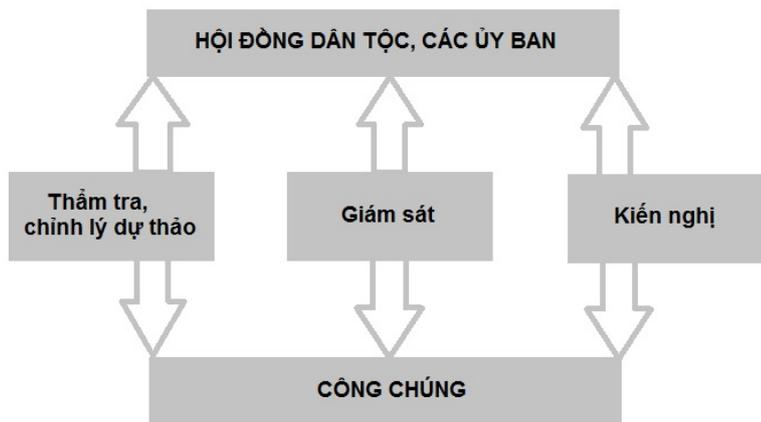
³. Opinions of Ngo Minh Hong, MP, at the plenary session of the NA on the morning of March 28th, 2011.

consultations contribute to increasing the quality of the activities of NA Committees, which in turn can improve broader work in the NA. This aspect is especially important in that, as one MP said, the contents of draft laws changed by between 50% to 85%⁴ at the Committee stage. The reports by the NA Committees must thus be of high quality, with public feedback on the issues playing an important role in enhancing debate. The gathered information can feed into better draft laws before submitting to the National Assembly, as well as into the performance of oversight activities.

“There should be regulations for the NA Committees to collect opinions and draw intellectuals into the work of the NA in a cost-effective manner”

Tran Du Lich, MP, at the plenary session of the NA on 28/03/2011

Diagram 2: Public consultations serving activities of NA Committees



⁴. Opinion of Nguyen Dang Vang, MP, at the plenary session of the NA on the morning of March 28th, 2011.

Public consultations contribute to the development of the NA, enhancing its links to the people and its understanding of public concerns. Consultation activities by NA Committees play a role in making state agencies more open and accountable in their work, and so contribute to the importance of the legislature as a venue for discussion. As such, public consultations play a key role in developing “participative democracy”.

Public consultations in committee activities also build consensus amongst stakeholders both about the value of the consideration and decision-making processes in the NA and in relation to the issue itself. The implementation of public consultations should result in:

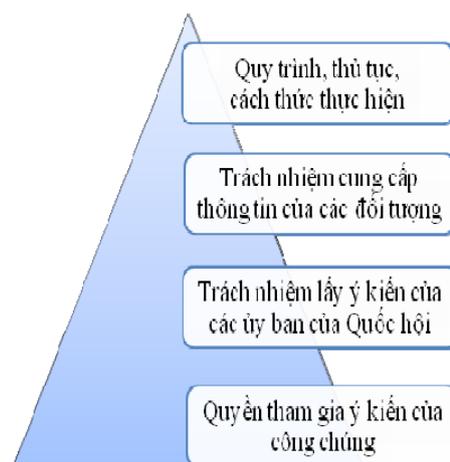
- Increased understanding, cooperation and trust between the state and the people;
- Clarified viewpoints and thoughts of stakeholders in relation to consultation topics;
- Improved information and background knowledge about public consultations themselves;
- The identification of more appropriate solutions and decisions;
- Better understanding of the costs of the implementation of policies;
- Increased understanding of policies proposed by State agencies;
- The collection of opinions of different groups of people in society, so helping to identify factors affecting the implementation of policies or laws issued by state agencies;
- The identification of issues requiring adjustment to overcome difficulties in state governance.

Box 2: Impact of the Committee hearings on medicine prices of the Committee on Social Affairs⁵

After an explanatory session (hearing) with respect to medicine prices at the Committee of Social Affairs of the NA, the leaderships of the Ministry of Health and related bodies committed to the issuance of regulations on changes to the mechanisms for medicine price management. In response to the CSA’s work, the Ministry of Health took some measures to manage medicine prices, including issuing a circular directing the hospitals not to post any price of medicines higher than the market price, and providing that the profits of hospitals should not exceed 15%⁶. These steps somewhat satisfied citizens’ expectation.

3. LEGAL FRAMEWORK FOR CONSULTATION ACTIVITIES

Diagram 3: Regulations on consultation activities of NA’s Committees



⁵. Lam Nguyen, ‘Ensuring medicine prices in the hospitals lower than market prices’, *Sai Gon Giai phong*, 01/11/2011.

⁶. Lam Nguyen, ‘Ensuring medicine prices in the hospitals lower than market prices’, *Sai Gon Giai Phong* 01 November 2011.

At present, the regulations on consultation activities of the Ethnic Council and Committees of the National Assembly are found in many legal documents, which set out the legal basis for public consultations:

3.1. Rights of the public to give opinions:

- In Constitution 1992, Article 53 provides: *“The citizen has the right to participate in the administration of the state and management of society, the discussion of common issues of the country and the region; he/she can send petitions to State organs and vote in referenda organized by the State”*.

- Article 69 of the Constitution 1992 also provides: *“The citizen enjoys freedom of opinion and speech, freedom of the press, the right to be informed, and the right to assemble, form associations and hold demonstrations in accordance with law”*.

- In addition, the Constitution also provides for public consultations through the Viet Nam Fatherland Front and its member organizations.

3.2. Responsibility to conduct public consultations

- Article 8 of the Constitution 1992 provides: *“All State organs, cadres, officials and employees shall show respect for the people, devotedly serve the people, maintain close contact with the people, listen to their opinions and submit to their supervision”*.

- Article 4 of the Law on Laws provides: *“In the course of elaborating a legal normative document, the drafting agency or organization and concerned agencies and organizations shall create conditions for agencies, organizations, units and individuals to give opinions on the draft document; and shall organize the collection of opinions of those directly affected by the document”*.

3.3. Responsibility of stakeholders to provide information

- Article 38 of the Law on the Organization of the National Assembly provides: *“The Ethnic Council and the Committees of the National Assembly are entitled to request cabinet members, the President of the Supreme People’s Court, the Procurator General of the Supreme People’s Procuracy and concerned state officials to*

supply materials or to attend to present matters which are considered and verified by the Council or the Committees. Persons receiving the requests of the Council or the Committees of the National Assembly shall comply with those requests”.

- Article 39 of the Law on the Organization of the National Assembly provides: *“When necessary, the Ethnic Council and Committees of the National Assembly may send their members to concerned agencies or organizations to consider and examine matters about which the Council or the Committees are concerned. The concerned agencies or organizations shall create conditions for members of the Council or the Committees to perform their tasks”.*

Other provisions addressing comparable issues include: Article 41 of the Law on Laws; Articles 27, 31, and 33 of the Law on Oversight Activities of the National Assembly; Articles 13, 27, 30, and 34 in the Working Regulations of the Ethnic Council and the Committees of the National Assembly; and Article 6 of the Resolution on important national projects and works submitted to the National Assembly for decision.

3.4. Rules and regulations on the consultation process and methodology

At present, the rules and regulations explaining the consultation process of the NA Committees are limited. Relevant articles just provide details on the methodology to conduct public consultations. For example:

- Article 12 of the Working Regulations of the Ethnic Council and the Committees of the National Assembly provides: *“The Standing Board of the Ethnic Council or the Standing Board of a Committee of the National Assembly may set up an oversight team to oversee the observance of a law or set up a working team to study issues falling within the domains managed by the Council or the Committee”.*

- Article 21 of the Working Regulations of the Ethnic Council and the Committees of the National Assembly provides: *“In preparation for the verification of drafts of laws, ordinances, resolutions or reports or other draft documents, the Standing Board of the Ethnic Council or the Standing Board of a Committee of the National Assembly shall...*

2. Request the drafting agency and concerned agencies to present relevant issues;

3. Organize the collection of expert opinions;

4. Conduct of its own volition or coordinate with the draft-submission agency in the conducting of field surveys”.

- Articles 48 and 51 of the Law on Laws provide: *“The draft document, the submission report and the report on verification of the draft documents shall be published on the website of the National Assembly”.*

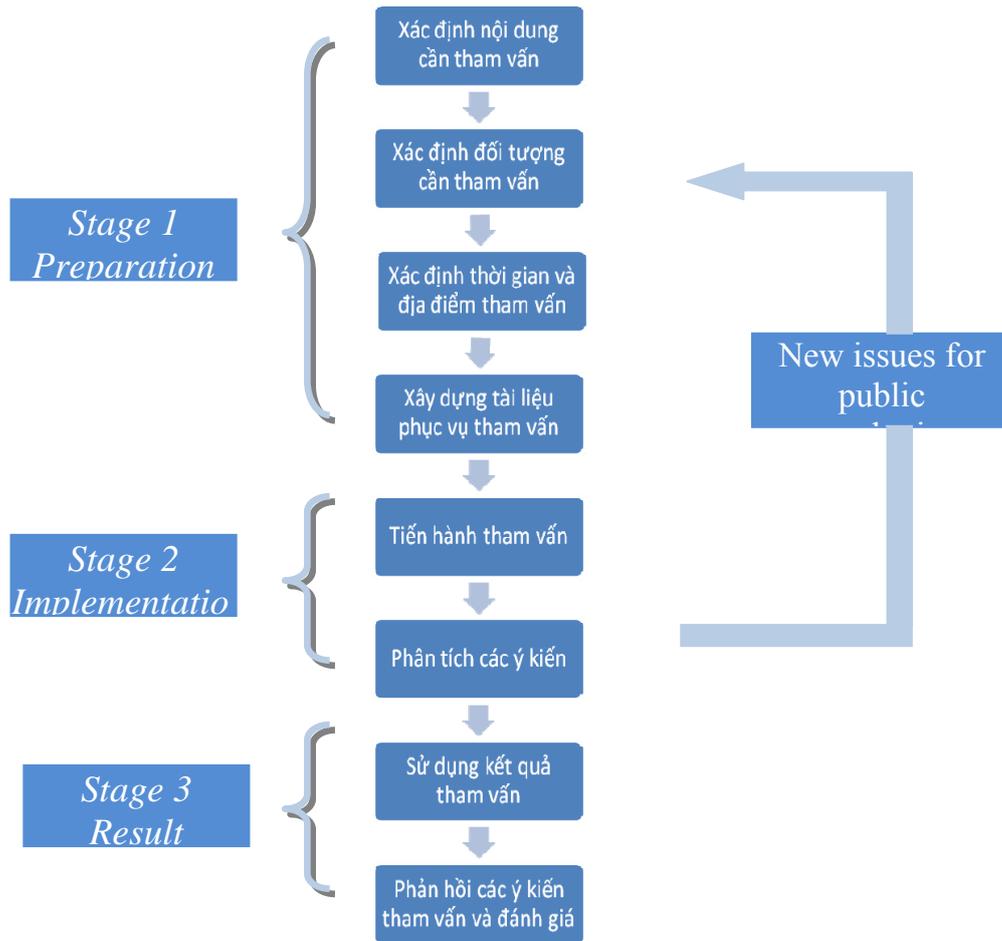
- In addition, Article 37 of the Working Regulations of the Ethnic Council and the Committees of the National Assembly provides: *“The Ethnic Council and the Committees of the National Assembly may propose to the National Assembly or the National Assembly Standing Committee the gathering of people’s, branches’, levels’ and National Assembly deputies’ comments on drafts of laws, ordinances or resolutions or on other important issues”.*

As provided by these and other legal instruments, the National Assembly has powers to appraise laws in draft, and to question the government as part of its oversight responsibilities. However, a number of key gaps remain in the legal architecture, which requires clarification.

CHAPTER II: IMPLEMENTATION OF THE CONSULTATION PROCESS

1. THE CONSULTATION PROCESS

Diagram 4: Consultation process



Previously in the legislative process of the National Assembly, the stage of collecting public opinions on draft laws, ordinances and

resolutions was separate from other steps of the legislative or oversight processes, implemented under a decision of the Standing Committee of the National Assembly. The Ethnic Council and the Committees of the National Assembly would use powers to propose to the National Assembly or the National Assembly Standing Committee the collection of comments on drafts of laws, ordinances or resolutions or on other important issues (Article 37, the Working Regulations of the Ethnic Council and the Committees of the National Assembly). The collection of public opinions started, though, with the decisions of the NA Standing Committee and National Assembly.

However, the regulations of the Law on Laws 2008 changed the system, and the collection of public opinions may now be done at the drafting stage. Under the Law on Laws, the drafting agency or organisation shall:

- collect the opinions of concerned agencies, organisations and those directly affected by the document;
- determine on which issues to gather opinions and assess which are relevant to each group from whom opinions are sought;
- and publish the full text of the draft documents on the website of the Government or of the drafting agency or organisation for at least sixty days so that agencies, organisations and individuals can contribute opinions⁷.

When the NA Committees conduct verification work, the collection of public opinions is decided on by the Committees (Article 21, the Working Regulations of the Ethnic Council and the Committees of the National Assembly). This means NA Committees may decide the time, places, topics, and stakeholders for public consultations.

Public consultations are also conducted in accordance with a certain process. The consultation process consists of a range of steps

⁷. Article 35, Law on Laws.

and follow-up activities; it starts when there is a need for public consultations and finishes when the results of consultation activities are incorporated into the work of the Committees.

Basically, the consultation process of NA Committees includes three stages and 8 steps as described in diagram 4. The NA Committees need to ensure its progress, so serving the work of the National Assembly. Therefore, public consultations must be conducted in a certain period of time, and the consultation process of Committees should be simple so as facilitate its meeting the requirements of the Committees.

2. STAGE 1: PREPARATION FOR PUBLIC CONSULTATIONS

2.1. Development of plans for public consultations

Planning the public consultations process is crucial. The results of this stage are an approved plan for public consultations focusing on the following issues:

Box 3: Basic contents of a plan for public consultations

- Why are public consultations necessary?
- What are the objectives of public consultations?
- Which topics to consider?
- Who to consult?
- Which tools to use?
- Time and place to conduct public consultations?
- Participating agencies in consultation process?
- Conditions to ensure the implementation of public consultations?

The development of plans for public consultations is very important. Plans provide the basis and justification to implement consultation activities.

Under the Working Regulations of the Ethnic Council and the Committees of the National Assembly as well as in general practice, when preparing for the verification of draft laws, ordinances, resolutions, reports or other draft documents, committees may assign sub-committees or their members to study those draft documents, and prepare their opinions (Article 21 of the Regulations). Therefore, the development of a plan for public consultations will be done by a sub-committee or committee members. Staff of the ONA Departments will support the work of committees and sub-committees.

However, before being implemented, the plan for public consultations of the Committee should be agreed on by all committee members, as the public consultations process will require their participation. Moreover, members of the National Assembly Standing Committee should give their opinions on large-scale consultation activities, as the Committee holds the responsibility to “direct, regulate and coordinate activities of the Ethnic Council and Committees of the National Assembly” (Article 7 of the Law on the Organization of the National Assembly).

To develop appropriate and feasible plans for public consultations, it is necessary to review the internal and external situation. For example, the following internal elements of the committee’s work should be considered:

- The volume of work that the committee is doing at that time.
- The working agenda of the committee.
- Priorities in policies that the committee needs to examine.
- The engagement level of the committee on issues.
- The current resources of the committee (human resources and budget).
- The expertise level of the committee in relation to the topics under consideration.
- Experience in similar work done by the committee.

The following external elements of the committee should also be considered:

- Public opinion on the topics in question.
- The relationship amongst those contributing information.
- Experience and knowledge of public consultations in general.

A plan for public consultations often includes details related to specific steps necessary to reach set targets, and so to meet the requirements of public consultations. The methods of developing these plans will be presented in the next parts of this guideline.

2.2. Identification of topics for public consultations

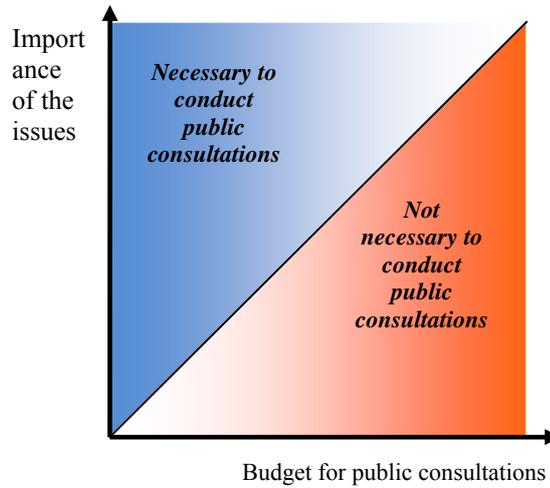
2.2.1. The necessity and objectives of public consultations

On starting planning for public consultations, the first questions to ask are *why are public consultations necessary and what are their objectives?*

These are important questions, because:

- 1) Not all topics which the committee is examining require public consultations. For example, issues related to the organization and functioning of the National Assembly or certain issues decided on by the National Assembly may not require consultations.
- 2) Public consultations are a “open-ended process” and may create expectations that cannot be met; therefore, whether to carry out public consultations on some issue should be considered thoroughly, and;
- 3) Consultation activities consume time and money;

Diagram 5: Identification of topics for public consultations



To identify whether the topics should be made subject to consultations, the following questions should be answered:

- What shall we do with the results of the public consultations?
- What decisions will affect the results of public consultations?
- What are the time and budget available for public consultations?

Moreover, in deciding whether to conduct public consultations, it is of prime importance to examine whether there have been or will be similar public consultations. Collecting the same information may be needless. That said, looking into an already-consulted issue can have its values, such as publicizing the issue or provoking debates amongst deputies.

Collected information on previous public consultations undertaken within the scope of activities by the Ethnic Council or the Committees of the National Assembly and supporting agencies can be found in their annual reports and in the data base of the National Assembly.

In addition to considering the necessity of public consultations, the objectives of consultations should also be identified.

The objectives of public consultations comprise:

- To develop consensus about policy options;
- To obtain public information for better decisions; and,
- To convey information or provide feedback to the public on decisions taken.

The objectives of public consultations shall conform to 5 basic elements: they should be: Specific; Measurable; Achievable; Realistic; and Timed (S.M.A.R.T⁸).

Box 4: Elements for objectives of public consultations

Specific -	S
Measurable -	M
Achievable -	A
Realistic -	R
Timed -	T

Objectives for public consultations should be made clear to any potential contributors. Doing so will ensure a common understanding between the committee and these people.

2.2.2. Topics for consultation

By contrast to the consultation activities of both the People's Councils at all levels and the State agencies, the determination of issues for public consultations by the Committees of the National Assembly is somewhat passive, in that they respond to the work of the National Assembly Standing Committee. The issues on which consultations are necessary are usually those on which the committee must give opinions. For example, when assigned to verify the draft

⁸. S.M.A.R.T in English means THÔNG MINH. See: Peter Sterne and Sandra Zagon, *Public Consultation Guide: Changing the Relationship Between Government and Canadians*, Canadian Centre for Management Development, 1997.

Law on the Protection of Consumers' Interests, the Committee on Science, Technology and the Environment may need to conduct public consultations to assess whether consumers should have the right to use collective complaints or not.

However, the committee itself may also conduct public consultations on topics within its power, as and when necessary. In fact, previously some Committees of the National Assembly have conducted committee hearings to collect opinions of stakeholders on their own initiative. For example: the Committee on Justice organized a committee hearing on vocational training; the Committee on Social Affairs organized a committee hearing on medicine prices; and the Ethnic Council organized a hearing on policies supporting the resettlement of the ethnic minorities (which it described as an Explanatory Meeting).

Box 5: Certain issues on which the Ethnic Council and Committees of National Assembly have conducted public consultations in the form of an Explanatory Meeting (hearing)

- The implementation of policies supporting emigration, settled agriculture, and the settlement of ethnic minorities (*the Ethnic Council*).
- The training and fostering of officials with judicial titles (*the Committee on Justice*).
- Poverty elimination policies (*the Committee on Social Affairs*).
- Medicine price management (*the Committee on Social Affairs*).
- The organizational structure of healthcare (*the Committee on Social Affairs*).
- Investment in, management of, and use of entertainment areas for children (*the Committee on Culture, Education, Youth, Teenagers and Children*).
- The implementation of policy combatting violence toward children and child abuse in the period 2008-2010 (*the Committee on Culture, Education, Youth, Teenagers and Children*).

Topics for public consultations should be assessed according to the following criteria:

- Issues related to a specific target group in the community;
- Policy proposals related to the rights and obligations of citizens;
- The problems directly or indirectly affecting the quality of people's lives;
- A problem which may be related to a small group of people but about which the National Assembly does not yet have enough information to make the appropriate decisions.

Normally, when the committee examines and verifies a draft law or a report, at first it is not easy to determine whether an issue should be subject to consultations. The issue can only be identified through careful examining of the details of a draft law and report. This is not an easy task because the details of draft laws are in the regulations. However, a two stage process can ease this task.

Firstly, study documents explaining the draft laws

As regulated at Article 42 of the Law on Laws, a dossier consisting of a draft law, an ordinance and a resolution should be sent to the Ethnic Council and Committees of the National Assembly for verification, accompanying the draft document. This package comprises:

- A submission report on the draft document to the National Assembly or its Standing Committee;
- Detailed explanations on the draft document and a report on the assessment of the impact of the draft document;
- Either:
 - o a verification report for draft documents submitted by the Government, or:
 - o opinions of the Government on the draft document submitted by the Government; or:
 - o a report summarising opinions on the draft document.

- A report reviewing enforcement of the law and assessing the actual situation of social relations related to the principal details of the draft document;
- Other documents (if any).

In many of the aforementioned documents, perhaps the **regulatory impact assessment report** and the **submission report** on the draft document are the most important detailed documents to study.

In principle, a report on an assessment of the impact of the draft document will set out the issues that the draft documents need to solve, as well as the advantages and limitations of each solution. A well-prepared report on the assessment of the impact of the draft document can provide members of the Committee with much information, evidence and arguments related to the draft document, and thus can improve their understanding of the selected solutions in the draft documents. This is an important basis for the committee to determine on what issues to arrange public consultations, and on what not to do so.

Box 6 : Sample of a regulatory impact assessment report⁹

Summary report

Part 1: Title of the draft document

Part 2: Identification of issues

Part 3: Tentative objectives and impacts of the policy

Part 4: Identification of solutions

Part 5: Comparison of cost and benefits of the solutions

Part 6: Public consultation results

Part 7: Solutions proposed for selection

Part 8: Implementing strategies for selected solutions

Part 9: Oversight and assessment procedures on the implementation of selected solutions

⁹. Source: Scott Jacobs, 'Organizing RIA in the Policy Process: Oversight and quality control', *Regulatory Impact Analysis Training Course*, (College of Europe, Bruges Campus, Belgium 19-23 October 2009).

The next important document to consider is the **submission report** on the draft document. One important aspect of the report is its assessment of topical opinions, or in other words, of the issues about which the drafting agency is confused.

Secondly, to study in detail the regulations of the draft document

Understanding the nature of the draft document by examining the reports and documents explaining the draft document is necessary but not sufficient for full understanding, for the following reasons:

First, the final details in the draft documents are not necessarily based on the results of regulatory impact assessment reports.

After all, the selection of details in drafting is, in many cases, not based only on evidence and arguments in the regulatory impact assessment process, but on other issues too. For example, in drafting the Draft Law on Access to Information in Viet Nam, the regulatory impact assessment report showed that obliging all subjects responsible, including State-run enterprises, to provide information, would be most beneficial. However, in the first draft of the Law, the regulatory details did not include obligations on state-run enterprises to provide information¹⁰.

Second, the translation of selected policies into draft documents does not always reflect fully the matter in question.

This is because the drafting of legal documents may, in many cases, only weakly reflect the matter in question. Furthermore and adding to complexity, when draft laws, ordinances and resolutions are issued, implementation may be on specific regulations contained in

¹⁰. Draft report on regulatory impact assessment of the Law on Information Accession: Ministry of Justice, *Collection of opinions on draft legal documents at <http://ykien.moj.gov.vn/>* retrieved on 7/11/2009.

certain laws, ordinances and resolutions, and not the attached documents..

Therefore, to identify topics for public consultations, members of committees should examine the details of draft documents. A five step process is the best to undertake this analysis.

STEP 1: To study topics of a legal document, it is necessary to start with the structure of the legal document so as to understand the structure of sections, chapters, items, general contents and the logic in the presentation of the legal document. In addition, understanding the structure will enable readers to grasp the main ideas and level of importance of the law in terms of its hierarchy.

STEP 2: The next step is to study the details of each regulation. In principle, each article of the legal document regulates certain actions. This means that most regulations amount to orders permitting or not permitting a group of subjects to do something. Therefore, studying the details of each regulation is essential so as to assess **who must, or must not, do what, when and where**.

STEP 3: Answer the above question. In relation to answering the question “**Who?**”, it is necessary to identify which group of individuals will have their actions governed by the regulations. Normally, the subject of the sentence will answer the question.

For the question “**Must or must not do what?**”, it is important to study what actions are covered by the regulation. The answer often lies in the complement of the sentence.

Regulations often indicate orders related to specific conditions of place or time. These rules will indicate **the time and place** (or the circumstances) in which the regulations have effect¹¹.

¹¹. See: Ann Seidman, Robert Seidman, Nalin Abeysekere, *Consideration of Draft Law: Guideline for legislators*, translated version by Vu The Hung and Nguyen Khac Hung (National Politics Publishing House, Hanoi, 2004)P. 65-68

STEP 4: When the structure of the draft document and its detailed terms are clear, MPs should be able to grasp most of key elements of the draft law. However, that information does not provide an answer as to whether a whole draft law, once issued, will achieve its objectives or not.

STEP 5: More detailed analysis of the nature of the regulation is necessary to clarify the impact of the draft document, its key contents, and those elements necessary for its implementation. Normally, one legislative solution to adjust acts is comprised of 8 separate elements as follows:

Box 7: Eight elements in one legislative solution¹²

- 1- The entity that plays the key role.
- 2- The main implementing agency.
- 3- The regulating institution.
- 4- Any agency for settlement of disputes.
- 5- Any funding agency.
- 6- Any monitoring and evaluation agency.
- 7- Any by-law issuing agency.
- 8- Those people in charge of legal hierachy.

By carrying out a thorough analysis of a draft document, MPs can then grasp **the overall elements of the proposed law**. The identification of topics for public consultations will then be easier.

¹². P.70 - 71

Box 8: Summary of steps to study the contents of a draft document¹³

Step 1: Examine the structure of the draft law;

Step 2: Read each article and study key terms thoroughly. If there are any unclear terms, they should be replaced with easier ones;

Step 3: Analyse each article so as to answer the question: Who must or must not do what, and when and where must they do or not it?

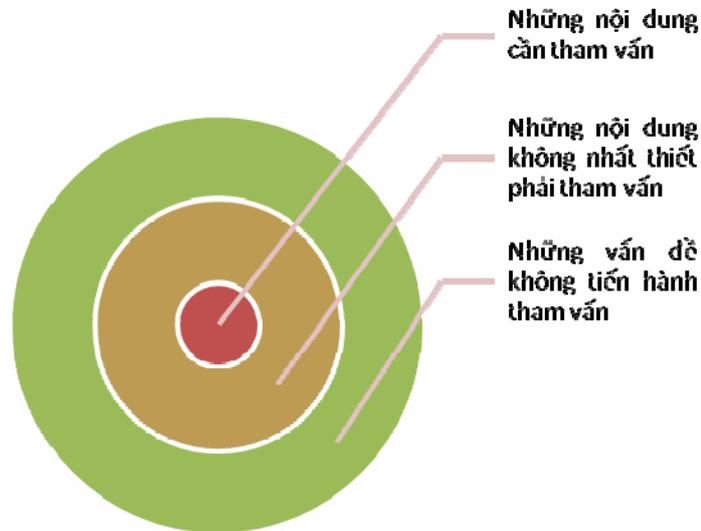
Step 4: Clarify the contents of each article by interpreting them as clear orders to the mentioned subjects;

Step 5: Study the overall effects of the draft document by considering the eight dimensions to any legislative solution. If the draft document does not include any particular elements, it is necessary to study the current legal system to see whether there are any legal documents regulating the missing aspect.

A draft document may cover many issues and topics. Therefore, when identifying topics for public consultations, committees need to clarify the boundaries of the matter under consultation. Before conducting public consultations, any relevant information, including the limits of the consultation process, should be conveyed to participants. This is an important element in ensuring focus in public consultations so as to reach the set objectives, and furthermore so as to manage participants' expectations.

¹³. Ann Seidman, Robert Seidman, Nalin Abeysekere, Note no. 11, p. 72.

Diagram 6: Identifying the contents of a draft document for public consultations



The identification of issues for public consultation falling under the oversight function is similar. It should be based on the verification of topics and the objectives of existing legal normative documents. The techniques mentioned above can be similarly applied.

Public opinions gathered on legal documents and policies can have a big impact on the nature of the consultation process. For example, when identifying issues for public consultations on the implementation of the Law on Minerals, information provided by the media about environmental destruction affected the consultations process. Thus, the Committee on Science, Technology, and Environment conducted public consultations on the implementation of laws and policies for mineral exploitation with a particular focus on environmental protection.

Box 9: Public consultation meeting on mineral exploitation and environmental protection¹⁴

On 2 March 2012, in Hanoi, the Committee on Science, Technology, and Environment of the National Assembly organized a meeting to gather the opinions of managers, scientists, and experts on the implementation of policies and laws linking the management and exploitation of minerals to environmental protection.

18 main opinions came out of the meeting, showing that loose management, weak issuance of certificates, and exploitation had resulted in much damage to natural resources and the environment.

Three representatives of the Committee said that this overall picture helped the Committee carry out more effective assessment of policies in the oversight process and made an effective contribution to the development of mineral exploitation while protecting the environment.

2.3. Identification of participants

The identification of participants has a huge impact on the quality of the collected information and its ability to serve the work of the committee. However, this is not an easy job because the scope of the impact of a policy may be very large, involving many different individuals. Moreover, ignoring some relevant people may have negative effects on the decision harm people's perceptions of the committee in particular and of the National Assembly in general. Conversely, if the scope of the consulted people is too large, it will be costly both in terms of time and budget, which will limit the effectiveness of public consultations. Thus, public consultations

¹⁴. Chi Tuan, 'Public consultation meeting on the implementation of policies and laws on attaching the management, exploitation of minerals to environmental protection', *People's representatives*, 03 March 2012.

require both that all subjects in society actively give opinions to the Ethnic Council and the Committees of the National Assembly, and on the other hand, that the Ethnic Council and the Committees must take the initiative in gathering opinions from targeted participants.

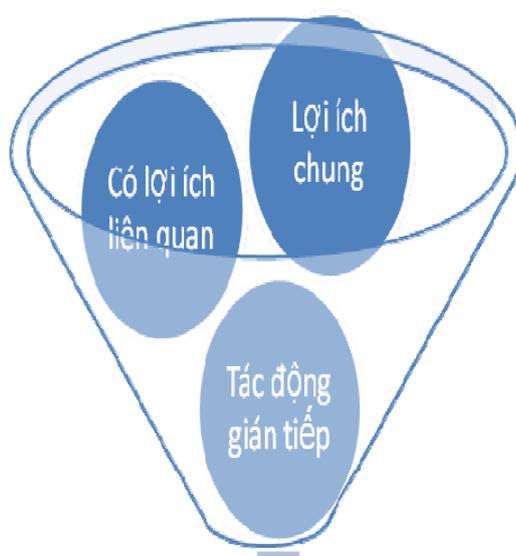
To identify consulted people appropriately, a review process which determines the relevance of those contributors is necessary. Normally, any review process should be based on various criteria including: the nature of activities; their locations and scope; the impact of the policy; and any contributor's level of experience in relation to the policy; as well as other criteria.

- *In relation to the level of impact and possible interest.*
Consulted people may be classified into:

- Those directly affected, being those whose acts are affected directly or those directly, implementing the policy or law;
- Those indirectly affected, including those whose acts may be indirectly affected by the policy or law;
- Those with a particular or general interest in the policy.

For example, in considering rules on the limitation of nylon bags, the directly-impacted persons will be producers and sellers. Indirectly-impacted persons will be retailers who regularly offer their patrons nylon bags. They will have to look for alternatives or continue using nylon bags at a higher cost. The relevant beneficiaries are consumers.

Diagram 7: Stakeholder analysis by impact and interest



A review of consulted people under the mentioned criteria is of significance as it is directly related to the implementation of the policy or law. To identify the consulted people, the committee may use the following questionnaire:

Table 1: Questionnaire to review those affected by the policy or their possible interest in the issue

Question 1	Who is directly affected by the policy?
	<ul style="list-style-type: none"> -Whose life is changed by the policy? -Who will have to change their actions when the issued policy comes into force? -Who will be unable to adjust their acts to avoid the impact of the policy?
Question 2	Who is indirectly affected by the policy?
	<ul style="list-style-type: none"> -Whose life will be changed by implementing the policy? -Who will have to change their acts in certain conditions when implementing the policy?
Question 3	Who has a possible interest in the policy?

	<p>-Who will benefit or suffer costs when the policy is implemented?</p> <p>-Who will lose income or have to pay more expenses when the policy is implemented?</p>
Question 4	<i>Who has a general interest in the issue?</i>
	<p>-Whose potential interests will be affected?</p> <p>-Who or which organizations are interested in the issue?</p> <p>-Who or which experts have professional initiatives on issues related to the policy?</p> <p>-Who or which organizations engage in activities related to the policy?</p>

Based on the answers of these questions, the committee may make a list of affected people, dividing them according to the level of impact or the level of interest in the policy or law.

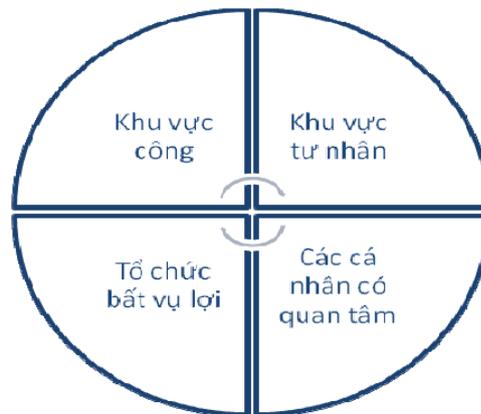
Table 2: Example of a table reviewing consulted people

Consulted people	Degree of effect			
	Least affected			Most affected
Parents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Children and young people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Office staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Managerial staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consultants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interest groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Elected deputies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Service providers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disabled people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ethnic minority groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Businesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public agencies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Males/females	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Professionals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disadvantaged groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- *In relation to the nature of activity*, consulted people may come from the public sector, private sector, non-profit sector, or may simply be concerned individuals. When engaging in the analysis and review of potential participants, it is necessary to pay attention to those claiming to represent an interest group (asking, for example, whether the Banking Association of Viet Nam represents all banks in Viet Nam or not), and in addition what difficulties people face in relation to participating in consultation activities (there are people with difficulties in expressing their opinions on certain issues).

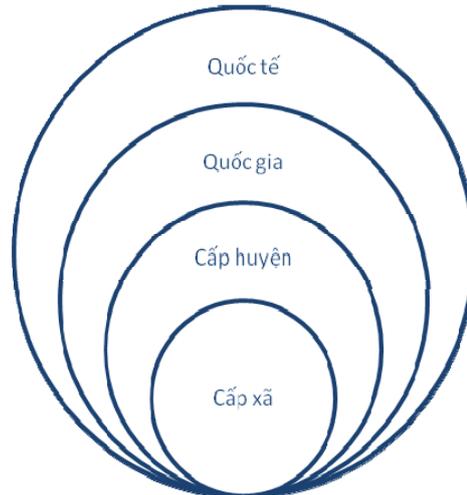
Diagram 8: Stakeholder Analysis by Sector



- *In relation to geography*, participants may come from different regions such as the commune, district, province, nation and even from

overseas. In fact, some topics lend themselves to consultation in a certain locality, such as in a trade village¹⁵; other issues may require assessment at the national level, such as the high-speed rail road throughout Vietnam; and some may merit from an international perspective, such as issues relating to international trade.

Diagram 9: Stakeholder Analysis by Geography



- Those with particular challenges

One important element in identifying participants is to consider the difficulties they may face in engaging in public consultations. These difficulties might be:

- Language barrier;
- Accessibility;
- Differences in culture and traditional customs;
- Time limits.

For example: public consultations with ethnic minorities on policies relating to their resettlement may face difficulties in language;

¹⁵ Consultations were held at this level to oversee the implementation of the Law on Environmental Protection at economic zones and trade villages from June to October 2011 by the Committee on Science, Technology and Environment.

public consultations with disabled people on the Draft Law on the Disabled People face challenges of accessibility; and public consultations with drug addicts on the Draft Law on Drug Prevention may need to overcome individuals' reticence to discuss the issue.

Table 3: A review of consulted people with possible difficulties

Consulted people	Possibility of difficulties
<i>People with difficulty in using Vietnamese</i>	<input type="checkbox"/>
<i>People with low income</i>	<input type="checkbox"/>
<i>Ethnic minorities</i>	<input type="checkbox"/>
<i>People with limited time</i>	<input type="checkbox"/>
<i>The old</i>	<input type="checkbox"/>
<i>Children</i>	<input type="checkbox"/>
<i>Deaf people</i>	<input type="checkbox"/>
<i>Blind people</i>	<input type="checkbox"/>
<i>People with difficulty in travelling</i>	<input type="checkbox"/>
<i>People with social issues</i>	<input type="checkbox"/>

In these circumstances, plans for public consultations should be very detailed so as to foresee and prevent any such difficulties.

Accordingly, it is important to make use of the appropriate consultation tools for each group of people. For example, for people with difficulties in using language, the use of pictures can ease understanding of the topics of public consultations. This technique has not been applied much in the consultation activities carried out by committees, but has proven very effective in consultation activities carried out by the People's Councils; when conducting public consultations on the model of houses in resettlement zones, some People's Councils used pictures of sample houses to help people assess which were the most suitable houses for their circumstances.

- Identifying priorities

Once a wide range of different participants have been identified, the next task is to identify what might be the main contribution to public consultations made by each identified person. Here, two factors have decisive influence on determining priority in public consultations:

- 1) the impact of the provisions of the draft documents; and
- 2) the extent that the participant is affected by the draft documents.

The interaction between these two factors is a key means by which the committee can determine the priority of contributions from different stakeholders.

Table 4: Matrix to determine priority of different stakeholders contributing to public consultations¹⁶

	More affected interests	Less affected interests
Less affected	<p>Lowest priority</p> <p>-Groups of stakeholders with lowest stake in the public consultations process.</p> <p>-Important to recall that all have a right to express opinions.</p> <p>-Use of easily managed consultation tools.</p>	<p>Stakeholders with requirements for support</p> <p>-Useful opinions.</p> <p>-This group of stakeholders should be prioritised.</p>
More affected	<p>Stakeholders with care</p> <p>-Various opinions.</p>	<p>Stakeholders with highest priority</p>

¹⁶. See: Cesar Cordova, ‘Stakeholder Consultation and Data Gathering in the RIA Process’, *Regulatory Impact Analysis Training Course*, (College of Europe, Bruges Campus, Belgium, 19 – 23, October 2009).

	<ul style="list-style-type: none"> -Maintaining a good relationship is important. -Examine carefully the basis of each party's interests. 	<ul style="list-style-type: none"> -Active in contributing opinions. -Interaction needed. -Transparency in information is important to ensure support.
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2.4. Identification of time and places for public consultations

The fact is that consulted persons will not want to participate in any consultation process should they feel that the decision has been pre-determined, or additionally should they not have enough time to think through the topics in question. Therefore, the timing and duration of consultations is a very important issue, since it affects the overall quality of the consultation activities.

Since consultation activities have as yet not been implemented frequently in Viet Nam's National Assembly, so information on the time and duration appropriate to conduct public consultations is limited. However, suggestions can be drawn from the experiences of other countries in conducting consultations, with, on average, the duration for one consultation activity taking from one to three months¹⁷. In some countries, the minimum time period for citizens to participate in the consultations is fixed. However, the most important principle is that consultations should take as long as they need, varying according to the topic under consideration.

Table 1: Duration of consultations in several countries¹⁸

Nations	Requirements
US	Depending on the complexity of the topic, consultations

¹⁷. South Gloucestershire Council, *see above reference*, note no. **Error! Bookmark not defined.**, p.8.

¹⁸. Jacobs and Associates, *Stakeholder Consultation & Data Gathering in the RIA Process*, Training Course Material, Belgium, 2009.

	may last from 30 to 180 days after being announced.
EU	The Council requests a time period of 8 weeks for consultations in writing and 20 days in advance for consultative workshops
England	Ordinarily, the consultations last at least 12 weeks.
Canada	In normal cases, the people affected by the policy have 30 days to give opinions. This overall period for consultations lasts 75 days if the policies affect foreign trade.

There are four important elements affecting the identification of time and duration for public consultations:

- 1) The urgency of the matter;
- 2) The number of topics to take into account;
- 3) The nature of the matter in question;
- 4) The time frame within the National Assembly.

1 URGENCY: In relation to those topics of an urgent nature, consultation activities must be conducted quickly. In Viet Nam, although the legislative process and procedures contain provisions permitting such urgent consultations, as provided for in Chapter VIII of the Law on Laws 2008, such processes and procedures have not yet been implemented.

2 NUMBER OF TOPICS: The number of issues awaiting public consultations also influences the consultation period. Draft laws may address many different issues requiring consultation (relating to laws as varied as the Constitution, the Civil Code, the Criminal Code, Commercial Law, and so on), meaning that organizers must ensure sufficient time to conduct consultations.

3 NATURE OF TOPIC: Topics proposed by the Ethnic Council and Committees of the National Assembly may require more time for

preparation when undergoing consultations. For example, in relation to statistical issues, some committees of the National Assembly have piloted hearings, but owing to the complexity of the material in question the time for preparation of these committee hearings was rather long, extending even to 2 or 3 months¹⁹. This is because the committees had to prepare for consultations on various topics, had to carry out research, and had to forge agreement on how to use the results of the public consultations. Meanwhile, if consultation activities are a contribution to the process of the verification of a draft law, a proposal or a report, the time for public consultations may be shorter.

General, though, public consultations on a normal draft law is clearly should be completed within 2 months (60 days)²⁰ and public consultations are often organized between the sessions of the National Assembly.

4 TIME FRAME: The schedule of the National Assembly affects the duration of public consultations. For example, in relation to draft laws which must be discussed and approved in one session of the National Assembly, the duration of public consultations may be shorter and more proximate. Meanwhile, in relation to draft laws which must be discussed and approved in two sessions of the National Assembly, the duration for public consultations may be longer. Public consultations activities may occur throughout the verification process of those draft laws, and before the first session in which those draft laws are examined, up until the time they are revised and examined at the second session.

¹⁹. Le Nhung, 'Hearings for clearer information', *Vietnamnet*, 05:44, Monday, 15/11/2010 (GMT+7)

²⁰. Article 35, Law on the promulgation of legal normative documents.

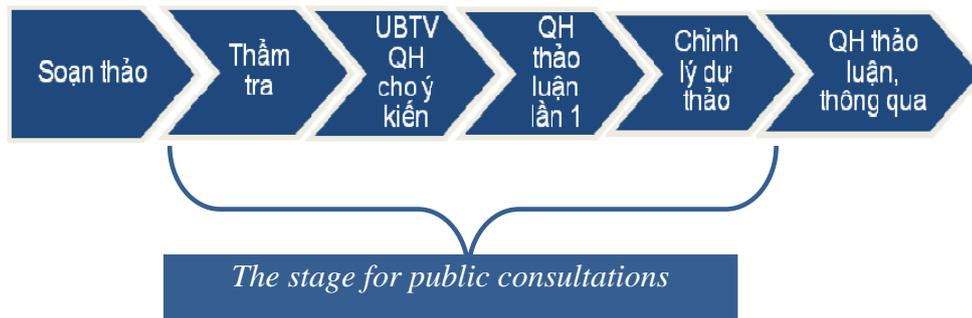
A further core principle is that, in identifying the time to conduct public consultations and in ensuring that the work is appropriate to the rules and procedures of the Viet Nam National Assembly, public consultations should not be held either too late or too early.

Holding public consultations too early would mean collecting public opinions while the laws are being drafted and the contents of the draft laws are not clear – indeed, they may even be just plans of the drafting agency. Holding early public consultations may also sometimes make the issues more complicated, because the proposals of the drafting board have not been commented on by the authorized State agencies (such as the Ministry or the Government).

Holding public consultations too late, though, may mean collecting public opinions right before the session of the National Assembly is scheduled to examine and approve the draft law. In this case, the MPs Delegation and individual MPs will not have enough time to study opinions, and any intervention to revise the draft law may prove futile at this late stage. Additionally, late public consultations may also mean participants consider the public consultations process as lacking in seriousness, augmenting any potential unwillingness to contribute.

Therefore, the most appropriate time to conduct public consultations is when the draft law, proposal or report is sent to the Committees of the National Assembly for verification, and prior to submitting it to the National Assembly Standing Committee for comments. The committee will find it easiest at that stage to classify into different categories the opinions on different of topics of the draft law.

Diagram 10: The appropriate time to conduct public consultations



2.5. Identification of entities to participate in public consultations

The identification of executive and legislative branch participants is a fundamental component of any plan for public consultations. Indeed, the effectiveness of consultation activities depends mainly on the knowledge and skills of these participants, who may play an important managerial role.

Normally, there are 5 groups of such entities participating in consultation activities of the Ethnic Council and Committees of the National Assembly:

- 1) Members of the Ethnic Council and Committees of the National Assembly;
- 2) Consultants;
- 3) Supporting staff of the Departments;
- 4) Supporting staff of the Office of the National Assembly;
- 5) Officials and staff of the Office of MPs Delegation and People’s Council where public consultations are conducted.

When organizing consultation activities, these groups of entities may hold different roles. However, not all topics will require the participation of all five groups. There are some consultation activities which need just two groups. For example, a public consultative workshop organized in Ninth Than in September 2011 on the environment in trade villages involved: the permanent members of

Committee on Science, Technology, and Environment; consultants; officials and staff of supporting Department; officials and staff of Centre for Information, Library, and Scientific Research; officials and staff of Department for MPs’ Activities; the Office of MPs Delegation; and the People’s Council of Ninth Than Province²¹. Meanwhile, web-based consultations may require the participation of members of the committees and web administrators from the Office of the National Assembly.

Table 6: Roles of entities in consultation activities

Entities	Roles
Members of the Ethnic Council and Committees of the National Assembly	<ul style="list-style-type: none"> -Decide topics and consultation tools. -Interact with consulted people. -Decide the use of public consultation results.
Consultants	<ul style="list-style-type: none"> -Give assistance on the topics and consultation tools. -May interact with consulted people.
Supporting staff of Departments	<ul style="list-style-type: none"> -Implement logistic work for public consultations. -May interact with consulted people. -Consolidate collected opinions. -Draft the report on results of public consultations. -Process other technical issues during public consultations.
Supporting staff of the Office of the National Assembly	<ul style="list-style-type: none"> -Support administrative work and logistic work for public consultations. -May take on the role of the supporting staff of Departments in some cases (web-based

²¹. Centre for Information, Library and Research Services, *Summary report on the public consultative workshop on the implementation of laws on environment of trade villages, economic zones*, October 2011.

	consultations and written submission).
Officials and staff of the Office of MPs Delegation and People’s Council where public consultations are conducted	-Support administrative work and logistic work for public consultations at the locality. -Act as the connection between the Committees and voters in the localities.

An important element in identifying entities participating in public consultations is to ensure clear assignment of work. It is also necessary to make full use of support from other entities. For example, logistical work in public consultations may be outsourced. For some consultation tools, the participation of official entities is limited - as is the case when the tool of social survey is used. Upon identifying topics of the questionnaires, the collection of information can be outsourced to a service provider. To some extent, the outsourced entities are more effective owing to their experience in providing the service. However, the cost of the procurement of the service should be taken into account. The following suggested questions might be helpful:

Box 10: Reasons for the procurement of consultants

- To provide necessary skills relating to the designing questionnaires or other professional skills such as interpreting, processing information, and suchlike;
- To conduct public consultations quickly and effectively;
- To ensure the provision of independent and objective advice during public consultations.

2.6. The identification of consultation tools

Public consultations can be conducted with different tools. However, some tools are of greater value to the Committees of the National Assembly compared than to other state agencies. For example, in the work of the People’s Councils at different levels, meetings with voters combined with consultative workshops may be most appropriate. However, for the Committees of the National Assembly, such an approach might prove inappropriate due to the timeframe and nature of the work.

Drawing from an analysis based on practices in operation in parliaments around the world, there are some common consultation tools which can be used by the Committees of the National Assembly:

- 1) Focus group meetings;
- 2) Consultative workshops;
- 3) Written submissions;
- 4) Web-based consultations;
- 5) Field visits;
- 6) Social surveys, and;
- 7) Hearings.

In Viet Nam, in accordance with the provisions of the Law on Laws 2008 (Articles 42 and 48), the Ethnic Council and Committees of the National Assembly, when verifying draft laws, enjoy the

following powers to collect the opinions of organizations and individuals:

- To organize meetings with and invite representatives from relevant organizations, agencies, experts, scientists and representatives of those directly affected by the draft document to listen to their opinions on aspects of the draft document;
- For the Ethnic Council or the Committees alone, or with the drafting agency, to organize consultative workshops or field visits to collect information on the draft document;
- To post the draft document on the website of the National Assembly so as to collect public opinions.

Accordingly, these common consultation tools are applied in the Committees of the Vietnam National Assembly. Some committees have piloted the use of committee hearings²².

Each consultation tool has its own nature and its use may only be appropriate to different objectives. National Assembly committees may apply these tools flexibly, basing their use on the nature of each tool and the peculiarity of each issue.

Firstly, consultation tools can be classified as operating within two different approaches: a quantitative approach and a qualitative approach.

A *quantitative approach* provides a large amount of data from predetermined questions and is suitable for measuring satisfaction or conducting snap shot surveys, as the results are measurable and can be numerically analyzed to provide a benchmark. However, they are not suitable for exploring issues in depth.

²². See the report on committee hearings of UNDP Viet Nam in 2010.

A *qualitative method* is suited to finding out opinions or exploring issues in depth. Its use is most valuable where participants can talk freely about issues rather than simply respond to predetermined questions with set responses.

Within the scope of the work of the Committees of the National Assembly, the quantitative method (particularly the social survey) is less often used, as the functions of committees are to verify and assess policies proposed by the Government or other agencies. Tools with a quantitative approach are used where the collection of data is necessary to select solutions.

Secondly, with regard to consulted people, normally the most effective consultation tools used by the state agencies and social organizations are written submissions, or the gathering of information from participants invited to consultative workshops or public hearings. Furthermore, for individuals, the tools of social survey, web-based consultations, and meeting with voters all also have the merit of encouraging the participation of the public.

Table 7: The level of priority in using tools under consulted people

Consulted people		Tools for public consultations
Individual	Organization	Focus group meeting
Individual	Organization	Social survey
Individual	Organization	Web-based consultations
Individual	Organization	Meeting with voters
Individual	Organization	Public hearings
Individual	Organization	Written submission
Individual	Organization	Consultative workshop

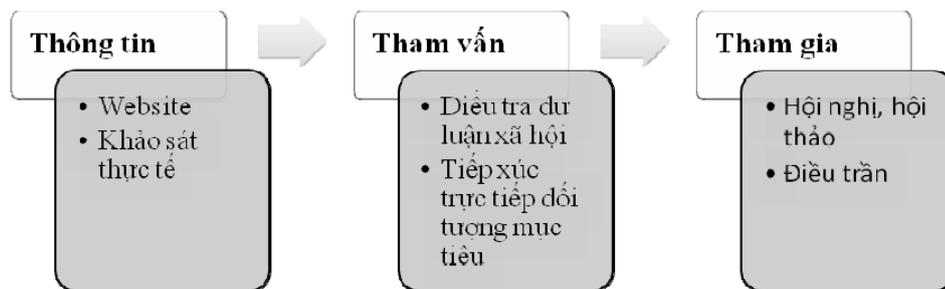
In addition, the number of consulted people will also affect the selection of consultation tools. For example, the use of direct meetings, public hearings and consultative workshops may be most suitable when targeting groups consisting of a small number of people. However, in relation to issues that need broader contribution, the use of social surveys, web-based consultations or written submissions might be more effective.

Potential access limits for participants also affect the choice of consultation tools. For example, where the consulted people face language difficulties, the tool of social survey has limited value while in-depth interviews may prove more effective.

Thirdly, the level of participation of consulted people: as outlined above, the participation of consulted people is a very important objective of public consultations.

Consultation tools will vary according to different levels of participation. For example, web-based consultations or field visits are effective at informing people of the topics of consultations; social survey, meetings with voters and written submissions may be the most appropriate consultation tools for indirect participation; while public hearings and consultative workshops facilitate direct public participation.

Diagram 11: Participation of consulted people with different tools



Fourthly, cost and time to conduct public consultations; different consultation tools will require different budgets and time for implementation. For example, the time and cost of conducting social surveys is commonly more than that of holding consultative workshops. Therefore, in selecting suitable consultation tools, the Committees of the National Assembly should consider the implications in terms of costs and time.

Table 8: Summary of common consultation tools

Tools	Level of participation	Strengths	Weaknesses	Costs
Field visits	Informing	-Can collect actual and objective information.	-Information may not be representative. -Less interaction among stakeholders.	Medium
Web-based consultations	Informing	-Consulted people and scope are varied. -Contribution process may be prolonged -Low cost.	-The issue of “imbalance” (access to the internet varies). -Reliability depends on the response rate.	Low
Social survey	Consulting	-Effective in collecting quantitative information. -Large number of questioned people. -Possible to collect information otherwise unavailable. -Possible to gather statistics.	-Well organized to collect helpful information. -Need to act with professionalism in analyzing collected information. -Difficulty with questioning people with limited grasp of language. -Difficult to collect qualitative and in-depth information. -Reliability depends on the response rate.	Medium

Tools	Level of participation	Strengths	Weaknesses	Costs
			-High cost.	
Focus group	Consulting	-Effective in planning solutions. -Possible to explore in-depth information. -Possible to create interaction among stakeholders in terms of ideas. -Effective in preparing for large scale public consultations.	-Low level of representation. -Interaction between the two sides may change the opinions of the focus group. -High cost and consumes much time.	High
Consultative workshop	Participating	-More proposals and solutions. -Possible to affirm the overall impacts.	-Quality of collected information may vary. -Requires careful preparation and close relations with consulted people.	Medium
Public hearings	Participating	-Different opinions on the same issues are presented. -Deep understanding among stakeholders; -Low cost.	-Opinions at the hearings may not be representative. -Number of people at public hearings is not high.	Low

2.7. The identification of locations for public consultations

The identification of locations for public consultations depends much on the selected consultation tools. For example, in relation to social surveys, field visits, and consultative workshops, the best location may not necessarily be in Ha Noi. Meanwhile, the tools of public hearings and web-based consultations may mainly be conducted in Ha Noi.

For **field visits**, the committees should consider and select locations based on where the necessary information is easily found. For instance, to collect information on the socio-economic development of ethnic minority (Khmer) communities in 2008, the Ethnic Council visited the two provinces of An Giang and Kien Giang to conduct public consultations. There are a large number of Khmer people living in these two provinces²³.

For **social survey**, depending on the sampling, the selected locations may vary. In 2011, when collecting information on the awareness of villagers in trade villages of the need for environmental protection, the Committee on Science, Technology and Environment coordinated with the Center for Information, Library and Research Services of the Office of the National Assembly in conducting a survey in the provinces of Ha Noi, Nam Dinh, Hai Duong, Da Nang, and Dong Nai.

For **consultative workshops**, the identification of location depends on two basic elements: the number of consulted people and the cost. Selected locations for consultative workshops often have many experts in the field of interest to the relevant committee. However, organizing such consultative workshops can prove costly and relies in large part on the quality of provided services. Therefore,

²³. Report no. 281/HĐDT12 dated on 24/7/2008 of the Ethnic Council on the field visit on the socio-economic development of the Khmer ethnic minorities in An Giang and Kien Giang.

when deciding locations to organize consultative workshops, budget is an important element to take into account.

Moreover, the selection of a specific location (such as the headquarters of a state agency or a local house) in conducting public consultations also affects the results. For some consulted people, their participation at the unfamiliar location may affect their willingness to answer questions. Normally, in identifying a place for public consultations in the localities, public consultation experts should pay attention to the following issues:

Box 11: Some notes when selecting locations for public consultations

- Is the address easy to find?
- Is it easy for local people to get to?
- Is the location convenient for disabled people?
- Is the location selected neutrally?
- Does the environment create unnecessary pressure for participants?

2.8. Preparation for administrative and logistic work

Like many other activities, in implementing consultation activities, the Ethnic Council and the Committees of the National Assembly should set aside a budget. Normally, the budget for consultation activities of the Ethnic Council and the Committees of the National Assembly comes from the annual state budget for the activities of the Ethnic Council and Committees, in combination with financial support from other partners.

As mentioned above, each consultation tool requires different resources. For instance, the web-based consultations will not cost as much as the social survey. In general, the budget for consultation activities includes:

Table 9: Basic expenses for consultation activities

Items
- Consulting.
- Cost for organizing preparatory meetings.
- Cost for printing documents.
- Cost for information, communication.
- Stationery.
- Cost to hire venues.
- Cost to hire office equipment (projectors, sound equipment).
- Travelling.
- Accommodation.
- Other costs.

To increase the effectiveness of public consultations, it is necessary to review these costs. One weakness in the preparation of budget is to leave out means to cheapen available tools and services. For example, web-based consultations can be implemented through the existing websites of the Office of the National Assembly, rather than by setting up a separate website for public consultations.

In relation to the items mentioned in the above table, some cost norms are mentioned in the document regulating on the budget for activities of the Ethnic Council and Committees of the National Assembly, but some are not. Therefore, the cost estimation of consultation activities by the Ethnic Council and the Committees should be approved by the authorized persons.

In relation to administrative work, the implementation of public consultations requires the participation of different groups of people, and this in turn requires more time. Particularly, in relation to consultation activities implemented in the localities, administrative work may prove burdensome. The support of local staff is particularly important in overcoming this challenge. Experiences show that when

the field visits are conducted in the localities, local staff support can assist stakeholders unfamiliar with the challenges of the localities.

3. STAGE 2: THE IMPLEMENTATION OF PUBLIC CONSULTATIONS

After having prepared the necessary plan for public consultations, the next step is to implement it. However, before public consultations, the Ethnic Council and Committees of the National Assembly must ensure that all is ready. The following questions measure readiness to conduct public consultations.

Table 10: Questions to check the readiness to conduct public consultations

	Ready	Not ready
Have consultation activities been put into the action plans of the Committees?	<input type="checkbox"/>	<input type="checkbox"/>
Have the coordinating agencies been made aware of public consultations activities?	<input type="checkbox"/>	<input type="checkbox"/>
Have the topics for public consultations been identified?	<input type="checkbox"/>	<input type="checkbox"/>
Have the entities participating in public consultations been identified?	<input type="checkbox"/>	<input type="checkbox"/>
Is there a sufficient budget for public consultations?	<input type="checkbox"/>	<input type="checkbox"/>
Have those groups of consulted people with a decisive voice been identified?	<input type="checkbox"/>	<input type="checkbox"/>
Have potential difficulties been identified?	<input type="checkbox"/>	<input type="checkbox"/>
Have the appropriate consultation tools been identified?	<input type="checkbox"/>	<input type="checkbox"/>
Have suitable places and times for public consultations been identified?	<input type="checkbox"/>	<input type="checkbox"/>
Have questions for public consultations been piloted?	<input type="checkbox"/>	<input type="checkbox"/>

3.1. Information on public consultations

One of the common mistakes in public consultations is not to permit the appropriate time for consulted people to prepare. People are usually passive on public interest issues and thus may require some encouragement to engage in public consultations. Therefore, the first step in conducting public consultations is to raise awareness about consultation activities amongst potential participants.

There are two main ways to inform prospective participants:

- 1) Directly inform them, and
- 2) Use of the mass media.

The main reason to publicise consultations activities is to mobilize the participation of the consulted people. Therefore, the contents of any announcement might include:

- The objectives of the consultation activities;
- The effects of policies on people;
- Methods for conducting public consultations;
- The authorized agencies deciding on the matters for consultation;
- The time and place for conducting public consultations.

The aforementioned matters can be conveyed in different forms to prospective participants. Directly informing people can be done by providing them with invitation letters, leaflets or through the announcement of public consultations at venues or the sending of e mails.

In relation to the use of the mass media, the announcements of the Organizing Boards, the publication of articles, and the use of newspapers, as well as the radio stations of the communes and wards, all have value in raising awareness of public consultations.

Though presented through many different media, the information made available should be short and simple, and should be provided in advance so that the participants have time to prepare.

In the case of using the mass media, the Ethnic Council and Committees of the National Assembly should have in place clear communication strategies addressing their consultation activities. Previous practice has demonstrated a growing interest of the mass media agencies in the National Assembly's work. This interest stems from the fact that issues discussed at the plenary sessions of the National Assembly matter to the people. Furthermore, the National Assembly tends to be more open to public opinion than the executive. The important role of the mass media in informing the people about its work thus depends on the development of communication strategies.

In this context, the contents of a document publicizing the public consultations may include:

- Detail on the objectives of the public consultations and the consequences of the relevant policies for different groups of people;
- Clearly defined target groups for consultation and details on how to contact the groups;
- Clear information on the location, including the address, and the time that press agencies may come to collect and convey information.

An effective relationship with the press is a key means to raise awareness of public consultations work. The key challenge facing the Ethnic Council and Committees of the National Assembly is to "support" the press agencies, but not to "tell" them what to do.

To make sure that voters can access information on public consultations, various means of communication should be employed. However, the selection of the most suitable information channel is important. For instance, when conducting public consultations in remote areas, communications efforts through newspapers may not be effective. Moreover, given the operation of the legislature, voters

often seek a particular, fixed means of communication when looking for information about the National Assembly. Indeed, the results of a social survey conducted by the Center for Information, Library and Research Services in 2011 showed that one of the most important suggestions for the Ethnic Council and Committees of the National Assembly was that they select a suitable channel of communication. Statistics show that 79.1% of questioned people know about the National Assembly thanks to central and local radio and television stations, while those who found out through the newspapers and magazines, or the internet constituted 35.1% and 12.2% of respondents respectively²⁴.

Table 2: Information channels used by the citizens to gather information about National Assembly²⁵.

	No	Yes, frequently	Yes, sometimes
1. Central and local broadcasts and televisions	21.0	31.1	48.0
2. Loudspeakers of the commune or ward	56.3	14.5	29.2
3. Party cell activities	83.9	7.9	8.1
4. Meetings of the organizations and residential groups	47.7	17.9	34.4
5. Electoral publications	59.9	11.7	28.5
6. Internet	87.8	6.2	6.0
7. Newspapers and magazines	64.8	13.7	21.4
8. School education	88.0	4.4	7.6
9. Friends, colleagues, and relatives	60.5	10.1	29.4

²⁴. Center for Information, Library and Research Services, Office of the National Assembly, Qualitative research report on the public image of the National Assembly, 3/2011.

²⁵. Center for Information, Library and Research Services, Office of the National Assembly, Qualitative research report on the public image of the National Assembly, 3/2011.

3.2. Training courses on skills and methods necessary to conduct public consultations

The implementation of consultation activities in the National Assembly differs from that carried out by other agencies. When dealing with individual service providers (such as social survey agencies or IT companies), the implementation of consultation activities by the Ethnic Council and Committees of the National Assembly requires certain preparatory efforts. These measures need to expand common knowledge of the National Assembly. Therefore, prior to conducting public consultations, an agreement on methods and skills necessary to implement selected consultation tools is very important.

Training courses on skills and methods for participating people may include the following contents:

- Objectives of the consultation activities;
- Awareness of consultation activities and participants in the process;
- Information on the roles of each entity in conducting public consultations;
- Methods to maintain communications and coordination among working groups while conducting public consultations;
- The skills needed for public consultations;
- Methods to involve participants;
- Methods to collect information and process public consultation results;
- Possible risks and methods to overcome them.

In some cases, it is necessary to pilot activities as so to ascertain the necessary elements for actual implementation.

3.3. Use of necessary communication skills while conducting public consultations

The most basic activity in public consultations is a communication process between the consulters and participants. Therefore, all public consultation stakeholders should be skilled in communicating with participants. These skills should include:

3.3.1. Presenting the issues

Outline some issues to participants so as to clarify consultative issues and encourage people to express their opinions on the issues.

There are different ways to implement this, although the most common way is to speak and outline the topics for consultation. These are some points to consider when speaking and presenting:

- Go straight to the objectives, requirements and topics of public consultations, and touch on the impacts on consultees;

- Ensure appropriate time for presentations, and avoid long presentations;

- Language should be simple, and questions clear. In particular, the language and method for presentation must be appropriate to consulted groups.

- Avoid presenting in favour of a particular approach or using assertive words on issues under consideration, so as not to discourage contributions;

- Observe the behavior of listeners and adjust comments appropriately;

Other forms of non-verbal communication such as gestures, dress, walk, facial expressions, and tone, also play an important role in establishing links with the participants.

In addition, forms of visual support can also be used to increase the effectiveness of communication. Visual supports can be very valuable because many people find looking at images a good means to understand an issue. Furthermore, the use of images also helps communication efforts overcome linguistic limitations

3.3.2. Listening to opinions

Listening to participants is perhaps the most important element in the whole consultation process, since it is integral to collecting sufficient information on issues. The manner of listening may affect participants' behaviour, and encourage them to express their opinions, thereby contributing to the success of the consultation activities.

When listening, then, there are some points to consider:

- Pay attention to the content rather than the manner of speaking;
- Do not interrupt when participants are speaking;
- Listen while thinking of what the questioned participants are presenting;
- Demonstrate one's attention and encouragement by using eye contact;
- Have ideas to exchange, and raise questions at suitable time to explore the viewpoints of the speakers;
- Do not raise too many questions;
- Do not argue with the speakers;
- Do not comment and conclude hastily.

3.3.3. Raising questions

When conducting public consultations, entities conducting public consultations may wish to raise questions to clarify certain points or to guide the consultees in presenting their thinking so as to collect the best information.

The flexible use of questions in public consultations will elicit the best responses. Raising questions at a suitable time and on suitable topics will let the consultees know the interest of the consulters in consulted issues. Below are some questions that the consulters may use:

Table 12: Some example using questions for public consultations²⁶

Objectives	Examples
Draw in participants	<i>What do you think about...?</i>
Participants have a right to express their opinions	<i>What are your opinions on...? What do you think about...?</i>
Invite other participants to discuss and share opinions	<i>Mr. A, what do you think about...?</i>
Clarify ideas and opinions of the speakers	<i>Mrs. B, this is a very interesting idea. Could you please clarify that idea?</i>
Manage time and move to other issues	<i>That's fine; we have spent much time on this question. If you agree, can we now move to another issue?</i>
Gain a full understanding of all sides of the issue	<i>We will now look at the good and bad side of the issue. What happens if you...?</i>

There are many types of questions that can be used for different purposes during public consultations process. Depending on circumstances, people conducting public consultations may take different approaches to gather information:

²⁶. Reference: Office of the National Assembly, *Manual to collect voters' opinions on draft laws*, (National Politics Publishing House, Ha Noi 2006)

Table 13: Possible questions in public consultations²⁷

Types of questions	Definitions	Effectiveness	Limitations
<i>General questions</i>	This type of question is raised to all participants. It can be written on a board, papers, or projectors.	<ul style="list-style-type: none"> -Encourages all participants to think. -The best way to start a discussion. -Shapes the discussion. 	<ul style="list-style-type: none"> -The question is not leveled at any specific participants. -There may be no answers. -If time is limited, discussion may not be effective. -Inappropriate questions may skew discussion.
<i>Specific questions</i>	This type of question is used for individuals or groups of participants.	<ul style="list-style-type: none"> -Generally the questions are answered. -They provide opportunities for discussion for shy and hesitant people. -Limits any monopoly of the garrulous -This question may draw out those who have professional experience in the group, such as legal experts. -It is possible to use these questions when one viewpoint is missed out. 	<ul style="list-style-type: none"> -This type of question may cause hesitation if people are not well prepared. -It will be more effective if combined with a general question to encourage the involvement of all participants.

²⁷. See above reference.

Types of questions	Definitions	Effectiveness	Limitations
<i>Open questions</i>	These are questions that cannot be answered yes or no. These questions start with: who, what, when, where, how, why.	-To gather information and specific feedback; -Encourages the creativeness of participants. -The quality of the discussion can be improved. -These are good analytical questions.	-These questions are hard to answer; -Starting with this type of question may lead to misunderstanding.
<i>Closed questions</i>	Those are questions that participants respond to on already mentioned terms.	-They identify viewpoints and ideas of speakers. -They avoid unclear and general assumptions and ideas. -They help to identify the level of agreement or disagreement on consultative issues.	-All participants can answer, but the accuracy of answers will rely on the knowledge, experiences of respondents. -The topic under consideration needs to be specific.

3.3.4. Dialogue while conducting public consultations

Besides listening to the opinions of participants, a certain level of dialogue can help to clarify consultative issues and promote mutual understanding. The form of dialogue in relation to different consultation tools can vary. For example, at consultative workshops the dialogue between members of the Ethnic Council and Committees of the National Assembly can be freewheeling in nature. While in committee hearings, members of the Ethnic Council and Committees of the National Assembly may only raise questions and listen to the answers.

However, in all cases, participants should combine listening and speaking, so creating favorable conditions for consulted people to act similarly. The advantages of such an approach are as follows:

First, helping both sides to concentrate on consulted issues by listening to and presenting their perspectives.

Second, helping the presenter to receive feedback quickly from listeners.

Third, creating opportunities for the presenter to explain what they can do.

However, if a direct dialogue is not well-prepared by both sides, it may prove unnecessary. Therefore, the following limitations should be avoided during public consultations:

- Raising too many questions, or focusing on specialized topics.
- Arguing with people and imposing ideas.
- Listening only to certain individuals.
- Stopping consultations too early.

In relation to complicated topics, it is necessary to separate out issues so that consulted people can understand them easily and answer questions accordingly.

In many cases, those gathering information need to be well-prepared so they can select issues in focusing questions on participants. These need to be those issues that those gathering the information are interested in. This re-affirms the assertion that it is necessary to be well-prepared in terms of knowledge and skills before conducting public consultations.

Preparation for answering questions from participants should be sufficient so as to facilitate the prompt handling of different types of information. Therefore, listening to questions and arranging them in a logical and rational order is very necessary.

3.3.5. Negotiations

Basically, a consultation is **not** a negotiation. However, negotiation dynamics do affect most consultation processes, as stakeholders attempt to make their views known and influence decision makers. The challenge for those seeking information is to have stakeholders enter the process **open** to ideas and suggestions, not holding fixed positions.

To achieve the desired outcome, attention should be directed onto the following elements of negotiation²⁸:

- *Clarify the common interests behind the issues*: focus on real underlying interests and motivating factors rather than on the stated positions of stakeholders. Often several sets of interests are in play, affecting not just the interests of one side but the common interests of society;

- *Maximize the policy options*; develop as many creative options as possible. Try to expand the pie rather than simply divide it.

- *Identify criteria*; use standards or objective criteria to determine the legitimacy or fairness of any particular option. Consensus can be achieved more easily.

- *Alternatives*; consider what alternatives there might be if agreement/consensus is not reached.

- *Commitment*; firm commitments to a policy option are not the goal of any consultation process. Furthermore, commitments can only be made when all relevant issues of the consultations have been discussed.

- *Communication*; communication should be open and effective. There should be a balance between advocacy and inquiry.

- *Relationship*; separate the people from the consulted issues.

²⁸. See Peter Sterne, Sandra Zagon, *Ref above*, Note no. **Error! Bookmark not defined.**, p.57 – 58.

3.4. The collection and consolidation of information during the consultation process

The information collected from public consultations should be recorded. Depending on the different consultation tools, there are different ways to record information.

In the case of directly collecting the opinions of consulted people, the most important requirement is the need to record details accurately and objectively. In some cases, to ensure the retention of all elements of the data for analysis, a number of consultations are required to appraise answers. Therefore, those who perform consultations should maintain lines of communication with participants, record the results immediately after receiving the information, and should not be subjective in their approach. It is also necessary to check important information carefully.

In addition, in large-scale consultations, the collection of information may require a group of secretaries to handle relevant issues, especially for those consultations relying on a closely identified number of participants. The most basic task of the secretariat should be to coordinate the collection of information and handle problems that arise in the process of gathering information.

Sometimes, some signs indicate that the collected data may not be flawed:

i) ***The data is too accurate;*** the clearest such indicator is when answers come close to the 100% mark, suggesting it is not accurate. This is clearly a warning sign that the data being reported by consulters relates more to their thinking than what the Ethnic Council and Committees of the National Assembly want to see in terms of objective information.

ii) *There are big and sudden changes in data*; if changes appear, the Ethnic Council Committees of the National Assembly may suspect the information is inconsistent and inaccurate.

iii) *There are gaps in data*; a large number of consulted people do not answer questions, which may come from sampling errors or inappropriate methods of collecting information.

.iv) *There are inconsistencies in the information collected from the same contributor*; in some consultations, questions can be closely related to each other. As such, contradictions in collected information from related questions may reveal certain mistakes in the process of gathering information.

The Ethnic Council and Committees of the National Assembly should reappraise data by use of the following means:

i) Use external resources or experts to cross-check or verify collected information.

ii) Combine different consultation tools or voter outreach mechanisms to assess whether the same information is collected from different sources and by using different methods.

iii) Compare data from one group with that of others – for example, compare the data given by management staff to that of other participants.

After collecting information sufficient to satisfy the set targets, the next step is for the Ethnic Council and Committees of the National Assembly to consolidate and process the information collected. This information can be consolidated and arranged under different criteria. For instance:

- By issue;
- By group of participants;
- By type of opinions: agree; disagree; neutral; others.

Based on the analysis of this information, the Ethnic Council and Committees of the National Assembly may then draw some preliminary conclusions from the data, such as whether any particular group is broadly in favour of or opposed to a policy option.

3.5. Unexpected problems

Public consultations are often aimed at different groups of people, and so unforeseen difficulties will inevitably arise. However, to deal with these issues, the organizers should anticipate what these issues might be and have in place plans to deal with them.

Normally, unexpected problems may include:

- Groups of consulted people are not responsive when being questioned;
- Contradictory opinions arise;
- Other events affecting the public consultations occur.

In particular, the fact that groups of consulted people are inactive when questioned may affect the results of the public consultations. To deal with this, it is necessary to divide participants into different groups, as follows:

i) Active participation: those who actively participate in public consultations;

ii) Interested: those who are interested in consultation activities and may participate if possible;

iii) Curiosity: those who pay attention to consultation activities through the mass media, but who may not wish to participate;

iv) Not interested: Those who are not interested in the issues under consultation.

The tasks of the organizers is to identify these groups and support those groups which actively participate in public

consultations. The identification of participants can be done by examining the behavior of these consulted persons in the survey process. To this end, the following solutions should be considered:

- In relation to those who are *not interested*, spend time cultivating their potential interest in the issue. However, do not use up too much time;

- In relation to those who are *curious*, the information system should be used effectively to encourage them to participate in public consultations;

- In relation to those who are *interested*, it is important to create the most favorable conditions for them to participate in public consultations;

- In relation to those who are *active participants*, this group may prove to be the focus group of the consultation process.

Furthermore, during the consultation process, the Ethnic Council and Committees of the National Assembly may detect new issues worthy of consultation or apply new consultation tools. The plans of public consultations may thus be revised, or new consultations held to explore issues in more detail. Such changes should be considered based on an appraisal of the nature of the arising issues.

4. STAGE 3: PROCESSING OF PUBLIC CONSULTATION RESULTS

4.1. Information analysis and making reports on the results of public consultations

4.1.1. Information analysis

After collecting sufficient information, the next steps are for the Ethnic Council and Committees of the National Assembly to filter and analyse the information (as mentioned in item 3.4). The analysis of qualitative and quantitative data differs somewhat.

For quantitative data, analysis is made easier with the support of several tools like software such as SPSS, STATA, and SAS. However, use of this software requires professional support, and so the Ethnic Council and the Committees of the National Assembly should ensure they have staff competent to use the software. In the event that no staff are able to use this software, consultants should be brought in. In the Office of the National Assembly, the division for social surveys of the Center for Information, Library and Research Services can do this.

With the support of the mentioned software, quantitative data can be analyzed, and the results should show the nature of the answers of consulted people. People's tendencies may be shown in diagrams, tables, or by other means. Based on the results, the data can then be put into a report. However, the use of tables and diagrams should be considered carefully. The Ethnic Council and the Committees of the National Assembly may set out requirements on data analysis so that the consultants can focus on and meet these requirements. However, by making use of analyzed data, the Ethnic Council and Committees of the National Assembly can more easily develop the final report on public consultations.

For qualitative data, any analysis should be based on the knowledge of the issues. As mentioned, the consolidation of qualitative data can be based on the following criteria: (1) by issue; (2) by participant; (3) and by opinion. However, conducting analysis of qualitative data can be time consuming for consultants, who may have to study the nature of each opinion so as to establish the general findings of the consultations process.

After having analyzed the collected information and data, it is necessary to analyze the overall results of the public consultations process in order to prepare for the development of the report on public consultations. This can be done based on the following criteria:

1) Overall results

- Key findings.
- Behavior of participants.
- On what issues was a consensus reached.
- Different viewpoints and opinions.

2) Are opinions consistent?

- Information analysis should explore whether the opinions are consistent or not.

3) Expectations of the public

- What are the priorities and expectations of the public?
- How to implement these priorities and expectations?

4) Identify trends

- Identify any tendency towards agreement and the related groups in relation to each topic.
- Identify different tendencies and related groups within each topic.

5) Assessment compared to the anticipated results

- What are the expectations before conducting consultation?
- Are any results surprising?

4.1.2. Reporting on the results of public consultations

After analysing information, the next step is to draw up a report on the results of public consultations serving the activities of the Ethnic Council and the Committees of the National Assembly. Normally, a report would aim to provide members with information to verify draft laws and policies. In addition, the report may act as a source of reference for the National Assembly and its members in examining and discussing the draft laws. Therefore, the report will

focus on clarifying viewpoints heard by the Committees, and should make recommendations to resolve existing policy problems.

The reports can be written by experts from the department supporting the Ethnic Council or the Committees of the National Assembly, on the basis of the data collected. The draft reports should be considered, discussed, and commented on by members of the Committees prior to being published as an official document serving the National Assembly's activities. In fact, the reports can be approved by sending them to members of the Committees for approval, as many deputies in the National Assembly of Vietnam are part-time deputies. In addition, the draft reports can be improved by seeking consultants' opinions.

To provide information for the operation of the Ethnic Council and the Committees, as well as of the broader National Assembly, the contents of a report on results of public consultations should include:

- 1) *A summary report*: Brief findings of public consultations and recommendations.
- 2) *Consolidated report*: The presentation of details on the consultation process, key results and recommendations.
- 3) *Annexes*: Related annexes such as a list of groups of consulted people, the places and time of public consultations, the topics in question, copies of questionnaires, and other relevant details.

For the summary report:

The contents of the summary report include:

- Background to the public consultations.
- Objectives.
- Details of the consultation process.
- Stakeholders.
- Results:

- +) Key issues.
- +) Tendencies and nature of the tendencies.
- +) Topics on which there was strong consensus.
- +) Issues of note for particular reasons.
- Engagement level and behaviour of stakeholders.
- Recommendations

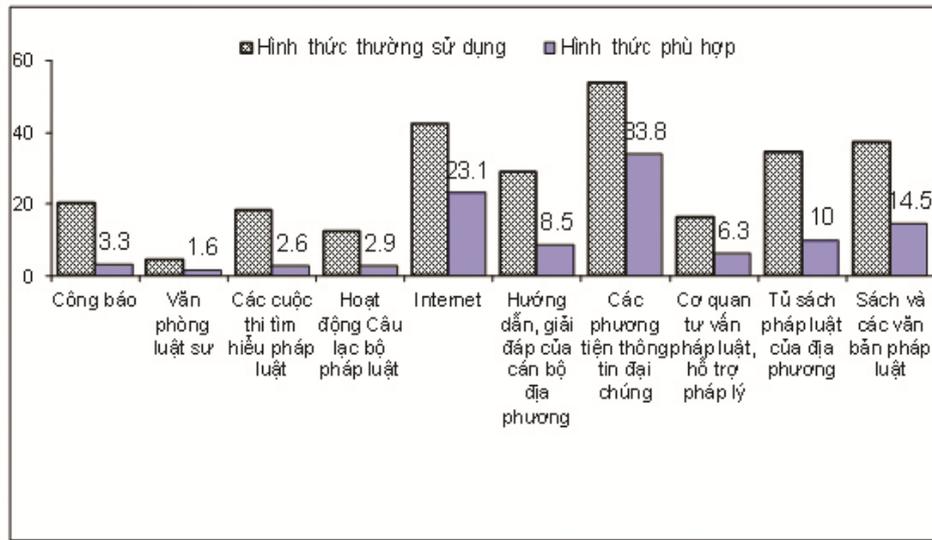
For the consolidated report

Basically, the consolidated report should have a structure similar to the summary report. However, apart from presenting the background information, objectives, method, scale and stakeholders, and so on, the main objectives of the consolidated report should be to explain the results of public consultations and the impact of the policies in question.

As mentioned above, the objectives of the verification work of the Ethnic Council and the Committees of the National Assembly are to identify their viewpoints on: agreement on the nature of the submitted policies; a request for alteration; or disagreement. Basically, the results of the public consultations provide evidence underpinning the viewpoints of the Committees. Therefore, it is necessary to explain and clarify the information collected in the report.

The results of public consultations should be presented shortly and clearly, with necessary references, in a fashion which supports the decisions of authorized persons, who often have limited time to study the issues in depth. With regard to language, sentences should be short and easy to understand. The use of diagrams and tables should be encouraged, particularly in reports heavy with quantitative data.

Diagram 12: Example of how to present collected information: the results of a social survey on the sources of information on laws²⁹



In relation to qualitative data, the generalization of trends can be difficult, particularly when tackling social topics. The generalization of consultation results, though, can be done by asking the following questions:

- How many people will be affected by the policy?
- Who will be affected?
- The nature and impact of the policy.

The above mentioned comments can be quantified by division into "small scale", "medium scale" or "large scale" categories, when being compared. In addition, those who actually prepare the report can also use more creative solutions to quantify their reports. Below is an example of quantification of qualitative data for policy solutions on postal services in Europe.

²⁹. Center for Information, Library and Research Services, *Report on the results of a social survey on the information of laws*, topic serving the activities of the MPs, 2011.

Table 14: Example of the quantification of qualitative data³⁰

Issues	Options	Impact on users	Impact on employment	Impact on the economy
Scale of global service	Option 1: No changes, maintenance of flexibility	☺☺	☺	☺
	Option 2: Focus on consumers and SMEs	☺	☺	☺
Standard of global service	Option 4: No changes, maintenance of current standards under regulations of EU	From ☺ to ☺	☺	From ☺ to ☹
	Option 5: No changes, maintenance of current standards under regulations of EU, but allowing for the collection of cost on individual items	☺☺	☺☺	☺☺☺

By looking at the above table, MPs may understand clearly the results of the public consultations on a quantitative basis and then look for appropriate responses.

In relation to the annexes

Other matters related to the public consultations should be put in the annexes. Normally, the annexes might include:

³⁰. Jacobs and Associates, *Ref above*, note no. 18.

- Administrative documents related to the consultation (plans, policies, official letters, and decisions, and so on).
- A list of stakeholders.
- A list of consulted people.
- The time and places of public consultations.
- Details on the collected data or information.
- A report on data analysis methodology.

4.2. Feedback

Feedback on the consultation results for the consulted groups is necessary to contribute to a general sense of the value of the consultation process, as well as to bolster public confidence in these activities. This can be seen in the following points:

First, the consultation is a two-way interaction between citizens and state. After receiving information from citizens, state agencies should reflect on the use of such opinions. They should ask which opinions to take into account and which not to, and why. This process is of particular significance when gathering information from many people.

Second, through feedback the consulted people can see that their opinions are respected. It may be that some perspectives are rejected, but the feedback demonstrates at least that the state agencies listened to the opinions of the public.

Providing feedback to consulted people can be done in different ways. For state agencies, units and individuals engaged in small-scale consultations, feedback can be sent directly to participants at specific addresses. Meanwhile, for large-scale consultations, feedback can be provided through the mass media, the website of the National Assembly or through public notices published in the places of consultations.

The feedback to participants can be short, and need only be sufficient that consulted people can see their opinions have been taken into account. Normally, the contents of feedback would include:

- The reasons for the consultations;
- The participants involved and the tools used;
- The results of public consultations;
- Those opinions accepted and those not made use of, and why;
- The use of these results in the decisions of the National Assembly,
- The final decision of the National Assembly;
- Thanks and an expression of desire to see further engagement in future consultations.

In addition, any specific results deriving from the public consultations consultation process need to be publicized so that participants can assess how their comments had been received and how they contributed to the broader legislative or oversight processes.

4.3. Assessing consultation activities

Assessment of the consultations process should be carried out continuously from the beginning to the end of the entire process, with adjustments made as and when necessary. In the final stages, though, an assessment of the consultation as a whole should summarize the work, with the following objectives:

- Assess the consultation process from the beginning to the end, to identify strengths and weaknesses with the aim of drawing experiences for future consultations;
- Assess the satisfaction of stakeholders in the implementation and results of public consultations;
- Acknowledge and assess the participation of stakeholders in all stages of the consultation process.

To achieve these objectives, the Ethnic Council and the Committees of the National Assembly need an appropriate means to assess their work. The methods of collecting information for assessment should be as follows:

- *By making use of the evaluation form sent to participants in the consultation process.* A common practice in consultative workshops is to deliver evaluation forms to participants and collect them right after the workshop.
- *Through discussion with stakeholders and consulted people.*
- *Through discussion with and an assessment of the organizers.* Members of the organization board may have their own perspective on the consultations process. Therefore, the discussion and assessment of organizers is a useful source of information to assess the activities' effectiveness.
- *Check financial expenditure.* Checking the effectiveness of expenditure in the consultation can help organizers assess the cost effectiveness of the activity;
- *Check reports in the mass media.* The consultation activities of the Committees of the National Assembly often receive much scrutiny in the press. In addition to reporting the news, the press also regularly assesses the effectiveness of the consultation activities. Their perspective can be a useful source of information for the organizers to assess their activities.

After obtaining the necessary information, an assessment of the consultation activities can be conducted on the following criteria:

- Were participants properly informed of the consultation activities?
- Did the organizers identify clear objectives for the consultation process?
- Were the objectives reached?

- What benefits have the consultation results brought about for the activities of the Ethnic Council and Committees of the National Assembly?
- Were the consultation tools and techniques appropriate?
- Was the initial plan for consultations revised during implementation?
- Was the implementation of the plan effective?
- Was the implementation of the plan for consultation revised?
- Did the cost exceed the estimate?

4.4. Storage of collected information

Given that policy issues arise repeatedly, the Ethnic Council and Committees of the National Assembly may consult again on the same issue. Therefore, the storage of collected information is very important, since it can provide precedents and guidance on tackling complex policy issues. The following questions should be considered in assessing the storage of collected information:

- **What information needs to be stored?** It is important to ask what type of information, and volume of information should be stored. Information is required so as:

- To orient a strategy on the promulgation and amendment of policies; and
- To monitor the promulgation and implementation of policies.

- **Who needs information and when?** The information needs be accessible to those most reliant on it.

- **Where to store any information?** The information should be stored in the electronic databases of the Office of the National Assembly or in the library of the National Assembly. It represents part of the National Assembly's institutional memory.

CHAPTER III: SOME COMMON PUBLIC CONSULTATION TOOLS

1. CONSULTATIVE WORKSHOPS

1.1. Definition

This tool entails organising consultative workshops with the participation of stakeholders, to discuss and clarify some issues of draft laws or policies of concern to the committees. By using this tool, committee members can gain a deep understanding of the issues that they are examining.

At this workshop, committee members and other participants may discuss and exchange opinions on matters of concern. A consultative workshop is different from the explanatory meeting, because in the workshop, committee members may raise their questions, answer questions and express their opinions on relevant issues.

1.2. When to organize consultative workshops

This tool has been widely used by the Ethnic Council and the Committees of the National Assembly in both legislative and oversight work. For instance, during an examination of a draft law on libraries, the Committee on Culture, Education and Children of the National Assembly organised consultative workshops with experts addressing particular issues in the draft³¹. The tool has also been used in topical oversight activities in relation to minerals and environmental protection; the Committee on Science, Technology and

³¹. Ha An, 'Committee on Culture, Education and Children organized a consultative workshop on draft law on library', *The people's Deputy Daily Newspaper*, 09/03/2012.

Environment organised a consultative workshop to collect opinions of experts on these issues³².

In general, consultative workshops are often organised to collect theoretical information. In particular, consultative workshops are organised in the following cases:

- To exchange ideas and opinions so that committee members can form background opinions on the issues which are being examined;
- When issues being considered for decision or overseen need to be clarified theoretically;
- To draw public attention to the issues being examined;
- To create conditions under which experts can participate in the decision making process of the committees.

1.3. Implementation

The organisation of consultative workshops requires much time and budget, and so requires careful preparation. To ensure the effectiveness of the workshop, the following matters should be taken into account:

- The objectives of the consultative workshop:

It is necessary to define the objectives of the consultative workshop. Furthermore, the objectives of the consultative workshop should be linked to the activities of committees. Committees should clearly define the benefits expected from the consultative workshop.

- Topics for discussion:

Topics for discussion at consultative workshops should be clearly defined. To ensure effective collection of information, topics

³². Chu Tuan, 'Consultative workshop on the implementation of policies on management and exploitation of minerals attached to the environment', *The people's Deputy Daily Newspaper*, 12/03/2012.

and issues discussed at the workshop should be precise in nature – not general. Otherwise, discussion at the workshop will not provide insight into those issues about which the committee is concerned;

- *Participants:*

Participants in consultative workshops should be selected carefully.

Experts who are invited as key speakers of the consultative workshops. Based on requirements of the organisers, these experts will prepare presentations to provide committees with the necessary information. To select appropriate experts, it is necessary to pay attention to their expertise, qualifications and especially the results of their contributions to similar events.

In addition to the aforementioned participants, press agencies should also be invited. In some cases, press releases should be prepared.

- *The duration of a consultative workshop:*

One consultative workshop may last two or three days. However, the most common duration of a consultative workshop applied by the Ethnic Council and Committees of the National Assembly is 1.5 days.

2. SOCIAL SURVEY

2.1. Definition

A social survey is a tool for gathering public opinions through the sending out of questionnaires delivered to stakeholders, who in turn are selected on certain criteria, with the aim of collecting information for assessment and decision.

Social survey results are generally quantitative. These results can only be reliable when carried out with a ‘sufficiently large’ sample.

2.2. When to conduct social surveys

Carrying out a social survey requires time and budget, as well as particular expertise. When deciding to use this tool, the following issues should be considered:

Firstly, the nature of the information collected.

Social survey results reveal the behavior, knowledge and priority accorded to certain issues by questioned persons. A social survey is not the most effective tool to collect information. For instance, during the oversight of the implementation of the law on environmental protection in mineral exploitation by the Committee on Science, Technology and Environment in 2012, a social survey was not able to measure data on the quality of the environment. Such data could only be measured by more quantitatively focused tools. However, social surveys can help broaden awareness of public feeling on environmental pollution, as well as of behavior in response to it.

Secondly, the expertise needed to conduct social survey

As aforementioned, carrying out a social survey requires expertise, particularly in sampling and questionnaire design. In those cases where the sample does not represent all stakeholders, the results can be unreliable. This is very harmful if it then distorts decision making on policies. Therefore, in those cases where resources are insufficient in terms of expertise, it is perhaps best to avoid social surveys.

2.3. Preparation and implementation

To prepare for and conduct a social survey, the following issues should be considered:

- **Objectives:**

The objectives of a social survey should be defined clearly, with particular attention to plans for the use of the information collected.

That information should support the activities of the Ethnic Council and the Committees of the National Assembly.

- ***Expertise to conduct a social survey***

During a social survey, the following issues require expertise:

- i) Designing questionnaires;
- ii) Sampling;
- iii) Meeting with questioned persons;
- iv) Coding and inputting data;
- v) Data processing and reporting.

In those cases where the committees' expertise is not sufficient to conduct a social survey, committees may outsource the service. At present, there are many service providers. Within the ONA, for instance, the Center for Information, Library and Research Services is able to provide support to committees in conducting social surveys.

- ***Questionnaire design***

The questionnaire design for a public opinion survey should incorporate the following elements:

- i) The purpose of the social survey should be clearly defined right from the beginning of preparation of the questionnaire. Data security must be ensured;
- ii) Questions should be designed clearly, and drafted with ease of reading in mind;
- iii) Questions should not address irrelevant information;
- iv) Avoid vague language which may mean that questions are answered differently;
- v) Avoid including varied topics in a difficult question;

vi) Avoid questions which suggest answers;

vii) Closed questions facilitate the analysis of results more effectively than open ones;

viii) If questions contain a point scale, it is necessary to arrange the balance between positive and negative points;

ix) Questionnaires should not be too long (generally not more than 2 A4 pages).

- **Pilot surveys**

Pilot surveys conducted on a small scale may be necessary to check on the contents of the questionnaire, the time needed to complete the survey and the expected results of the survey.

- **Optimize the number of respondents**

In social surveys, collecting samples of 100% is very difficult. Feedback depends on: the issues in the survey; the methodology used to carry it out; the people involved; and the time required to conduct the social survey. To optimize the participation of respondents, apart from the mentioned elements, the following points should be taken into account:

i) Ensure an appropriate design for the questionnaire;

ii) Stress the security of the information collected;

iii) In case the questionnaires are sent through the post or electronic means, a time limit should be mentioned;

iv) Avoid conducting social surveys when respondents are relaxing.

- **Data processing**

The collected information should be processed in accordance with statistical tools, such as software like SPSS, SNAP, making use of the skills necessary to avoid mistakes and errors.

The Ethnic Council and the Committees of the National Assembly can then decide how to use the data in their work.

3. PRIVATE MEETING

3.1. Definition

This public consultation tool can be applied by meeting with selected stakeholders to carry out in-depth interviews in private meetings on issues that the Ethnic Council and the Committees of the National Assembly are examining.

3.2. When to use it

In-depth interviews enable users to study the viewpoints, behavior, and motivation of individuals. This tool is thus most appropriate to collecting information on complex, new, individual or sensitive issues. For instance, in relation to issues in the draft law on electronic transactions (approved in 2005), the Committee on Science, Technology and Environment conducted private meetings to study relevant topics. Similarly, in relation to individual issues, in the course of the development of the draft law on the disabled, the Committee on Social Affairs conducted in-depth interviews in private meetings with some disabled people.

The organization of this public consultation tool requires much time, mainly because it takes time to arrange private meetings with individuals.

Furthermore, one limitation to the effectiveness of private meetings is that results are not representative. Opinions can be collected only from several individuals or groups of people. Therefore, in those cases where it is necessary to generalize opinions, to the Committees need to rely on other public consultation tools in addition to private meetings so as to ensure the representation of respondents of different groups in data samples.

3.3. Preparation and implementation

During the preparation and implementation of this tool, the following points should be considered:

- *Define the scope of information clearly:*

In-depth interviews in private meetings are not always based on questionnaires or other pre-prepared material, and so it is necessary to define clearly the scope of consultations, thereby avoiding unnecessary topics.

- *Skills and methodology for interviews:*

The success of this tool lies in the meeting and interviewing processes. To collect the required information, the fostering of a warm atmosphere and mutual trust between the interviewer and respondents is crucial. Respondents will only express their opinions with candour when confidentiality and anonymity are ensured.

Moreover, the interviewer needs to encourage respondents to express their opinions. This can be done with the interviewer showing respect and avoiding commenting on evidence. A further point is that too many questions should not be raised at any one time.

- *Note taking:*

An interviewer must be very active in note-taking. To this end, interviewers must be well aware of the public consultations plan, so as to take notes during interviews only on the most pertinent topics. He or she may, with the agreement of respondents, use other tools such as a voice recorder, a camera, or other devices.

It is recommended that an interviewer encourage respondents to provide him or her with other reference information for use when necessary.

- *Meeting places:*

The venues for private meetings can be private houses or public places. Normally, it is most convenient for respondents if the interview takes place at their private houses. However, the interviewer should not be accompanied by representatives from the local authorities.

4. FIELD VISIT

4.1. Definition

A field visit is a tool of public consultations as part of which members of the Ethnic Council and the Committees may visit a certain place, identify issues and collect information relevant to their work. The tool entails the observation of the place, working and living conditions of local people or other related groups.

4.2. When to conduct a field visit

Field visits enable members of the Ethnic Council and Committees of the National Assembly to collect information on current issues by visiting places, helping them to identify the issues that the local people are facing. For instance, in relation to overseeing the implementation of the law on environmental protection regarding mineral exploitation, a field visit to an area subject to mineral exploitation was necessary to understand the environmental situation and people's behaviour.

The advantages of this tool are that: committee members gain actual experience; that an exchange of opinions and information on the visit can help build consensus; and that field visits can detect information not found in reports or other materials.

However, its limitations include inconvenience for local people and that field visits can raise expectations. A field visit may also suffer if note-taking is inadequate.

4.3. Preparation and implementation

For the preparation of this tool, the identification of issues and places is particularly important. The location must represent the issues under consideration. For instance, when conducting a field visit on the current environment in mineral exploitation, locations must include areas of mineral exploitation. In addition, field visits should provide contrasting perspectives, perhaps by visiting areas devastated by mining and areas subject to strong environmental protection schemes.

As the field visit entails going to different places at a certain time, preparation should include information on travelling, meetings, communication, and other relevant details.

In many cases, a field visit must rely on the support of the local government and agencies. Information from the activity should be recorded and notes should be taken.

5. WEB-BASED CONSULTATIONS

5.1. Definition

This public consultation tool entails publishing draft laws or oversight topics on the website of the National Assembly so as to collect comments and opinions from stakeholders.

Such work can be carried out through different means, including electronic mail, relying on a website, or through electronic fora or questionnaires.

5.2. When to apply it

The publication of draft laws and resolutions on the website of the National Assembly to collect public opinions is regulated under the Law on the Promulgation of Legal Normative Documents 2008. Under this law, all documents, submission reports and verification reports on draft laws shall be published on the website of the National Assembly (Article 51). Therefore, in all cases when developing,

verifying or revising draft laws, the Ethnic Council and the Committees of the National Assembly should make use of this public consultations tool.

While the Ethnic Council and Committees of the National Assembly are not obliged to publish details on other consultations activities, the Council and Committees may in many cases consider applying this tool in oversight activities and in the settlement of citizen's petitions.

The main advantage of the tool is its ease. This is also a low-cost tool. In addition, this tool helps people get to know the activities of the Ethnic Council and the Committees simply and provides a means for them to send in their opinions.

Web-based consultations are becoming a more useful tool as the number of internet users is increasing in Viet Nam. According to the General Department on Statistics, as of March 2012 the number of internet subscribers had reached 4.2 million, increasing 17.5% on the same period of the prior year; the number of internet users had risen 32.1 million, up 15.3% compared to the same period of last year³³. However, the tool has certain limitations, which the Ethnic Council and Committees of the National Assembly should take into account before applying.

For instance, there is a gap in terms of internet access and the comprehension of internet users between urban and rural areas. Therefore, for those draft laws and decisions which are of import to rural areas, web-based consultations may not prove effective.

Another issue is that the information collected may not be sufficient. This is because many people have a tendency towards self-selection, particularly on the internet. For instance, only stakeholders

³³. Ngoc Khoi, 'Viet Nam: Internet users increase in the region', *ICT News*, 27/04/2011.

are liable to spend their time answering questions on the website, meaning that the scope of web based consultations may be limited, or at least not representative.

In addition, web-based consultations may help people express their opinions actively.

5.3. Preparation and implementation

When conducting web-based consultations, the Ethnic Council and the Committees of the National Assembly may conduct consultations through the website of the National Assembly or through Committee websites. At present, the website of the National Assembly for public consultations is at <http://duthaonline.quochoi.vn>. The Ethnic Council and the Committees of the National Assembly may coordinate their needs to publish draft laws with the administration of the website.

The topics of the public consultations held by the Ethnic Council and the Committees of the National Assembly may also be published on their websites. At present only some committees have their own websites, as is the case for the Committee on Social Affairs. These committees publish not only draft laws and resolutions, but also details on issues and policies of their interest.

However, in conducting web-based consultations, the Ethnic Council and the Committees of the National Assembly should in any case prepare carefully. Normally, when conducting web-based consultations, the following points should be taken into account:

- It is necessary to identify issues appropriate for web-based consultations. In an assessment of a draft law or policy, not all topics will suit web-based consultations.

- The topics for consultations should clearly be explained, with a rough outline of those individuals or groups most liable to feel the impact of the law or policy. This is because the people may find it

difficult to understand policies hidden within long documents. For instance, in a draft labor code of 237 articles tackling many different issues, only certain policies will be subject to general interest; these may include the retirement age, maternity leave rights for female workers, and unionisation.

- In addition to providing details on policy matters, the Ethnic Council and the Committees of the National Assembly may also need to publish reference materials when necessary.

- Web-based consultations require specific starting and finishing times. Feedback for contributors to consultations is necessary.

6. WRITTEN SUBMISSIONS

6.1. Definition

Written submissions are a traditional tool of public consultations. The tool entails the collection of written perspectives on draft laws, published so that people can contribute their opinions. An additional variation involves the sending of draft laws to individuals, organizations or agencies for comments.

6.2. When to apply it?

The use of written submissions is a common tool of public consultations in the law making process of the Viet Nam National Assembly. Under regulations in the Law on Laws 1996, the collection of public opinions on draft laws and ordinances is decided on by the Standing Committee of the National Assembly, with such work done through the mass media. The tool is now regularly applied, but it is not an obligatory stage of the law making process. However, the collection of written submissions is considered one of the main examination activities of the Ethnic Council and the Committees of the National Assembly.

In addition to the use of this tool in legislative activities, written submissions can also be applied to oversight activities. For example, during the 12th NA legislature, the Committee on Foreign Affairs sent letters to some individuals and organizations to ask for their opinions on oversight issues related to the implementation of the Viet Nam - US bilateral trade agreement. In general, written submissions in oversight activities have been effective³⁴.

The use of written submissions has some advantages:

- 1) They provide sufficient and relevant information for stakeholders;
- 2) They provide sufficient time for consulted persons to study topics thoroughly;
- 3) This tool of public consultations does not require much time and so can be combined with other tools.

However, there are challenges when applying this tool:

- The selection of specific contributors needs to be careful so as to ensure their suitability;
- The topics under consultation should be made the clear focus of requirements;
- Stakeholders using this tool should be knowledgeable about the issues under consultation;
- The cost of printing documents and the period of implementation can be high;
- The manpower and time necessary to collect and consolidate public opinions in letters is significant.

³⁴. See: Committee on Foreign Affairs, *Proceedings "Review of the first year of the implementation of Viet Nam-US Bilateral Trade Agreement"*, Internal circulation/use, 5/2003.

Therefore, when applying this tool, the Ethnic Council and Committees of the National Assembly should consider the aforementioned advantages and challenges.

6.3. Preparation and implementation

To prepare for the use of written submissions, the Ethnic Council and the Committees of the National Assembly need to clarify the following points:

- 1) Clarify the identity of participants, the consultation objectives and the relevant timeframe;
- 2) Prepare documents specifying the topics under consultation for each contributor. In the event of complicated topics, it is necessary to prepare summaries, short consultation questions and other supportive information;
- 3) The number of participants should be as large as possible;
- 4) Participants need time to study issues and require feedback. Shortness of time can affect the quality of comments and even discourage contributors from answering consultation questions;
- 5) It is necessary to make clear the time and place for consultations. The address at which to request answers to any questions is also important;
- 6) The collection and consolidation of collected opinions should be conducted carefully and regularly. Opinions should be analyzed thoroughly and neutrally.
- 7) Participants require feedback.

7. COMMITTEE HEARINGS

7.1. Definition

Committee hearings entail the Ethnic Council and the Committees of the National Assembly organizing formal meetings

with stakeholders on policy issues in order to collect information, thus enhancing the quality of their decisions. The participants can be government agencies, experts, civil organizations, associations, enterprises and individual citizens.

Committee hearings enable the Ethnic Council and Committees of the National Assembly to collect information and so to clarify topical issues.

At present, the Constitution, the Law on the Organization of the National Assembly, and the Working Regulations of the Ethnic Council and the Committees of the National Assembly have no direct provisions on the organization of committee hearings. However, under the current regulations of the Law on the Organization of the National Assembly, the Ethnic Council and the Committees of the National Assembly are entitled to request cabinet members, the President of the Supreme People's Court, the Procurator General of the Supreme People's Procuracy and concerned state officials to supply materials or to present details on those matters which are considered and verified by the Council or the Committees. The persons receiving the requests of the Council or the Committees of the National Assembly must comply with those requests³⁵. The Law on Laws 2008 has a similar regulation providing that the Ethnic Council and Committees of the National Assembly as verification agencies: shall invite submitting agencies to present opinions on the contents of a draft document related to the matters under these agencies' management and other issues in the draft document; and shall invite representatives of concerned agencies and organisations, specialists, scientists and representatives of groups directly affected by the draft document to attend meetings organised to hear opinions on issues related to the topics of the draft document³⁶.

³⁵. Article 38, Law on the Organization of the National Assembly.

³⁶. Clause 2, 3, Article 41, Law on the Promulgation of Legal Normative Documents

The difference between plenary sessions of the committee and a public hearing is that the purpose of a hearing is not to make decisions but to collect information and prepare for the plenary session of committees. The “key actors” in committee hearings are not committee members, but experts and those directly affected by the draft documents or related issues. Committee members participating in the hearings may raise questions to stakeholders, but should refrain from expressing their own opinions.

7.2. When to apply it

Currently in the Viet Nam National Assembly, public hearings have been organized under the scope of oversight activities. However, it is important to stress that committee hearings are appropriate for both oversight and legislative work. In addition, committee hearings are often organized as a separate oversight activity, and are not combined with other oversight activities such as examining work reports or topical issues.

However, public hearings are a preparatory step aimed at gathering information so that the Committees in plenary session can verify the work reports of concerned agencies or implement an investigation activity or conduct a topical oversight activity. Therefore, committee hearings may be organized to serve all oversight activities of the Ethnic Council and the Committees of the National Assembly.

Committee hearings in the oversight activities of the National Assembly may be organized to provide necessary information. Moreover, the open nature of public hearings meeting, with participation of different stakeholders, is of significance in terms of oversight. Its openness puts pressure on those who are subject to oversight.

In relation to legislation, committee hearings can be an effective tool for the Ethnic Council and the Committees of the National Assembly to garner information so as to make decisions appropriate to the verification and revision of draft laws. Indeed, consultation activities are very important to legislative work. Through this activity, members of the Ethnic Council and the Committees of the National Assembly can study the official opinions of stakeholders, particularly those directly affected by the draft document. This may limit inconsistency and partiality in regulations³⁷. Experiences in parliaments worldwide show that hearings are a valuable tool in the legislative process.³⁸

Therefore, hearings are appropriate to almost all situations, excepting perhaps only those cases where the elaboration and promulgation of legal normative documents is done according to fast-track order and procedures (as regulated under Article 75 of the Law on the Promulgation of Legal Normative Documents 2008). In addition, where applicable, the optimal option is to apply hearings to selected issues from the legislative program of the National Assembly, and from the oversight program of the committees.

7.3. Preparation and implementation

Public hearings have been organized by the Ethnic Council and the Committees of the National Assembly. However, the methodology applied varied between the Ethnic Council and the Committees of the National Assembly, because of the lack of regulations on the rules and procedures for the activity. Basically, the preparation and implementation of the activity should take account of the following points:

³⁷. See: Center for Information, Library and Research Services, *Role of the National Assembly in ensuring the consistency of the legal system*, Ha Noi, 2008.

³⁸. Edward V. Schneier & Bertram Gross, *Congress Today*, 1993, p.382.

7.3.1. Time to organize committee hearings

To ensure effective committee hearings, the hearings should be organized in accordance with the timeframe for the implementation of the functions of the Ethnic Council and the Committees of the National Assembly. For instance, in relation to legislation, the activity should be implemented during the period of preparation for verification. At present, as regulated by the Law on Laws 2008, committees may organize ‘meetings’ and invite the public to express their opinions as they prepare for verification. This period is thus the best time to organize committee hearings.

However, the organization of committee hearings at the stage of preliminary or official verification faces certain limitations.

If public consultations are integrated into the session for preliminary verification of the draft law by the Standing Board of the Committee, opinions on draft laws and reports will not be collected. Under Article 44 of the Law on Laws 2008, the session for preliminary verification can relate to draft laws or resolutions submitted by the Standing Committee of the National Assembly, but not to all draft laws and documents.

Furthermore, if public consultations are integrated into the official verification stage, the participation of stakeholders may not be taken into account. Under current regulations, only representatives of the drafting board and some concerned agencies are entitled to participate in the session; others are not. This limitation on participation may retard the effectiveness of any public hearings.

Similarly, in relation to committee oversight activity, public hearings on related issues should be conducted early and should not be combined with plenary sessions of the Committees or the Standing Board of the Committees. Public hearings are most effective as contributors to the preparation of oversight reports by the Ethnic

Council and the Committees of the National Assembly. In the course of this process, the Ethnic Council and the Committees of the National Assembly may arrange different public hearings to collect opinions from different stakeholders and from different localities.

7.3.2. The implementing agencies

As aforementioned, public hearings do not comprise a committee plenary session. Normally, in the experiences of other parliaments, the organization of public hearings is undertaken by subcommittees or a rapporteur³⁹ who is assigned to prepare reports on the draft documents.

In Viet Nam, the organization of committee hearings should, in the long term, be undertaken by subcommittees. However, subcommittees are currently untenable owing to the limited number of full time committee members⁴⁰. In fact, the activities of Vietnam National Assembly generally rely on the standing board of the committees.

To organize committee hearings, leaders of the Ethnic Council and Committees of the National Assembly can select important issues in the draft documents or oversight issue and then assign a group of committee members qualified for the work, including standing members and other members of the committees, to carry it out. This will ensure the participation of committee members in the task.

³⁹A rapporteur is a committee member who is assigned to prepare the verification report of the committee on draft documents. The position is common in parliaments of countries in Europe like France and some northern European countries.

⁴⁰. Speech by Nguyen Van Tri, Vice-chair of the Committee on Science, Technology and Environment at *Workshop “Organizational structure and role of committees in activities of the National Assembly”* organized by the Center for Information, Library and Research Services, 25/4/2006.

7.3.3. Consultation topics

With regard to the topics of consultations, the leaders of the Ethnic Council and Committees of the National Assembly are authorized to select appropriate topics, at least insofar as they are within the capacity of the committees.

In legislative work, though, committee hearings act as the venue for verification efforts, and the topics of consultations should not be limited to those for verification as regulated in the Law on Laws⁴¹. The contents of each draft document will provide the means for selecting issues for public consultations.

For oversight work, the topics of consultations should relate to the policy matter under discussion. However, to make use of committee hearings with the participation of different stakeholders, consultation topics should focus only on topical issues.

7.3.4. The composition of committee hearings

To increase the transparency and democracy of committee hearings, and to collect varied information, the composition of committee hearings should include representatives of as wide a range of stakeholders as possible. In addition to National Assembly Deputies, there are two main groups of participants: proposing agencies (generally represented by Government agencies)⁴²; and those affected by the draft documents. Committees may, under current rules,

⁴¹. Four topics for verification as regulated in the Law on Laws include: 1. The scope and subjects of regulation of the document; 2. The contents of the draft document and issues on which opinions remain divergent; 3. The conformity of the contents of the draft document with the Party's lines and policies; and its constitutionality, legality and consistency with the legal system; 4. The enforceability of the draft document.

⁴². Under the statistics number of the XI NA's Legislature, draft documents submitted by the Government accounted for 87,8% - See, Center for Information, Library and Research Services, *Legislative Activities of the XI NA's Legislature: Data and Analysis*, (Research topic, 2008).

request that participants come to the committee hearings and present their opinions.

Others, such as those whose rights and interests will be governed by the draft document, may voluntarily participate in the meeting. The Committees of the National Assembly should notify participants of the matters under discussion, and inform them that they may register their desire to express their opinions. This is an important means by which the National Assembly can connect to voters and experts, collecting their opinions on issues that the committees are examining.

7.3.5. Notification of committee hearings

The notification of matters relating to committee hearings to the mass media is one important means by which to collect opinions from stakeholders. Notification of committee hearings may be announced on the National Assembly's website (www.quochoi.vn) or by the Deputies' Daily Newspaper of the Office of the National Assembly. In other countries, information on parliamentary activities may be published in the parliamentary Official Gazette as well.

The venue of a committee hearing is a further important issue to bear in mind. Unlike at committees' plenary sessions, public hearings are not necessarily organised at the parliament, as the participation of the people is the most important consideration. In some countries, committee hearings may be held in different localities, even overseas, so that people may participate. However, the arrangement of the meeting room should follow certain conventions, including that the table of the speaker should be opposite the tables of MPs. MPs generally will sit in a horizontal row and their assistants should sit behind them. Press and other participants should be seated in a separate area to avoid their obstructing the session⁴³.

⁴³. Theodore Parnell, 'Listening to public opinion at the NA Committees: A mode of public participation in Vietnam', *Workshop on the role of NA in securing the consistency of*

Facilitating the organization of committee hearings, proposals for hearings should include details on the subjects or documents relating to such subjects, the participants and a tentative agenda. The topic for committee hearings is most important, since it provides the basis from which participants prepare and on which they express their opinions at the hearings.

7.3.6. Procedures

Like other meetings, the development of a tentative agenda for public hearings is important because the procedures ultimately decide the success or failure of any hearings. In principle, the agenda of a committee hearing should be drawn up so that all participants who register for presentation are able to express their opinions. However, in cases where there is an overlap in issues under discussion, the agenda can be adjusted as best suits the effectiveness of the hearing.

Given that the purpose of hearings is to collect feedback from stakeholders about draft documents or related policies, procedures for committee hearings should not concentrate on policy topics as in the plenary session but on the persons offering opinions. That is, procedures for discussion should be based on the separation of different groups of people rather than on the division of groups of topics. Thus, the order of those offering their opinion may be decided as follows: recognized experts in the field, representatives of organizations, and people concerned about the topic of the hearings, before the minister in charge of drafting.

During the organization of committee hearings, the taking of minutes is necessary. On the one hand, it is a general requirement, and on the other hand it is important to make reports.

the legal system, (Center for Information, Library, Scientific research, Ho Chi Minh City, 26- 27 June 2008).

Committee hearings are a chance for people to participate in the decision making process of the Nation Assembly, and so the results of the hearings should be made available to the people. This is one reason for making minutes public. The minutes of public hearings can be published on the website of the National Assembly, so people can have access to them.

7.3.7. Organization

A final important issue relating to the success of committee hearings is that of financial support for participants. An insufficient budget for participants' allowances can limit participation in hearings⁴⁴. However, allowances are not a problem if public participation is considered a voluntary act on behalf of people with interests related to the drafts. In other parliaments, the provision of allowances for participants to committee hearings is not popular. For example, in Australia, witnesses to the hearings organized by Committees of the House of Representatives are entitled to the payment of traveling fees, accommodation fees and meals when necessary⁴⁵.

⁴⁴. Opinions at the workshop "Rules and procedures of the Ethnic Council and Committees of the National Assembly in legislation" organized by Center for Information, Library and Research Services on 28-29 of June 2007.

⁴⁵. See I.C.Harris, *Ref note Error! Bookmark not defined.*, p. 657 - 658.

ANNEXES

1. Plan for public consultations

PUBLIC CONSULTATION PLAN FOR DRAFT LAW ON DISABLED PEOPLE⁴⁶

1. Objectives

- To consult on the contents of the draft law on disabled people.
- To collect information and arguments from stakeholders in relation to the draft law.
- To increase the awareness of stakeholders of the rights and interests of disabled people.
- To increase the participation of disabled people in the legislative process.

2. Contents

- Status of disabled people.
- Eliminating discrimination against disabled people.
- Measures to promote the equality of disabled people.
- Measures to protect disabled people.
- Measures to encourage the participation of disabled people in society.

3. Subjects for consultation

- Disabled people.
- Employers.
- Relatives of disabled people.

⁴⁶. This example is just an illustration.

- Cadres and civil servants.

4. Tools for public consultations

- Social survey.
- Written submission.
- Web-based consultations.
- Consultation workshops.
- Workshops.
- Field visits to public locations.

5. Time

The Draft Law on disabled people is expected to be approved in June 2010.

Public consultation will be conducted from December 2009 to May 2010.

6. Resources

- Budget for reference materials; costs for traveling; costs for information provision.
- Manpower: Staff of ONA departments and units.

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2. Plan

Tasks	Time (week)																			Implementers
	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	
Develop the plan for public consultations	■	■																		Departments, Committees
Develop questions for public consultations	■	■	■	■																
Meeting of working groups					■															
Conduct public consultations under groups						■	■	■	■											
Consolidate results by groups										■	■									
Develop questionnaires for public consultations											■	■	■							
Public consultations through questionnaires													■	■	■					
Consultation workshops																■	■			
Reporting																		■	■	

3. Questionnaire to review those affected by the policy

Question 1	<i>Who is directly affected by the policy?</i>
	<ul style="list-style-type: none"> - Whose life is changed by the issued policy? - Who may have to change their acts after the issued policy comes into force? - Who may be unable to adjust their acts to avoid the impact of the policy?
Question 2	<i>Who is indirectly affected by the policy?</i>
	<ul style="list-style-type: none"> - Whose life is changed by the implementing of the policy? - Who will have to change their acts when implementing the policy?
Question 3	<i>Who may have possible interests affected?</i>
	<ul style="list-style-type: none"> - Who benefits or will see their costs reduced when the policy is implemented? - Who will lose income or face additional expenses when the policy is implemented?
Question 4	<i>Who has a general interest?</i>
	<ul style="list-style-type: none"> - Whose potential interests will be affected? - Who or which organizations are concerned about the issue? - Who has professional initiatives tackling issues related to the policy? - Who and which organizations have undertaken activities to address issues related to the policy?



4. Table of a table reviewing consulted people

Consulted people	Degree of effect 			
	Least affected			Most affected
Parents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Children and young people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Office staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Managerial staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consultants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interest groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Elected deputies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Service providers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disabled people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ethnic minority groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Businesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public agencies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Older people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Males/females	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Professionals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disadvantaged groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Questions to check the readiness to conduct public consultations

Ready?	Ready	Not ready
Are consultation activities in the committee's action plan?	<input type="checkbox"/>	<input type="checkbox"/>
Have coordinating agencies been informed about consultation activities ?	<input type="checkbox"/>	<input type="checkbox"/>
Have topics for public consultations been identified	<input type="checkbox"/>	<input type="checkbox"/>
Have participants in public consultations been identified?	<input type="checkbox"/>	<input type="checkbox"/>
Is there a sufficient budget for public consultations?	<input type="checkbox"/>	<input type="checkbox"/>
Have the most relevant stakeholders been identified?	<input type="checkbox"/>	<input type="checkbox"/>
Have difficulties been identified?	<input type="checkbox"/>	<input type="checkbox"/>
Have the appropriate consultation tools been identified?	<input type="checkbox"/>	<input type="checkbox"/>
Have suitable places and times for public consultations been identified?	<input type="checkbox"/>	<input type="checkbox"/>
Have questions for public consultations been prepared?	<input type="checkbox"/>	<input type="checkbox"/>

6. Sample of a questionnaire for a social survey

QUESTIONNAIRE FOR A SOCIAL SURVEY
Some issues regarding environmental protection

Dear Sir/Madam!

To provide National Assembly Deputies with information, the Center for Information, Library and Research Services, Office of the National Assembly is conducting a social survey on **“Some issues regarding environmental protection”**. Kindly spend your time answering the questionnaire by marking + in or write in the blank space. Your information will be used for research purposes only.

Thank you.

Question 1. Is your living place polluted?

1. Yes 2. No 3. Hard to answer

- If “Yes”, please give details:

Level of pollution	Very serious	Serious	Normal	Not polluted
Environmental components				
1. Air	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Noise.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Land	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Other (Please specify):				

Question 2. Please clarify the reasons of the pollution? (please select the 5 reasons that you think are the main cause of pollution)

1. Traffic	<input type="checkbox"/>	6. Drop litter freely	<input type="checkbox"/>
2. High density of population	<input type="checkbox"/>	7. Urbanization and urban planning	<input type="checkbox"/>
3. Untreated domestic water	<input type="checkbox"/>	8. Untreated water from industrial zones	<input type="checkbox"/>
4. Hospital garbage	<input type="checkbox"/>	9. Smoke, dust, noise from industrial zones	<input type="checkbox"/>
5. Construction	<input type="checkbox"/>	10. Chemical abuse	<input type="checkbox"/>
11. Others (<i>pls specify</i>):			

Question 3. When you see acts in violation of the Law on Environmental Protection of organization, individuals, what do you do?

1. Alert the concerned agencies.	<input type="checkbox"/>
2. Act or say something to prevent the acts of violation	<input type="checkbox"/>
3. Do nothing	<input type="checkbox"/>
4. Others (<i>pls specify</i>):	

Question 4. To protect the environment, what do you think of the following proposals?

	Agree	Partly agree	Do not agree	Hard to answer
1. Use environmentally-friendly products which may be 5% to 10% more expensive than those produced by individuals or organizations which pollute the environment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Save electricity and water at working and living places	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Use recycled products which are good for environment and health	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Boycott products by individuals or organizations which pollute the environment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Limit the use of private vehicle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Avoid using products which harm the environment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Do not use products which come from forests (such as wood products and animals)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Self-classification of garbage for recycling purposes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Information and encouragement of relatives and friends to protect environment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Question 5. In environmental protection, how do you assess the role of the following agencies?

	Effective	Not effective	Hard to answer
1. State management agencies protecting the environment at the central level	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. State management agencies protecting the environment at the local level	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Social organizations which protecting the environment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Question 6: What should be done to enhance prevent pollution? (*pls select 5 that you think are the most effective options*).

1. Improve the legal system in terms of handling violations of environmental pollution	<input type="checkbox"/>
2. increase information and education to enhance people's awareness	<input type="checkbox"/>
3. Increase monitoring of facilities that pollute the environment	<input type="checkbox"/>
4. Regulate ministries, sectors and localities in addressing environmental pollution	<input type="checkbox"/>
5. Increase controls on pollutants	<input type="checkbox"/>
6. Take environmental issues into account in planning	<input type="checkbox"/>
7. Move polluting industries to remote locations	<input type="checkbox"/>

8. Improve technology so as to minimise environmental harm	<input type="checkbox"/>
9. Increase measures to prevent environmental pollution	<input type="checkbox"/>
10. Others (<i>pls specify</i>):	

Question 7. Please provide some personal information?

1. **Age:**

2. **Sex:** Male Female

3. **Qualification:** Undergraduate Graduate Postgraduate

4. **Occupation:**

5. **Living place:** Urban Rural

Thank you!

7. Some necessary addresses

1. Divisions for conducting social surveys

1. *Center for Information, Library and Research Services, Office of the National Assembly*

Address: 35 Ngo Quyen, Ha Noi, Tel: 080.43055

2. *Institute of Public Opinion Survey, Commission for Popularization and Education*

Address: 2B Hoang Van Thu Road, Ba Dinh District, Ha Noi

2. Websites that publish draft laws

1. *Website for draft laws*

Address: <http://duthaonline.quochoi.vn>

Administrator: Center for Information, Library and Research Services, Office of the National Assembly

35 Ngo Quyen, Hoan Kiem District, Ha Noi

2. *Websites for draft laws regarding economics*

Address: <http://www.vibonline.com.vn>

Administrator: Board of Legislative Affairs, VCCI, No. 7, Dao Duy Anh, Dong Da District, Ha Noi, Viet Nam

3. Information on operations of the Ethnic Council and the Committees of the National Assembly

1. Address: <http://www.quochoi.vn>

2. Bulletin of the National Assembly, Monthly bulletin issued by the Department of General Affairs of the Office of the National Assembly.

GUIDELINES ON PUBLIC

CONSULTATIONS FOR THE ETHNIC COUNCIL AND COMMITTEES OF THE NATIONAL ASSEMBLY

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