

HO CHI MINH NATIONAL ACADEMY OF POLITICS

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**STATE MANAGEMENT OF LAND
IN HAI PHONG**

SUMMARY OF DOCTORAL DISSERTATION

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INTRODUCTION

1. The significance of the dissertation topic

Land is the largest source of wealth for a country, the living environment of human beings, an indispensable input for all production sectors, a scarce resource that needs to be protected and used efficiently. The interest relationships from land are diverse, complex, and potentially conflicting in society. Therefore, states must participate in land management as both a territory and a shared living environment, natural resource of human beings, while encouraging people to use land efficiently, creating conditions for sustainable growth and development.

Although there are differences in content and land management perspectives among countries, every state values the determination of the institutional framework for land management in order to maximize the potential of land for economic and social development. World history also shows that land management in many developed countries has gone through various periods and has become increasingly refined in terms of both land law and management techniques and content.

The land ownership regime in Vietnam is positioned as a regime of collective ownership entrusted to the State, which acts as the representative owner and unified manager throughout the country. Under this ownership regime, the rights of landowners are divided between state agencies at various levels and land users. Along with the process of socio-economic development, the benefits derived from land use have increased, leading to the emergence of numerous conflicts that require intervention by state agencies for resolution.

In Hai Phong, State land management also faces many issues that need to be studied and resolved. In the past, Hai Phong has emerged as a hot spot in land recovery in Tien Lang district and cases of land corruption, misuse of defense land purposes... Furthermore, as a centrally-run city with a significant history of economic development in the northern coastal region, Hai Phong seems to have not fully utilized its economic position. One of the fundamental reasons is that the city government of Hai Phong has not effectively managed land resources, especially compared to other major port cities in the country such as Ho Chi Minh City and Dong Nai. State land management by the city government of Hai Phong still faces some issues such as the land data system being incomplete and inconsistent; some illegal land violations have not been promptly addressed, causing public outrage... These issues pose a need for research on the management aspect of the city government of Hai Phong regarding land within the city.

In recent years, the government of Hai Phong city has implemented numerous initiatives and efforts in land administration reform and attracting investment. The city government has actively and timely implemented the Land Law of 2013, resulting in the inventory, examination, standard mapping, and more systematic management of land areas within the city. As a result, land has been utilized more effectively, leading to an increasing trend in the city's budget revenue from land use. The relationship between the state agencies and land users has become more transparent and publicly disclosed, thereby reducing the number of land-related disputes. However, compared to the requirements for building a modern urban government and the need for economic restructuring and transformation of the growth model, the state management of land in Hai Phong has not kept pace. There are still several issues that need to be addressed, such as inadequate management according to land use planning and land use plans, lack of comprehensive and accessible land database management system for the public. Therefore, it is necessary to study and evaluate the state

management of land by the government of Hai Phong city from both theoretical and practical perspectives. In addition to the annual reports on state land management by local governments, it is essential to measure the perceptions of land users, including residents and businesses, in order to have an objective and comprehensive assessment of the state management of land by the government of Hai Phong city. Based on the aforementioned reasons, the topic "*State management of land in Hai Phong*" has been chosen as the research subject for this doctoral dissertation in economics.

2. Research purposes and tasks

2.1. Research purposes

- The research purpose on theory: Systematizing the supplementary theoretical basis on State land management by local authorities.

The research purpose on practice: Reviewing the current situation and proposing directions, solutions to improve State land management in Hai Phong in the near future.

2.2. Research tasks

To achieve the aforementioned objectives, the dissertation research process has completed the following tasks:

- Overview of the research situation related to the topic.
- Systematization of the theoretical basis of State management of local authorities for land in provincial areas.
- Collection of successful and unsuccessful experiences of some provinces to draw lessons for the government of Hai Phong city.
- Evaluation of the current situation of State management of land in Hai Phong from 2014 to 2022, drawing conclusions about successes, limitations, and causes.
- Building a model to analyze the factors affecting the satisfaction of land users regarding State management of land by the government of Hai Phong city.
- Proposing directions and solutions to improve State management of land by the government of Hai Phong city in the period from 2024 to 2030.

3. Subject and scope of research

3.1. Research subject

The research subject is the State management activities regarding land by the provincial government, with Hai Phong city being the selected location for surveying the current situation.

3.2. Scope of study

** Scope of content*

- The scope of the State management subject for land is the provincial government, centrally-run cities under the Central Government.
- The scope of the managed object: the State management object is land within the administrative boundaries of Hai Phong city.
- The scope of the content: in the thesis, State management of land by the provincial government is accessed through two lines: management content as the representative of the whole people's ownership of land; management content as the authority implementing unified management of land, including: (1) Issuing policies and legal regulations on land; (2) Coordinating with the Central Government to conduct inventory, build land database; (3) Planning and managing according to the plan, land use plan for land area within the provincial administrative boundaries; (4) Land allocation, land leasing, land recovery, compensation, support, resettlement (5) Providing public services related to land; (6) Financial management of land; (7) Inspection, supervision, and resolution of disputes, handling violations in the field of land.

** Scope of time*

The time for analyzing State land management is limited to the period from 2014 (since the Land Law of 2013 took effect) to 2022. Solutions are developed for the period from 2024 to 2030.

4. Theoretical foundations and research methods

4.1. Theoretical foundations

State management of land is a field of study that adheres to standard principles. Therefore, in addition to relying on scientific theories of real estate markets, land administration, and decentralization within the state apparatus, the research process also relies on theoretical foundations regarding the people's ownership regime of land in Vietnam as advocated by the Communist Party and the State, as well as the Party's guidelines, policies, and laws of the state in the field of land management, utilization, and allocation in Vietnam.

4.2. Approach methodology

Approach to problem solving method

Approach to economic analysis method

Approach to system placement method

Approach to historical analysis and comparison method

4.3. Research methodology

** Data collection methods*

- Collection of secondary data from published scientific works

- Collection of primary data using the following methods:

Firstly, collecting data through a survey using questionnaires with officials, civil servants in the field of Land Management in Hai Phong.

Secondly, conducting in-depth interviews with some experts in the field of state land management to have additional basis when evaluating the successes and limitations of state land management activities in Hai Phong.

Thirdly, conducting a household survey using a questionnaire (the questionnaire is presented in Appendix 3).

** Data processing methods*

- Qualitative research methods

- Quantitative research methods

+ The data is processed into tables, charts, and diagrams.

+ Quantitative data processing methods are used to evaluate the impact of influencing factors on the satisfaction of citizens with the State's land management activities in the city of Hai Phong. This is one of the bases for proposing improvements to the State's land management in Hai Phong city.

Quantitative model: This quantitative model is based on theories and research models on service quality worldwide and in Vietnam, primarily the SERVPERF model by Cronin and Taylor (1992) with adjustments. The study selects six factors that influence the satisfaction of land users regarding the State management of land at the provincial level in the field of land. Specifically: (1) Land policies and laws; (2) Enforcement of land laws; (3) State management machinery and officials in charge of land; (4) Infrastructure; (5) Job performance outcomes; (6) Land users' awareness of land laws. The research model is represented through the following variables:

Dependent variable: Citizen satisfaction with State land management.

Independent variables: The independent variables consist of 06 factors influencing the satisfaction of citizens with the State management activities regarding land of local governments: (1) Land policies and laws; (2) Environment of land law enforcement; (3) State

machinery and officials in charge of land; (4) Infrastructure; (5) Job performance outcomes; (6) Awareness.

Each independent and dependent variable will select appropriate scales.

The research conducted Cronbach's alpha reliability test; performed exploratory factor analysis (EFA); conducted confirmatory factor analysis (CFA); the structural model was estimated using structural equation modeling (SEM). Structural equation modeling (SEM) was carried out with SPSS Amos software.

* Other methods: analysis, synthesis, comparison,

5.1. New contribution to theoretical aspect

- The systematization includes the addition of theoretical basis on State land management by local authorities, in which the thesis has clarified the connotation of State land management by local authorities, demonstrate the scientific basic and criteria for measuring the objectives and content of State land management by local authorities.

- Constructing a model to analyze the factors influencing land users' satisfaction with the local government's management of land to increase the assessment of results of State land management by the government of Hai Phong city.

5.2. New contribution in practical terms

- Describe in detail the current State management of land by the government of Hai Phong city in the period from 2014 to 2022, using appropriate secondary and primary data related to the content of decentralized management for the government of Hai Phong city.

- Evaluate the results of state management of land by the government of Hai Phong City in the period 2014-2022 based on objectives, content, and survey data regarding public satisfaction with the government's land management in Hai Phong City. From this, provide well-founded observations on the successes and limitations, along with the causes of these limitations in the field of state management of land by the Hai Phong City government, and consult to help the city government find ways to continue innovating and reforming in this area.

- Propose a system of solutions to improve state management of land that is suitable for the realities and characteristics of Hai Phong for the period 2024 - 2030.

- The research results of the thesis can serve as a reference for individuals and organizations in Hai Phong city or in other localities.

6. The structure of the dissertation

In addition to the introduction, reference list, and appendices, the content of the dissertation is presented in 4 chapters, 13 sections.

Chapter 1

OVERVIEW OF RESEARCH SITUATION RELATED TO THE TOPIC

1.1. OVERVIEW OF RESEARCH WORKS RELATED TO THE TOPIC

1.1.1. Research situation related to the role and functions of the state in the land sector

The research work discusses the role of the state in the field of land is by Wei Li and colleagues (2009); Ngo Thi Duyen (2016) has outlined the tasks that the Vietnamese state must carry out in the field of land. In the work of Yingying Tian and colleagues (2021), a theoretical framework for determining the index of industrial land development has been developed; S.P., T.G.MauAulay, Pham Van Hung have mentioned the state's responsibility in issuing ineffective planning policies; Thomas Odunlami (1989) has identified factors

influencing the effectiveness of urban land development and management, emphasizing that the main influencing factor is legal conflicts in land law; Other studies such as the research by Marta Gross, Ada Wolny-Kucińska; R. Bazame (2019); Ngo Hong Nhung... also address some limitations in the state's land management.

1.1.2. The research situation related to the content of state management of land.

1.1.2.1. The research situation on land ownership rights.

Hernando De Soto in the work "The Mystery of Capital" has affirmed that land, as a fundamental resource, plays a crucial role in the economic development of a country. Tongwei Qiu and colleagues studied the impact of state land ownership and land privatization through evidence of land leasing in rural China. Authors Vu Van Phuc, Tran Thi Minh Chau, Nguyen Ke Tuan, Phan Trung Hien, and Phung Huu Phu also address various aspects of land ownership.

1.1.2.2. The research situation on land use planning

Some aspects of state policies in land use planning of some countries can be observed through works such as in the book "Chinese Urban Planning and Construction" (2021); Feng Cheng and Yifeng Wang (2021) study urban spatial planning; Patrick Brandful Cobbinah and colleagues researching planning in sub-Saharan African countries have highlighted the necessity of technology application in land planning; Research by Nguyen Dinh Bong; Nguyen Dac Nhan;... also address solutions to enhance the effectiveness of land use planning.

1.1.2.3. Research on land allocation, land leasing, and land recovery situation

Wei Li and colleagues have affirmed that, completing the land policy with agricultural land is a solution to help the government improve the efficiency of land management in China. Two Danish scientists have pointed out the issues that people in the northern mountainous region of Vietnam face when implementing the state's land allocation policy. Hunia Gao; Xiaohang Zhao and YuXie (2022) researched and identified the issues affecting people's trust in land leasing and land reclamation policies. Authors Vu Van Phuc, Tran Thi Minh Chau; Nguyen Ke Tuan; Tran Trong Phuong; Author Tran Thi Hoa; Nguyen The Chinh; Le Gia Chinh;... have addressed the issues raised in land allocation and land leasing in some localities in Vietnam today.

1.1.2.4. The research situation on land finance

Xin Fan and colleagues have studied the dependence on land finance and urban land marketization in China to provide insights into the strategic land transfer decisions of the CQDP. Demetris Demetriou used a multivariate regression model to construct a land pricing model in Beijing, China. Author Vu Van Phuc (2013) pointed out the inconsistencies when the State sets land prices without truly basing them on market principles. Other authors have also addressed the current land finance issues in Vietnam, such as Pham Phuong Nam, Tran Viet Hoang; Nguyen Phuc Khoa and colleagues (2020); Pham Anh Tuan and colleagues.

1.1.3. The research situation related to the state management apparatus for land

Peng Tang and colleagues (2021) studied the relationship between changes in performance evaluation from the central government and the prevention of illegal land use. The Embassy of Denmark, the World Bank, the Embassy of Sweden, in collaboration with the research project "*Identifying and mitigating corruption risks in land management in Vietnam,*" have identified ways to recognize and address corruption in State land management in Vietnam. Authors Tran Viet Khiem, Vu Van Phuc, Tran Thi Minh Chau also discussed the current situation and solutions to improve the State land management system in our country today.

1.1.4. Some research models on public satisfaction with state land management

** Model of service quality*

Continuing the SERVQUAL model by Parasuraman, Cronin, and Taylor developed the SERVPERF model as an effective tool for organizations and businesses to position themselves more efficiently in the market. In addition, several other service quality measurement models have been studied, such as the Perception model by Sweeney and colleagues (1997); the Intermediate premise model by Dobholkar and colleagues (2010)...

** Application of service quality measurement model in public sector.*

Although the service quality research models are widely used by scientists to assess success in private enterprises, their practical utility allows for application in the public sector as well. Some studies have applied this model in the public sector, such as: Aurel Mihail Titu, Anca Ioana Vlad; Yiquan Gu and colleagues (2022); Nguyen Quoc Nhi, Quan Minh Nhut; Nguyen Huu Tuan, Vuong Thinh Nam; Pham Thi Hue, Le Dinh Hai.

** Application of the quality model of liquid assets in the study of State land management.*

Currently, the application of service quality models in research on public service quality is relatively common. Some studies have measured citizen satisfaction with certain aspects of State land management, such as: Ngo Thach Thao Ly and colleagues; Nguyen Thi Hoang Yen (2019).

1.2. OVERALL EVALUATION OF RESEARCH WORKS RELATED TO THE TOPIC

1.2.1. The research results can be inherited

1.2.1.1. Results can potentially be inherited in theoretical terms

Firstly, numerous studies have identified the concept, role, and objectives of State land management.

Secondly, research works have highlighted some contents of State land management.

Thirdly, the State management apparatus and officials play a crucial role in State land management.

Fourthly, research works have proposed a diverse system of solutions to enhance the effectiveness of State land management.

1.2.1.2. The results can be inherited in practical terms

Firstly, some studies refer to the experience of state management of land in certain localities.

Secondly, the research projects have proposed a system of solutions to address the shortcomings in state management of land by local governments in Vietnam today.

1.2.2. Research gap

Firstly, existing studies have not clearly and systematically compared the differences between the institutionalization of state management of land under conditions of public ownership and the institutionalization of state management of land under conditions of private ownership.

Secondly, the studies have only addressed one or several aspects of state management of land without thoroughly and comprehensively analyzing and systematically presenting all aspects of state management of land under the influence of the market mechanism, especially in the context of accelerating economic industrialization, which requires the exploitation and promotion of land resources to contribute to the acceleration of economic growth and the process of global economic integration.

Thirdly, studies on state management of land by local governments mainly use qualitative methods, while quantitative methods evaluating the factors affecting the

satisfaction of land users with the state management of land by the government of Hai Phong city have not been deeply researched.

Fourthly, previous studies have not clearly addressed solutions to improve state management of land in Hai Phong, considering the specific characteristics of the city.

1.3. ISSUES SELECTED FOR RESEARCH AND ANALYTICAL FRAMEWORK

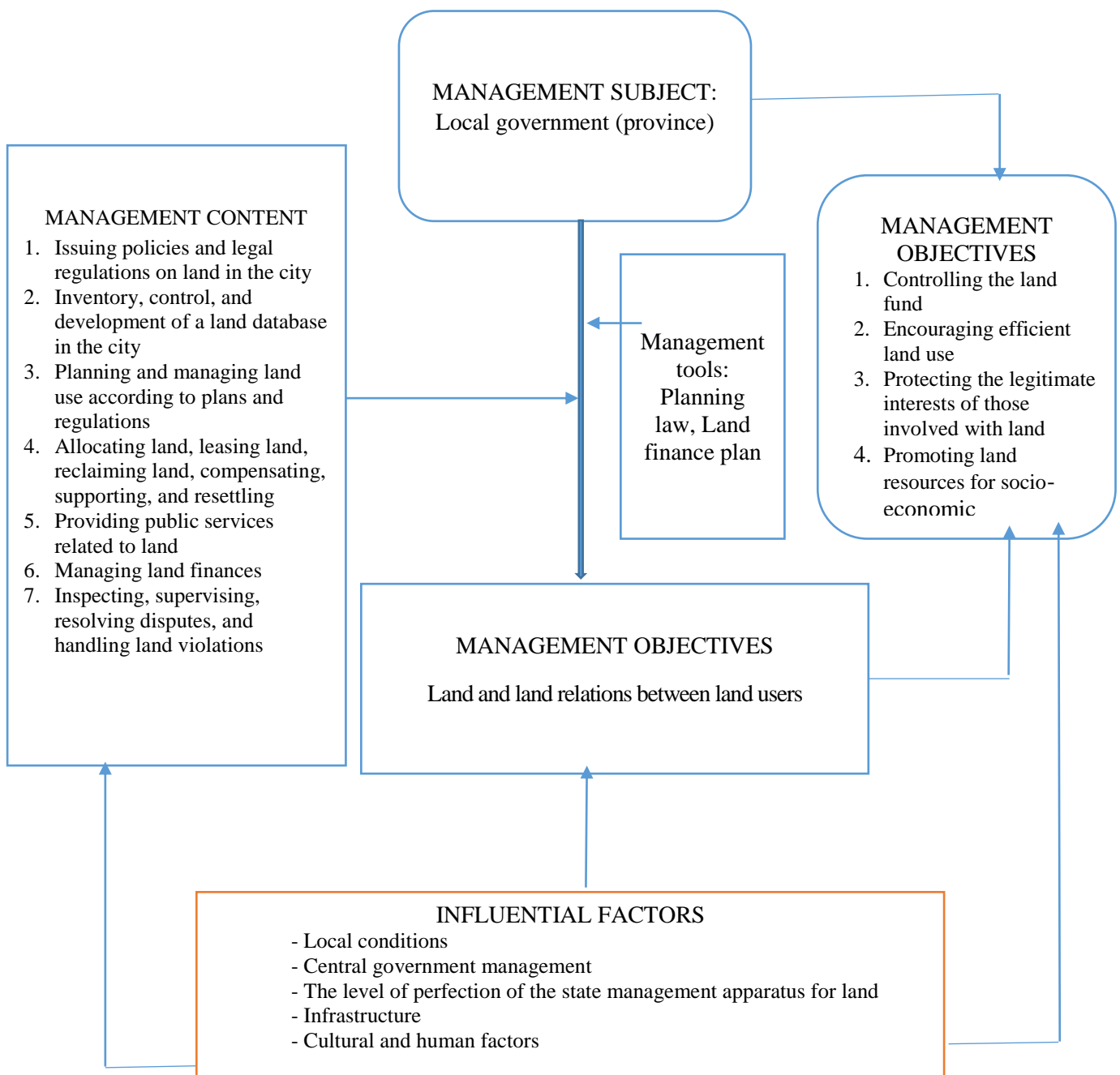
1.3.1. Issues selected for research

The first issue is that the dissertation systematically studies the theory of state management of land by local governments, placed within the context of developing a socialist-oriented market economy.

The second issue is the research on the state management of land by the government of Hai Phong city over nearly 10 years. In addition to evaluations based on secondary data, the assessment of the state management of land by the government of Hai Phong city is also carried out through the perceptions of land users, residents, and businesses.

The third issue is researching solutions to further improve the land management by the government of Hai Phong city, in connection with the specific characteristics of the locality.

1.3.2. Analytical logic in the dissertation



Chapter 2

THEORETICAL BASIS AND PRACTICE OF STATE MANAGEMENT REGARDING LAND OF LOCAL GOVERNMENT

2.1. OVERVIEW OF STATE MANAGEMENT OF LAND BY LOCAL GOVERNMENTS

2.1.1. Overview of land

2.1.1.1. Definition of land

Land is understood as a region of the Earth's surface with boundaries, specific locations with natural attributes, relatively stable socio-economic conditions, or changes cyclically and predictably.

2.1.1.2. The role of land in social life

Firstly, land is a national resource.

Secondly, land is an important production factor.

Thirdly, land is the living environment of human beings.

Fourthly, land is where traditional values and culture of the nation are preserved.

2.1.1.3. Classification of land

First type is Agricultural land

Second type is Non-agricultural land

Third type is Unused land

2.1.2. The definition of state land management by local authorities

* Definition of Management

It can be understood that management is the impact of the managing subject on the managed object in order to maintain the organization's operations according to a predetermined strategy.

* Definition of State Management

State management is the purposeful impact of state agencies on subjects under the state's management authority as stipulated by law to create material improvements and spiritual values for society, the nation, and ethnic groups while simultaneously preventing and restricting activities that go against the legitimate interests of individuals, society, the nation, and ethnic groups.

* The definition of State Management of land

State management of land by the government is the activity of state agencies influencing land and land relations in compliance with land laws and related legal systems to ensure the interests of the nation, ethnic groups, land users in various economic, social, environmental, and national defense and security aspects.

* The definition of State Management of land by Local Government

State management of land by local governments can be summarized as follows: State management of land by local governments is the activity of governments at all levels in the province that affects land, land relations according to decentralized authority to control and protect land resources, improve land use efficiency, protect the socio-economic, environmental, national defense and security interests of the country. legitimate rights and interests of land-related subjects within the province's administrative boundaries.

2.2. OBJECTIVES, CONTENT, APPARATUS, AND INFLUENCING FACTORS ON STATE MANAGEMENT OF LAND BY LOCAL GOVERNMENTS

2.2.1. The objective of state management of land by local governments

** Control and protection of land fund*

** Encouraging efficient land use*

** Protecting the legitimate interests of people related to land*

** Promoting land resources for local socio-economic development*

2.2.2. The content of state management of land by local governments

2.2.2.1. Issuing policies and legal regulations on land appropriate to the locality

** Issuing documents guiding the implementation of land laws*

** Issuing specific policies of the locality*

** Propagating and disseminating land laws*

2.2.2.2. Inventory, building a database on land

** Inventory, statistics, and mapping of land*

Most modern countries conduct inventory, statistics, and mapping of land within their administrative territories. This activity must be carried out at all levels of local governments to complete land data.

** Building and operating a land database*

The land database includes land registration data of land users, land allocation and leasing data, land use planning, land use plans, various land taxes, records, implementation information of land users, etc.

2.2.2.3. Planning and managing land use according to plans and regulations

** Developing land use planning and plans*

Local land use planning is a document that regulates zoning, allocation of land according to spatial use in the locality to ensure efficient land resource exploitation, serve the objectives of local socio-economic development, environmental protection, and adaptation to global climate change based on land potential, land use needs of local sectors and fields over a period of 10 years.

** Management of land use planning and plans*

The content of monitoring compliance with land use planning and plans by local governments includes: publicizing land use planning and plans; inspecting, supervising to ensure that land is used in accordance with the planning and land use plans; handling activities that do not comply with the planning and land use plans; adjusting land use planning and plans when necessary.

2.2.2.4. Land allocation, land leasing, compensation, support, and resettlement upon land recovery

** Land allocation, land leasing*

The state allocates land resources to organizations, households, and individuals through land allocation and leasing. Land allocation is when the local government grants the right to use land to organizations, households, and individuals for purposes stipulated by the state in land use planning. Land leasing is done through a lease contract, where the state allows land users to utilize land for purposes specified in the land use planning.

** Land recovery and compensation for affected individuals*

Land recovery occurs when a state agency decides to convert land use purposes and current land users are not granted the right to continue using the land for the new purpose. Land recovery directly affects the living conditions and production and business activities of those whose land is being recovered.

Determining compensation for individuals whose land is being recovered is a complex process. Depending on the policy of each country, compensation prices may be based on market prices or determined according to principles set by the state.

2.2.2.5. Providing public services related to land

** Land registration, issuance of land use rights certificates*

** Providing information about land for interested parties*

2.2.2.6. Land finance management

** Determining land prices*

Under the framework of the regime of collective ownership of land, the State of Vietnam delegates to provincial-level governments the task of establishing state land prices to be used when allocating land, leasing land, and compensating individuals for land recovery.

** Organizing the collection of land rent, land use fees, and land use taxes*

Revenue from land includes land use taxes, land use fees, land rent, and other fees. This is an important financial source for the local budget from land users who violate land laws.

2.2.2.7. Inspecting, supervising, resolving disputes, and handling violations in the field of land

** Land policy and law enforcement inspection and examination*

Inspecting and auditing compliance with land laws is the responsibility of state inspection agencies and local state land management agencies.

** Resolving complaints, disputes, and handling violations in the implementation of land policies and laws*

Local governments decide on appropriate solutions depending on the type and extent of disputes.

2.2.3. The state apparatus manages land for local governments

** The organizational structure of the state management apparatus for land by local governments*

The organizational structure of the state management apparatus for land by local governments is managed at three levels: Central, provincial level; district level; commune level.

** State management officers for land*

State land management officers not only meet the criteria of civil servants in general but also ensure the following requirements: Ensuring professional qualifications; Ensuring job handling skills; Having strong political integrity, revolutionary morality, and ethics.

2.2.4. The factors influencing the state management of land by local governments

2.2.4.1. Objective factors

** Local conditions*

Local conditions are one of the factors that define the characteristics of land as a subject of state management and an indispensable resource for local socioeconomic development. Local conditions encompass natural features, the economic and social development context, as well as the historical land relations of the locality.

** Central government management*

As the unified national management authority, the central government issues mechanisms and policies for land management in the name of national interests.

2.2.4.2. Subjective factors

** The level of completeness of the state management apparatus and officials regarding land.*

** The infrastructure serving state management by local government regarding land.*

** Human and cultural aspects.*

2.3. EXPERIENCES IN STATE LAND MANAGEMENT OF SOME LOCALITIES AND LESSONS LEARNED FOR HAI PHONG

2.3.1. Experiences in land management of some localities

2.3.1.1. Experience in Issuing Legal Documents and Land Policies

Since the Land Law of 2013 came into effect, the People's Council and People's Committee of Ninh Binh province have provided detailed and clear guidance on implementing the Land Law. Before issuing legal documents on land, the provincial People's Committee conducts research and discussions with relevant agencies and specialized units to aim for effective and flexible land use.

2.3.1.2. Experience in inventorying and building a land database

The Ho Chi Minh City has constructed a building according to specialized storage standards to store land records provided by the Department of Natural Resources and Environment and its affiliated units. With a technological foundation that allows for the integration of online services of the natural resources and environment sector, both the inventory and statistical analysis of the land data of Ho Chi Minh City have been carried out more quickly and accurately.

2.3.1.3. Experience in construction and management according to planning and land use plans

The government of Da Nang City has soon recognized the importance of spatial planning in the exploitation of land resources for urban development. The construction of land-use planning and the strict implementation of such planning through land use plan have contributed to enhancing the efficiency of land use in the area, attracting many investors to Da Nang, and contributing to the significant growth and breakthrough development of Da Nang in the past 20 years.

2.3.1.4. Experience in land allocation, land leasing, land recovery

The Quang Ninh provincial government has been extremely determined in implementing regulations on land allocation and leasing. In land retrieval, the locality has had appropriate policies to encourage residents to relocate early, hand over land for the implementation of projects according to planning. Quang Ninh province has implemented a reward system for the progress of handing over land to land users subject to land retrieval and handing over land on time.

2.3.1.5. Experience in providing public land services

Despite great efforts to overcome difficulties, Quang Nam province is still lagging behind in granting Land Use Right Certificates to residents, especially in granting Land Use Right Certificates for agricultural land at a low rate. Inspections have shown that Quang Nam has made many errors in reviewing documents for issuing Land Use Right, resulting in forest land not being allocated according to regulations, and even having to cancel many Land Use Right that were issued to residents... This is a lesson that localities need to avoid.

2.3.1.6. Experience in land financial management

Hung Yen has many valuable experiences in land finance management. In recent years, revenue from land in Hung Yen has become a "bright spot" in the Northern region. With breakthrough revenue from land, Hung Yen has had financial resources to promote socio-economic development in the province.

2.3.1.7. Experience in inspecting, monitoring and resolving disputes and handling violations in the land sector

Thanh Hoa province has continuously conducted comprehensive inspections of large-scale projects. In particular, Thanh Hoa has provided public and transparent information on cases of land law violations, cases that have been sanctioned for land law violations on the province's electronic information portal.

2.3.2. Lesson learned for Hai Phong city

2.3.2.1. Lesson on issuing legal documents and land policies

Local authorities need to pay attention to the regulations on decentralization and local specifics when issuing legal documents on state management concerning land in the province or city. When issuing regulatory documents to guide the implementation of land laws in the locality, there should be close coordination between management agencies and various departments in advising local authorities so that the legal documents on land are not overlapping, contradictory, and are easy to implement.

2.3.2.2. Lessons on inventorying and building a land database

Inventory and construction of land databases need to be carried out in the context of digital transformation, applying modern information technology to accelerate the progress and modernize the land database.

2.3.2.3. Lessons on planning and managing according to land use planning

The quality and requirements of management according to land use planning at each locality must be prioritized. In land use planning, it is necessary to balance the benefits between socio-economic development requirements and the interests of land users.

After planning is established, strict adherence to land use according to the plan is required. The planning must be made public to the people so that everyone can jointly supervise the compliance with the planning. Violations of land use against the plan should be strictly handled.

2.3.2.4. Lessons on land allocation, land leasing, and land recovery

The efficiency of land use must be emphasized when allocating and leasing land. The activities of land allocation and leasing need to be carried out transparently, complying with regulations on land use rights auctions and project bidding involving land use.

2.3.2.5. Lessons on providing public land services

Providing public services in the field of land, especially issuing land use rights certificates, map extracts, land registration procedures, land use rights transfers, etc., is the responsibility of state agencies. Avoid the phenomenon of bureaucratic gatekeeping and a patronage approach towards individuals accessing public land services. Actively resolve cases of invalid land records and land use rights certificates left over from history so that people can receive their legal rights. Educate officers and civil servants working in this field to ensure they have a good service attitude.

2.3.2.6. Lessons on land financial management

Local authorities need to actively support investors and land users by providing them with full information and opportunities to access land and use it efficiently, thereby increasing revenue from land for the local budget. Additionally, financial revenues from land, including taxes, land use fees, land lease fees, and other charges and fees, need to be transparent.

2.3.2.7. Lessons on inspecting, monitoring and resolving disputes and handling violations in the land sector

Inspecting, Monitoring and Resolving disputes and Handling violations in the land sector require coordination among local agencies and departments to avoid isolated and fragmented resolutions. There should be a supervision mechanism and close coordination among the relevant departments in implementing state management of land.

Chapter 3

THE REALITY OF STATE MANAGEMENT OF LAND IN HAI PHONG

3.1. OVERVIEW OF NATURAL, SOCIO-ECONOMIC CHARACTERISTICS AND LAND REALITY IN HAI PHONG

3.1.1. Overview of Natural, Socio-Economic Characteristics in Hai Phong

3.1.1.1. Natural Characteristics

Hai Phong holds a strategic position for regional and national economic development, serving as the main gateway to the sea for Northern provinces, an international seaport, and a vital transportation hub connecting northern regions and the rest of the country. Its terrain is relatively favorable for socio-economic development. The river system in Hai Phong plays a significant role in supplying fresh water and supporting agricultural production. The land area allocated for constructing economic maritime infrastructure such as seaports, dry ports, and shipbuilding yards constitutes a considerable proportion of the city's non-agricultural land area.

Hai Phong is among the 13 port cities worldwide projected to experience increased property damage due to climate change by 2070.

In terms of total land area, the majority is dedicated to agriculture, which is beneficial for the growth of agricultural production, forestry, aquaculture, seafood, and salt production.

3.1.1.2. Economics structure

** Economic development level compared to the whole country*

Hai Phong is one of five centrally run cities, a major economic center in the Northern key economic region. Hai Phong has become a bright spot with outstanding achievements in growth in recent years

** Economics structure*

The strategy for socio-economic development, focused on industrialization and modernization, has greatly contributed to the city's GRDP proportion through the growth of industry and services.

** Income of population*

From 2014 to present, the economic growth rate along with gross regional domestic product (GRDP) per capita has increased rapidly. The city's average gross regional domestic product (GRDP)/person/year reaches approximately 175 million VND, ranking 3rd in the country in 2022. The quality of Hai Phong's economic growth has also improved significantly with a sharp increase in population living standards during the period 2015 – 2020.

** Economic advantages and disadvantages*

In addition to its geographical location, natural conditions, and economic growth and development speed, Hai Phong has several advantages in attracting domestic and foreign investment capital through land use investment projects. However, due to the increasing demand for land use in the city, the price of land use rights is also rapidly increasing. This has led to periods of significant growth, resulting in a lower land access index in Hai Phong compared to other areas.

3.1.1.3. Social characteristics

** Population and labor*

Currently, Hai Phong's population is over 2 million people, with an average population density of 1,315 people per square kilometer. It is also a locality with an abundant labor force, with over 1 million people aged 15 and over. Hai Phong not only attracts labor from within the city, but also from neighboring areas.

** History of land relations*

Hai Phong, established in 1888, is a city with a rich history of development. Like many other localities in the country, Hai Phong faces complex and challenging issues regarding land relations, particularly in regards to public land, cooperative land, and family land.

3.1.2. Current status land in Hai Phong

3.1.2.1. Structure of land use

Currently, the land use structure in Hai Phong includes: 44.74% non-agricultural land; 53.16% agricultural land; 2.1% unused land.

3.1.2.2. The results of land use

** Agricultural land*

In 2020, the city has 81,309 hectares of agricultural land, accounting for 53.16% of the natural area.

** Non-agricultural land*

Non-agricultural land has 68,109 hectares, accounting for 44.74% of the total natural area.

** Unused land*

Currently, the city's unused land is 3,233 hectares (down 487 hectares compared to 2010 and down 4,859 hectares compared to 2015), due to exploitation being converted to agricultural, forestry, and non-agricultural production purposes.

3.2. ANALYSIS OF THE STATUS OF STATE MANAGEMENT OF LAND IN HAI PHONG

3.2.1. Current status of promulgating legal documents and specific policies on land in Hai Phong

** The current situation of legal documents guiding the implementation of the Party's directions and policies, and the state's laws on land.*

Since 2014, there have been changes in the Land Law, resulting in new orientations, policies, and regulations in land management by the Party and the State. In order to effectively implement these changes, the Hai Phong Party Committee has issued several Action Programs and Action Plans

** The issuance situation of legal normative documents in state management of land.*

The issuance of legal documents on land in the city is sometimes not handled in a timely manner. According to the assessment of state officials in land management (survey results), 83.7% of officials find it difficult to manage state land when legal regulations in the field of land are frequently changed or supplemented. With specific policies and mechanisms in state management of land in Hai Phong, the continued supplementation and replacement of legal documents....

** The current situation of guidance, dissemination, and legal education on land.*

The Hai Phong city government has directed concentrated propaganda and dissemination efforts during this period, with a focus on the changes to the Land Law in 2013 compared to the previous version in 2003, as well as related Decrees and Circulars. These efforts have included organizing propaganda and training conferences, as well as issuing informational leaflets. The city government of Hai Phong has consistently taken a proactive and active approach in developing plans and implementing training programs to educate citizens on the new regulations outlined in the Government's Decrees.

3.2.2. The current situation of inventory, building a database on land in the city

3.2.2.1. The current situation of inventorying, measuring land, and establishing maps

The city collects land registration data in order to effectively carry out inventory and land control activities. This process involves registering land in parallel with the issuance of certificates for land use rights and any changes in land use. The surveying and mapping activities in Hai Phong city have been gradually completed in a step-by-step manner, starting in 2014 and continuing until 2022. Currently, 97 out of 217 communes, wards, and towns in Hai Phong have been measured and drawn cadastral maps, covering an area of 75,517.2 hectares. This accounts for nearly 50% of the total number of communes, wards, and towns, and 47.2% of the total area.

3.2.2.2. The current situation of building land information and data systems

The city has been implementing the project "Enhancing Land Management and Land Data Infrastructure" since 2017, with the goal of digitizing land data to improve efficiency and accuracy in state management of land. However, despite these efforts, the city's land information portal is still unable to keep up with the speed of updating data on land parcels when users search for information.

3.2.3. The current situation of construction and management according to land use planning and plans

3.2.3.1. The current situation of land planning and land use planning

The planning and land use situation in Hai Phong from 2014 to 2020 focuses on allocating specific functional areas, including residential, commercial, and industrial zones. The Prime Minister has approved the adjustment of the city's master plan until 2040, with a vision for development until 2050, aiming to establish Hai Phong as the leading growth pole of the country. The Department of Construction and the Department of Planning and Investment are responsible for the city's urban planning and land use planning.

3.2.3.2. Management status according to land use planning and plans

According to Resolution No. 44/NQ-CP dated March 29, 2013 and Resolution No. 66/NQ-CP dated May 25, 2018 of the Government, the city's People's Committee has promptly issued guidance documents for the implementation of district-level planning and land use planning. Overall, there has not been a significant fluctuation in land area from 2014 to the present. Specifically, residential and specialized land areas have slightly increased over the years, while agricultural production and agricultural land areas have continuously decreased.

3.2.4. The current situation of land allocation, leasing, and land recovery

3.2.4.1. The current situation of land allocation and land leasing

** The situation of land allocation, land leasing through land use right auction, project bidding using land.*

From 2014 to the present, Hai Phong has allocated 1,726.8 hectares of land for investment projects. This accounts for over 15% of the total land allocated. Out of this, 264.59 hectares were allocated through land use rights auction and project bidding. As of May 2022, the total area of land leased is 4,653.59 hectares, with only 68 hectares being leased through land use rights auction and project bidding.

** The situation of land allocation, land leasing without land use rights auction, project bidding involving land use.*

The total area of land allocated and leased without auction is 6,047.35 hectares, of which allocated land is 1,462.21 hectares, leased land is 4,585.14 hectares. The majority of the land area allocated and leased without auction applies the form of collecting land use fees, annual land rent. From 2014 to 5/2022, the city has allocated land without auctioning land use rights, auctioned projects using land for 120 projects,... In the process of land allocation and leasing, there are still instances of violations of land laws. As of December 2020, in the organizations renting land, there are 43 organizations using an area exceeding the boundary of about 92,303.6 m² according to the land lease decision. The number of organizations renting land with signs of violations such as land rent arrears, subleasing land, not putting land into use, using land for wrong purposes reaches 217 organizations. In addition, land allocation and land leasing in Hai Phong still have the situation of delays in making decisions on land allocation and land leasing for organizations.

** The situation of land allocation, land leasing, occupancy rate of industrial zones, economic zones, export processing zones, high-tech zones.*

Enterprises in the Dinh Vu - Cat Hai economic zone are granted incentives for land leasing. For enterprises not eligible for land leasing incentives, when they need land use, they often rent from industrial park infrastructure investors. However, during the land administrative procedures, these enterprises often receive delayed decisions on land leasing, even when the land has been cleared.

3.2.4.2. The current situation of land expropriation, compensation, support, and resettlement for land expropriated people

** The current situation of land recovery.*

Land recovery is a crucial aspect for national defense and security, as well as for socio-economic development in the interest of the nation and the public. As of now, a total of 12,161.2 hectares have been successfully reclaimed for these purposes. However, there have also been instances where land has been reclaimed due to violations, amounting to 863.94 hectares, and due to the termination of investment projects, resulting in 1,188.3 hectares being reclaimed.

The city has implemented land revocation in accordance with the land law, which has contributed to the development of a clean land fund, attracted investment, and facilitated the implementation of investment projects with land use rights. However, some districts and communes in the city are facing challenges in determining the purposes of land revocation projects.

For projects not falling under the State's land revocation cases (according to Article 73 of the 2013 Land Law), investors must negotiate with land users. Therefore, the lack of agreement from some households has caused difficulties, even leading to the inability of investors to carry out the project.

** Compensation, support, resettlement status.*

The Hai Phong city government has primarily provided compensation and cash support since July 2014. As a result of the city's reclamation of over 14,000 hectares of land, there are currently 16,073 households in need of resettlement arrangements. As of December

2022, the city has successfully resettled 13,885 households, accounting for 86.4% of the total number. Households have their land recovered, some households take care of their own accommodation, but there are still about 10% of households that have not been resettled after land recovery. Hai Phong city government also supports people to stabilize their lives, train, change careers and find jobs. During the period 2014 - 2022, the city spent 169 billion VND on training, employment support and job search activities, ensuring livelihoods for individuals and households when land was recovered. There have been numerous positive outcomes in terms of land recovery, site clearance, and the establishment of a clean land fund to support the city's socio-economic development. However, the compensation, support, and resettlement efforts have faced challenges. This is particularly evident in Hai Phong, where residents make up the majority of complaints and issues.

3.2.5. The current situation of providing public services on land

3.2.5.1. Provide online public data and services in the field of land

Currently, on the online public service portal of Hai Phong city, a number of services for land users have been provided. Online public services are mainly provided at level 2 and level 3, with some services reaching level 4. Despite actively providing online public services for land users, level 4 online public services still account for a small proportion (31.25%), while level 2 public services make up the majority (56.25% with 27 services).

3.2.5.2. The situation of granting land use right certificates, property ownership certificates attached to land

From July 2014 to November 2022, the city has issued certificates of land use rights, ownership of houses, and other assets attached to land for 536,302 out of 573,501, reaching 93.5% of the total parcels needing issuance. This activity still faces many constraints due to difficulties in determining the origin of land, fulfilling financial obligations related to land, and a weak workforce to carry out the tasks.

3.2.6. The current status of land financial management

3.2.6.1. The current status of land valuation

Economic development in the leading group nationwide with rapid growth rates, the value of real estate in urban areas of Hai Phong fluctuates and land prices increase rapidly, causing state housing prices to quickly lag behind. Hai Phong has adjusted land prices twice in 5 years instead of once as prescribed by the state. Although there have been continuous adjustments to land prices due to the increasing real estate market, even "hot" growth, the land prices according to the city's People's Committee's land price list are still lower than the actual market prices.

3.2.6.2. Current situation of tax collection and land rent collection

The People's Committee of the city bases its decision on the Resolution of the City People's Council on the estimation and allocation of the budget to decide on the allocation of the annual land use fee and state budget revenue and expenditure for the year, including allocating the land use fee revenue. From the last 6 months of 2014 to this year, land rent and related land fees in Hai Phong have been increasing significantly, with FDI enterprises also actively contributing to this revenue source. Revenue from fees and charges is also increasing rapidly due to the good real estate market growth, with land-related transactions bustling.

3.2.7. The current situation of inspection, supervision of land use, settlement of disputes, and handling of land violations

3.2.7.1. The current situation of inspection, examination, and supervision of the implementation of land laws.

The city has revoked 863.94 hectares of land violating the land use purposes, not fulfilling financial obligations for land, not putting land into use within the prescribed time limit, causing waste of land resources from 2014 until now.

The Department of Natural Resources and Environment has coordinated with the Department of Construction, the City Tax Department to inspect projects, construction works

that do not comply with the planning, construction permits, and individuals, organizations that do not fully fulfill financial obligations for land...In the period 2014 - 2022, Hai Phong city has inspected, examined 15 cases of land corruption involving state management officials at all 3 levels: provincial, district, commune in the city area. State officials in charge of land with an area of tens of thousands of square meters have committed serious violations.

3.2.7.2. The situation of handling complaints, denunciations, disputes, and legal violations of land.

Issues of citizens and organizations complaints, lawsuits mainly related to land revocation, compensation, resettlement support when the state revokes land from 2014 to present. The city has resolved 841 land disputes, 548 accusations, 4,600 lawsuits, complaints, and 114 land law violations. Competent authorities have handled 76,759 m² of disputed land, adjusted compensation amounts for citizens increased to 4,403 billion VND. The People's Court of the city has accepted and adjudicated 701/1103 civil cases at first instance, involving land; the district People's Court has accepted and adjudicated 2237/3427 cases. From 2014 to 2017, the number of civil cases did not have significant fluctuations, however, since 2018, the number of civil cases related to land has increased sharply.

3.3. CURRENT STATUS OF THE STATE LAND MANAGEMENT APPARATUS IN HAI PHONG

3.3.1. State land management apparatus in Hai Phong

General Department of Land Administration, Inspector of the Department of Labor Natural and Environment, Mineral Department, Measurement Department, Cartography and Remote Sensing, Land Fund Development Center, Data Center, Information on labor natural and environment, Land Registration Authority are agencies and units with functions and tasks directly related to land management. From 2022, a number of departments will be separated into the Land Management Department and the Land Management Department and the Economics - Land Valuation Department; The Department of Minerals and the Department of Water Resources merged to form the Department of Minerals and Water Resources; Center for Technology and Information on Natural Resources and Environment changed to Center for Technology - Data and Information on Labor Accidents and Environment.

3.3.2. State land management officer of Hai Phong City

3.3.2.1. Number and structure of state management officials over land in Hai Phong

Currently, the number of State land management officer at Hai Phong includes 917 people. State land management officers at district level include civil servants at the district Department of Natural Resources and Environment. In the Hai Phong City of 15 district has 114 officers, civil servants in charge of state management of land and currently 286 commune-level cadastral officials.

3.3.2.2. Professional qualifications of state land management staff in Hai Phong

The State land management officer of Hai Phong City has high educational qualifications, mainly postgraduate degrees which is an advantage and a favorable condition for state management of land in Hai Phong.

3.3.2.3. Regarding the level of political theory and State management

The majority of leading officials at the department level and equivalent levels have advanced political theoretical qualifications. The remaining state land management officials mainly have elementary and intermediate political degrees, accounting for the largest proportion at 54.1% with 496 people.

3.3.2.4. About awareness, attitude and work responsibility

In general, the attitude and working awareness of Hai Phong civil servants in general and state land management officials in particular have improved significantly from 2014 to present.

According to the results of the Structural Equation Modeling (SEM) analysis, *the state land management apparatus* and officials are the second strongest influencing factor on people's satisfaction with state land management activities in Hai Phong city. This finding highlights the importance of the qualifications, responsibilities, and attitudes of state land management officials, as perceived by land users. According to survey data of graduate students, the attitude, responsibility, and friendliness of state land management officials in Hai Phong reached 3.38 and 3.15 respectively on a 5-point Likert scale. This is also consistent with general assessments of civil servants in Hai Phong in recent times.

3.4. EVALUATION OF THE CURRENT STATE OF STATE MANAGEMENT OF LAND IN HAI PHONG

3.4.1. General evaluation according to management objectives

Firstly, state management of land in Hai Phong aims to contribute to protecting of the land resources.

Secondly, state management of land in Hai Phong aims to contribute to promoting efficient land use.

Thirdly, state management of land in Hai Phong aims to contribute to protecting the legitimate interests of land users.

Fourthly, state management of land in Hai Phong aims to contribute to promoting local economic and social development.

3.4.2. Successes achieved in state land management activities in Hai Phong

** Success in issuing state management documents on land in the city.*

The city government of Hai Phong has timely issued state management documents in the field of land, organized training, propaganda, and dissemination of land policies and laws for officials and people.

** Success in inventory, building a database on land in the city.*

The exploitation and use of data management software, by 2022, the city has implemented some procedures such as online land registration, online receipt and return of files for grassroots levels... Through issuing land use rights certificates (completed over 90% of the parcels needing issuance), the city has also integrated data, information on land use of individuals, organizations using land in the city, managed by software, aiming for effective digital transformation in state management about...

** Success in construction and management according to planning, land use planning.*

The construction and management of urban planning and land use plans are carried out by the Hai Phong city government in accordance with the provisions of the Land Law 2013, in line with the economic and social development goals as well as other city plans.

** Success in land allocation, land leasing, and land retrieval.*

The process of land allocation and leasing in Hai Phong ensures compliance with the land use plans of the districts, communes, and the entire city. Compensation, support, and resettlement work are carried out in accordance with the approved plans and options when land is reclaimed. The people (survey results) evaluate that the Hai Phong city government actively protects their rights and interests in the field of land.

** Success in land and financial management.*

In land valuation, the city government of Hai Phong has been very proactive, actively adjusting land prices when the state land prices and market land prices differ in order to minimize conflicts in the process of land recovery and compensation for individuals and organizations affected by land recovery.

** Success in conducting inspections, monitoring the use of land, and resolving land disputes.*

One of the successes of Hai Phong in implementing the inspection and supervision of the legal enforcement process of land users, resolving land disputes from 2014 to now is that

there have been many advances, not allowing extreme actions, opposing the government to the extent of violating the law like the case of Doan Van Vuon before.

3.4.3. Limitations and causes in the state management activities on land of the government of Hai Phong city

3.4.3.1. Limitations

** Limitations in issuing state management documents on land in the city.*

Although the city government of Hai Phong has been active in institutionalizing land laws, some legal documents in the field of land are still issued late compared to regulations.

** Limitations in inventory, building a database on land in the city.*

Currently, the inventory, control, and database construction of land in the city are still slow compared to the set objectives and plans. Land data, city cadastral records are mainly stored in paper form, slow to update, adjust according to major changes. Through the structural equation modeling (SEM) linear structure model, the factor of physical infrastructure affects the satisfaction of the people with the state management of land by the city government of Hai Phong. The work of issuing land use rights certificates....

** Limitations in construction and management according to planning, land use planning.*

From 2014 to now, the implementation of land use planning in some districts and communes in the city has not yet ensured quality, the planning is still scattered and fragmented.

** Limitations on land transfer, land lease, land recovery, compensation, support, resettlement for land reclaimed by the state.*

Firstly, the area of land allocated for lease through auctioning and bidding still accounts for a low proportion.

Secondly, the procedures for land allocation and leasing are still cumbersome.

Thirdly, the work of land clearance to implement land allocation and leasing in some places, especially in industrial zones, is still slow.

Fourthly, some decisions on compensation, support, and resettlement are still not reasonable, leading to complaints and lawsuits from the people.

** Limitations in land financial management.*

Firstly, land valuation activities create a large gap between market prices and land price lists. Land valuation still lacks consensus between valuation agencies and inspection and post-inspection agencies, causing delays in the issuance of the city's land price list.

Secondly, land revenue collection activities still involve cases of violations, failure to fulfill financial obligations related to land.

** Limitations in inspection, examination, settlement of complaints, disputes, handling of land violations*

Firstly, the inspection and examination of land use processes, the effectiveness of land use in the city sometimes is not timely.

Secondly, the settlement of complaints, disputes regarding land sometimes is not effective.

3.4.3.2. The causes of limitations

Firstly, starting from geographical position and socio-economic conditions.

From 2014 to now, Hai Phong has become a bright spot in economic growth and development of the whole country, the real estate market is growing strongly, and the resources from land are increasing, leading to increasingly complex land conflicts and disputes, and foreign land management is not insignificant affected by the market mechanism.

Secondly, the legal regime of land has many changes and sometimes even conflicts, overlaps, difficult to implement.

Some provisions in the Land Law 2013 have not resolved the difficulties, shortcomings, and contradictions of the Land Law 2003. Land use planning over

Thirdly, some decisions beyond the jurisdiction of the city People's Committee must wait for approval from the Government and guidance from the Ministry of Natural Resources and Environment.

Adjusting land use rights requires the Prime Minister's approval and the opinions of relevant ministries. The city's People's Committee must wait for a long time. Meanwhile, some projects have expired or violated regulations, leading to project suspension and land retrieval. Although there is available clean land fund, obtaining planning approval is necessary for new project implementation. This results in delays in putting land into use, wasting land resources.

Fourthly, starting from the machinery and the staff of the land administration for land.

First, the number of state officials managing land at the local level is thin, not meeting the workload.

Second, land management officials have uneven qualifications.

Third, attitude, and responsibility of some land management officials are not high. The average score of 223 land users surveyed to evaluate the attitude and responsibility of land management officials in Hai Phong is 3.38/5 points.

Four, some land management officials lack moral qualities in carrying out their duties.

Fifth, starting from the source of resources for state land management

First, the financial source for investment in training, supporting state land management officials lacks specific mechanisms to encourage officials at all levels to improve their professional knowledge, expertise, and skills.

Second, the investment budget for the construction project, completion of the land database infrastructure is still limited, locally allocated.

Third, the budget for equipping infrastructure to serve state management of limited land resources.

Sixth, originating from the user's perception of the land.

Due to the low awareness of complaints and lawsuits in the field of land by the people, the situation of complaints and lawsuits exceeding the level still occurs, affecting the handling process because the authorities have to reclassify the letters, guide the people to comply with the legal regulations. This is also a factor in the SEM model that is affirmed to directly affect the satisfaction of the people with the state management of land by the local government.

Seventh, originating from the history of land relations.

The history of land ownership contains many complex relationships related to land use rights such as public land, village land, ancestral land, family land... so the management of natural resources and environment in relation to land in Hai Phong government also faces many difficulties and delays. Some cases of handling ensure both reasonable and compassionate are unprecedented and relatively difficult.

Chapter 4

DIRECTION, SOLUTIONS TO IMPROVE STATE MANAGEMENT OF LAND IN HAI PHONG

4.1. PREDICT SOME ISSUES FOR STATE LAND MANAGEMENT IN HAI PHONG

Currently, the global economic and political situation is unstable, the establishment of a new world order poses many challenges but also brings many opportunities for Hai Phong in attracting investment, thereby increasing the demand for land use.

** Forecast challenges from climate change*

Phenomena such as mangrove forests dying, climate change affecting rice productivity, especially in the agricultural sector, tend to decrease. Therefore, it poses new requirements for increasing productivity, efficiency of rice fields, especially agricultural land in the coming years.

** Forecasting the application of the Land Law in 2024*

The new amended Land Law may aim to eliminate land price frames, determine land prices based on market mechanisms, adjust the real estate transfer tax, property tax... which could impact various aspects of the interests of land users and the state of the real estate market. The government of Hai Phong city needs to prepare plans for the increasing market land prices, compensation money for implementing projects, and issues arising when the new land law is officially passed and effective....

** Different forecast*

The anti-corruption work is being resolutely directed by the Party, contributing to reducing violations and corruption in the field of land management by officials of the Department of Agriculture and Rural Development in the city.

4.2. DIRECTION OF PERFECTING STATE LAND MANAGEMENT IN HAI PHONG

Firstly, effectively manage and allocate land funds.

Secondly, land management and planning in Hai Phong city must be in line with the overall national land use planning and regional connectivity.

Thirdly, state management of land in Hai Phong city ensures harmony of benefits from land

Fourthly, effective exploitation of land resources contributes to promoting local socio-economic development

Fifth, improving the efficiency of land management and planning cannot be achieved without perfecting the machinery and personnel of land management and planning.

4.3. SOLUTIONS TO IMPROVE THE STATE MANAGEMENT OF LAND BY THE HAI PHONG CITY GOVERNMENT

4.3.1. Group of solutions to improve legal normative documents on land and enhance the effectiveness of propaganda of land policies and laws

The city government of Hai Phong needs to focus on issuing timely, specific, and comprehensive guidance documents, enforcing land laws that are suitable for the unique characteristics of the port city, a centrally-run city, a city with strengths due to having many large islands....

Raising awareness of land laws among the people, land users is an important task of the city government.

Improving the content, methods of propaganda, education on land policies, land laws for the people, land users in the area....

4.3.2. Group of solutions to improve the quality of inventory and complete the land database

The city government of Hai Phong needs to invest resources to implement the project "Enhancing land management and land database" according to the set plan, and needs to synchronize at localities to soon synchronize the city's land database.

The city needs to vigorously carry out land registration activities according to the roadmap and quickly complete land registration, contributing to improving cadastral data of each district and commune in the city.

4.3.3. Group of solutions to enhance the quality of land use planning, discipline in compliance with land use planning

The city government of Hai Phong needs to focus on planning seaports, planning the development of industrial zones, economic zones.

Building land use planning must ensure the harmonious structure of land types on the total natural land area of the city towards land planning to create conditions for the development of industries, sectors in industry, services, while ensuring a reasonable

agricultural land fund until 2050. In addition to improving the quality of planning, the city government needs to control tie....

4.3.4. Group of solutions to innovate the process of land allocation, leasing, and land retrieval

Firstly, improve land transfer efficiency, land leasing.

Based on the annual and 05-year land use plans of districts, communes, the city government needs to ensure the implementation of land allocation and leasing in accordance with regulations, limit land allocation and leasing without auctioning, bidding, land allocation, leasing not in accordance with authority.

Auction activities, bidding must be carried out in accordance with the correct procedures, transparency, and openness. In conducting bidding, it is necessary to select investors, contractors with capacity.

Secondly, complete the land recovery process, compensation, and resettlement support.

In urban clearance, land retrieval, the city government of Hai Phong needs to carry out compensation, resettlement first, ensure people have housing, ensure livelihoods before implementing the main project.

For compensation, resettlement support needs to ensure fair benefits for land expropriated individuals.

For residential land reclamation, households living by doing business, trading on the land and houses to be reclaimed must not only ensure the legitimate interests from the land through compensation in money but also need to care for support, vocational training for them.

4.3.5. Group of solutions to improve public services for land

The city government needs to regulate and strictly enforce the deadline for issuing land use rights certificates, house ownership rights, and property attached to land. It is necessary to increase online public services to level 4.

4.3.6. Group of financial management innovation solutions for land

First, the city government needs to tightly control and manage the financial revenue source from auctioning land use rights and bidding for investment projects with land use rights.

Second, it is necessary to improve the quality of inspections at all levels.

Third, there needs to be close coordination between agencies such as the Department of Natural Resources and Environment, the Department of Finance, the City Inspectorate, the Hai Phong Tax Department, the Hai Phong Police, ... in carrying out the task of financial management of land.

Fourth, it is necessary to transparently disclose the financial sources obtained from the conversion of land use purposes.

4.3.7. Solutions group to improve the quality of inspection, dispute resolution, and handling of violations in the field of land management

First, improve the quality of inspection and supervision at all stages of state management of land.

Second, given the importance of land, effective land use inspection and supervision need to be emphasized, with a set of criteria to evaluate the effectiveness of land use for different types of land, projects, and constructions on land.

Third, seriously handle violations in the field of land concerning state management officials and individuals and organizations using land.

Fourth, improve the quality of land dispute mediation at each district, ward, and commune.

Fifth, reduce the time needed to resolve and handle citizens' complaints and petitions regarding land issues.

Sixth, for unfounded complaints and lawsuits, which show signs of incitement by bad actors or hostile forces, the city government needs to promptly detect and coordinate with police agencies to handle, and avoid the incidents that affect the reputation of the Party and the city government.

Seventh, make violations of land laws public and transparent, while also disclosing the fines that must be paid to the city's budget.

4.3.8. Solutions group to strengthen the apparatus and improve the quality of state management officials in the field of land management

The government of Hai Phong City needs to focus on training activities to improve professional qualifications, provide professional development and training, and enhance skills and ethical qualities for the team of state management officials in the field of land management.

CONCLUSION

State management of land in Hai Phong, as well as in other centrally governed cities and provinces across the country, plays a crucial role in socio-economic development. In Vietnam, local authorities perform state management of land by fulfilling the state's dual functions: as a public authority and as a representative of the people's ownership of land.

Based on the study of state management of land by the Hai Phong City government, the dissertation has evaluated state management of land in Hai Phong from two perspectives: the results of state management of local land through actual data from specialized land management agencies, and from the viewpoint of land users, including residents and businesses. The satisfaction of residents and businesses with the implementation of land law in Hai Phong City, combined with data on state management of land from 2014 to the present, shows a consistent assessment of this work by the local government. The state management of land by the Hai Phong City government has achieved significant results in implementing state management content and objectives for land. The city government has promptly issued documents and conducted outreach to disseminate land laws. Activities such as inventory, control, and building land databases have been implemented in alignment with digital transformation goals. Land allocation, leasing, recovery, compensation, and resettlement have been carried out in compliance with legal regulations, gradually improving the environment for easier land access for users, and addressing the livelihoods and resettlement of those whose land is recovered. Land financial management has contributed to increasing the local budget. The supervision and inspection of land use, as well as the resolution of land disputes and complaints, have been strengthened.

Despite these achievements, the state management of land in Hai Phong also reveals some limitations and shortcomings. The dissemination of land laws lacks targeted classification of audiences. Although there has been investment in projects for land inventory and database construction, the city's land data remains fragmented and locally specific. The procedures for land allocation and leasing are cumbersome, with relatively low rates of land allocation and leasing through auctions and bidding. There are still families and

individuals eligible for resettlement who have not yet been resettled after their land was recovered by the state. Although the land price framework has been adjusted ahead of schedule, it still does not ensure a balanced benefit from land, and the real estate market is experiencing rapid growth. The handling of land violations has not been stringent enough, allowing serious violations to persist for many years.

Based on the assessment of the current state management of land, particularly the model measuring citizen satisfaction and business perceptions of Hai Phong City's government in the field of land management, it has revealed successes, limitations, and the causes of these outcomes in this work in Hai Phong. The dissertation has proposed solutions to improve state management of land in Hai Phong, with a focus on enhancing the effectiveness of land policy and legal propaganda. This focus is based on a quantitative model identifying factors affecting citizen satisfaction with state land management by the city government, where land law awareness among citizens is identified as an influential factor. Therefore, improving citizens' awareness of land laws is both a goal and a task of the local government's land management, as well as a condition for the local government to effectively achieve its objectives and duties according to its functions and authority.

The remaining groups of solutions are based on the limitations, their causes, and the factors affecting state management of land by Hai Phong's government, closely tied to the unique characteristics of Hai Phong as a port city and a centrally governed city.

State management of land by local authorities is a broad and complex topic. Within the framework of this dissertation, only basic management content and related issues by local authorities regarding land have been discussed. The in-depth operational activities of each management content have not been sufficiently addressed. Various research methods have been employed. In addition to relying on secondary data compiled from reports and published works, survey data and interviews have also been used, with both qualitative and quantitative processing. However, not all raised issues have been resolved. It is hoped that additional feedback will be received to allow the researcher to continue improving this work.

To improve the state management of the land debate of the Hai Phong city's government, the author of the essay has a number of recommendations for debate with the Government and the Ministry of Natural Resources and Environment as follows:

- + It is necessary to soon issue instructions for implementing the Land Law in 2024. In particular, there needs to be instructions on how to handle cases where projects and allocated land or leased land without auctioning for fighting. When the land use period expires but you still want to continue the investment project on the land.

- + Propose the Government to issue regulations on compensation prices when recovering land to implement investment projects where the recovered land is located on the administrative boundaries of localities with different land prices.

- + Propose that the Government and the Ministry of Natural Resources and Environment have regulations on handling projects located in residential areas and projects that have the risk of causing environmental pollution.

LIST OF WORKS PUBLISHED BY THE AUTHOR RELATED TO THE DISSERTATION

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2. Pham Thi Bao Thoa, Nguyen Ngoc Toan (2021), *Management of land use to attract foreign direct investment in Hai Phong City in the new context*, Proceedings of the International Conference on Global FDI and the Adaptation of FDI Enterprises in Vietnam in the New Context, Youth Publishing House, p.496-506.
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5. Pham Thi Bao Thoa, Nguyen Ngoc Toan (2023), "Factors affecting people's satisfaction with state land management in Hai Phong city", *Journal of Finance and Accounting Research*, September, (248) p.13-18.