



DECREE 80/2020/NĐ-CP FROM SPERI'S PERSPECTIVE

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1. The Annex 1 attached with the *Decree 80/2020/ND-CP* (hereafter called Decree 80) of the Government dated 8 July 2020 *on management and use of non-refundable aid not in form of official development assistance of foreign agencies, organizations and individuals for Vietnam* is applicable as a standard form.

With this form, every project at its different stages from project building to project implementation and completion will achieve its high efficiency in terms of community capacity and community responsibility for natural resources, and community solidarity in the development strategy on ecological agriculture, civilized farmers and modern rural areas towards a Green Growth nation.

2. Every project should be built based on the Annex 1 of the Decree 80.

Social Policy Ecology Research Institute (SPERI) is an independent science and technology organization which operates in accordance with the Law on Science and Technology under the legal documents issued by the Ministry of Science and Technology - MOST, namely: Decision 2168/QĐ-BKHCN dated 22 July 2011 of Ministry of Science and Technology on the permission for continuation of operation of the Social Policy Ecology Research Institute attached with the approved Regulation on the organization and operation of the Social Policy Ecology Research Institute, and Certificate of science and technology activity registration no A-525 issued on 1 December 2020. SPERI was founded by Tran Thi Lanh (www.speri.org/; <http://ecofarmingschool.org/>) and Geoff Lawton (www.pri.org/; <https://www.permaculturenews.org/2008/03/17/permaculture-partner-program-in-vietnam>; <http://speri.org/eng/content/Human-Resource/Founding-Board-170-178.html>). MOST is responsible for appraising advantages and effectiveness of SPERI as an independent institute under MOST's management according to the Law of Science and Technology based on the personal profiles of SPERI's co-founders with their judicial records, citizenship, majors and socio-economic values. Upon receiving the Certificate, SPERI's legal documents are posted transparently, and SPERI's philosophy, development orientations, partnership history, and professional commitments through development

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projects and programs in compliance with the SPERI's Certificate are updated and monitored through SPERI website www.speri.org.

Other Departments of relevant Ministries act as representatives of the State management to verify the legitimacy of the partnership between SPERI and its donor(s) in form of project by reviewing SPERI's submitted Annex 1. This is the way the State controls the science and technology organizations transparently and effectively.

For better understanding of the role, functions and responsibilities of the State management agencies in the process of project appraisal and approval, we would like to take the project *“Applied Community Based Agro-Ecology for Livelihood Security and Biodiversity Enrichment toward CO2 Accumulation (2022 – 2025)”* between SPERI, SCCF and MISEREOR that has already been submitted by SPERI's and is under process, as an example. Accordingly, the process undergoes several step as bellows:

Step 1: The SPERI's application is submitted in 6 sets of translated and notarized documents including: 1) completed Annex 1; 2) SPERI's legal documents; 3) legal documents of donor(s); 4) SPERI's Official Letter.

Step 2: MOST's Office internally follows administrative process. The SPERI's dossier number 10672 is set and notified to SPERI's Office upon request.

Step 3: MOST's Clerical Department submits the SPERI's dossier to the MOST's Deputy Minister in charge of science and technology projects.

Step 4: MOST's Deputy Minister's assistant checks the project dossier and send them to MOST's six relevant departments, including:

- 4.1. Department in charge of management and granting of operation registration Certificate
- 4.2. Legal Department
- 4.3. Department of science and technology project appraisal
- 4.4. Department of Planning and Finance

Upon reviewing of the SPERI's dossier, the MOST's Department of Planning and Finance send the project-related documents to:

4.4.1. Department of Science and Technology of the province where the project is to be implemented. Accordingly, the provincial Department of Science and Technology reviews all the project documents sent by MOST, and send an official letter to other

relevant provincial agencies for consultation, which are: 1) Department of Planning and Investment; 2) Department of Finance; 3) Department of Home Affairs; 4) Department of Foreign Affairs 5) Department of Agriculture and Rural Development; 6) Kon Tum provincial Public Security; 7) Kon Tum provincial People's Committee (PPC); 8) Kon Tum Union of Science and Technology Associations (KUSTA); 9) Military Command Headquarter of Kon Tum.

4.4.2. The Kon Tum PPC, after reviewing the project's dossier No. 10672, assigns the provincial Department of Science and Technology to gather all comments and opinion contributed by the provincial relevant agencies to respond to the MOST's Department of Planning and Finance.

Step 5: Upon receiving the feedbacks from the Kon Tum's Department of Science and Technology, the MOST's Department of Planning and Finance sends its official letters to:

5.1. Ministry of Public Security (Department A04 in charge of science and technology organizations having foreign co-founder(s), Department A03 in charge of science and technology organizations operating under the Law of Science and Technology, Department A01 in charge of checking citizenship status of foreign individuals and organizations funding the project).

5.2. Ministry of Planning and Investment (Department of External Economic Relations, Department of Science and Education, Department of Agricultural Economy).

5.3. Ministry of Finance (Department of Debt Management and External Finance, Legal Department, Department of Budget).

Step 6: All the feedbacks from the above Ministries are sent to the MOST's Department of Planning and Finance. From here, this Department reviews and gathers all the comments, and sends an official letter to the MOST's Deputy Minister in charge of science and technology projects. If all the requested ministries agree with the project content, the Deputy Minister will assign the Department of Planning and Finance to send an official letter on the project approval to the MOST's Clerical Department which in turn is responsible for sending a Decision on approving the project dossier No.10672 to SPERI's Office.

The experience shows that the Decree 80 is very strict and logical which creates institutional and civic responsibility of the entity's head involved in the grant aid towards underprivileged and needy communities that need help. With this process, all social phenomena caused by irresponsible citizens who lack civic consciousness, who abuse non-

refundable aid for personal gain, who in the name of humanitarian donors deteriorate some members of the community under the guise of the project, causing insecurity, social disorder and community solidarity, or even affecting the national security will be prevented.

Therefore, SPERI stays confident and patient to comply with the Decree 80 for all the projects with which SPERI has been and will continue to accompany the villages of ethnic minorities in mountainous areas throughout Vietnam, particularly in the Central Highlands who need priority assistance.