

**MINISTRY OF EDUCATION
AND TRAINING**

**MINISTRY OF
CONSTRUCTION**

HANOI ARCHITECTURAL UNIVERSITY

NGUYEN DU MINH

**APPLYING LAND READJUSTMENT IN THE
IMPLEMENTATION OF URBAN DEVELOPMENT PROJECT
IN THE CITY CENTER OF HANOI CAPITAL**

**FIELD OF STUDY: URBAN AND BUILDING MANAGEMENT
CODE: 62.58.01.06**

**SUMMARY OF THE DOCTORAL THESIS IN
URBAN AND BUILDING MANAGEMENT**

Hanoi - 2021

The thesis is completed at

Hanoi Architectural University

Academic supervisors: **Dr. Arch Le Trong Binh**

Dr. Arch Tran Thi Lan Anh

Reviewer 1: **Prof. Dr Tran Trong Phuong**

Reviewer 2: **Prof. Dr Hoang Vinh Hung**

Reviewer 3: **Dr. Nguyen Xuan Hinh**

The thesis will be presented at the Examination Council of Hanoi
Architectural University

At, date month year 2021

The thesis can be found at:

- The National Library;
- The Library of Hanoi Architectural University.

INTRODUCTION

1. The necessity of the thesis

LR is the voluntary land contribution from land owners, readjustment of land characteristics and reallocation of land to the original land owners. Its application in the urban development and management, has ensured the participation of land owners throughout the entire construction process, so it is applied by many countries around the world. In Korea, it has been applied to create new urban areas; in Japan, to rebuild urban areas or to reconstruct after disasters; in Taiwan to utilize land in downtown; in Germany to implement approved urban plans... Recently, many nations such as Brazil, Bhutan, Mongolia, Indonesia, Thailand, Nepal, Philippines... has been researching and applying into urban development and management generally and urban development projects particularly.

In the city center of the Hanoi Capital, many new urban areas have been formed and developed, which have contributed to improving the living standard of people as well as changing the urban landscape. However, the fact shows some shortcomings, such as: lack of effective mechanisms to ensure the participation of land owners in the project implementation; lack of effective mechanism to mobilize land resources; the benefits from urban development projects have not been harmoniously shared among stakeholders. These shortcomings lead to the delay of urban development project, tensions of land owners and urban landscape is not synchronized...

From the above issues, the study of *Applying LR in the implementation of urban development projects in the city center of Hanoi Capital* is a very necessary. The study will build a scientific framework for the application of a new urban development measure, which has been practically tested in many countries and solves existing shortcomings.

2. Purposes of the study

- Studying on LR about: terms, concept, mechanism, scope of application, application conditions, pros and coins; select the applied measures of LR to implement urban development projects in the world for the context of Vietnam;

- Studying measures to apply LR in the implementation of urban development projects in the city center of Hanoi Capital.

3. Objects and scope of the study

a) Objects: measures of LR are applied to implement projects.

b) Scope of the study: urban development projects in the city center of Hanoi Capital. They are identified in zoning planing of following urbanization areas: urban expansion, green corridors...

4. Methods of the study

Methods of the study including: analysis; comparison and contrast; statistic; SWOT; forecasting method.

5. Contens of the study

- LR and project implementation by applying LR;

- Evaluation of urban development project implementation in the city center of Hanoi according to LR's projects;

- Theoretical, legal and practical basis for applying LR in the project implementation;

- Impact factors when applying LR including institutional context, economic and social conditions and management mechanism.

- Measure to apply LR in the project implementation in the city center of Hanoi including: (i) applying land use right contribution and land use right readjustment; (ii) selecting applied areas and projects; (iii) process of implementation; (iv) applying a pilot project.

6. Research results and new contributions

- Synthesizing, evaluating and selecting the characteristics of the land adjustment and measures to apply this method in the implementation of urban development projects in the world;

- Figuring out the mechanism in Vietnam when applying the land readjustment in the implementation of urban development projects, which is the regulation of land use right contribution and land use right readjustment;

- Proposing measures to apply the regulation of land use right contribution and land use right readjustment in the project implementation;

- Proposing the type of project, the group of evaluation criteria and the project implementation process using the regulation of land use right contribution and land use right readjustment.

7. Scientific and practical meanings of the study

Scientific meanings are the following:

- To contribute the theory on the responsibilities of land owners to participate in urban development and management;

- To contribute the theory on the project implementation with the participation of land owners.

Practical meanings are the following:

- The research on LR is reference documents for managers, investors and consulting organizations, because there are not many documents in Vietnamese;

- The analysis of the legal system indicates the legal provisions that allow the parties to apply the regulations of land use rights contribution and land use rights readjustment to implement projects. The recommendations and proposals are for the State to consider and decide on the amendment of legal regulations towards officially legalize LR in the Vietnamese system;

- To propose a specific project implementation process with the participation of land owners through regulations of land use rights contribution and land use rights readjustment.

8. Terms and definitions

Land use criteria; transfer of land use rights; urban development project; LR's project; land use right readjustment; land price; price of land use right; construction works; land acquisition; land users/ land owners; land characteristics; land lot; project implementation...

9. The structure of the thesis

The thesis is structured by Introduction, Content and Conclusion. In which, the Content is included 3 chapters: Chapter I (49 pages): Literature review of applying LR in the project implementation; Chapter II (52 pages): Scientific basis of applying LR in the project implementation; Chapter III (47 pages): Measures to apply LR in the implementation of urban development projects in the city center of Hanoi Capital.

CONTENT

CHAPTER I: LITERATURE REVIEW OF APPLYING LR IN THE PROJECT IMPLEMENTATION

1.1. Land readjustment

a) Formation and development

LR's concept was formed by the concentration of agricultural land towards more efficient of land management. However, up to now, the LR's application is mainly for urban issues.

b) Definitions of land readjustment

“The Land Readjustment” is an English term used by the international workshop since 1979 in Taiwan. In this thesis, the Vietnamese term of LR is “phương pháp điều chỉnh đất” and could be explained as the following: the voluntary land contribution from

land owners, readjustment of land characteristics and reallocation of land to the original land owners.

c) Mechanism of land readjustment

The first is the voluntary land contribution and collection of land from land owners. Second, adjust the properties of land (location, shape, size, function...). Third, is to reallocate land to the original land owners.

d) Characteristics

Firstly, supply land and housing. Second, land owners receive appropriate benefits from urban development. Third, maintain community stability. Fourth, land use efficiency. Fifth, upgrade urban infrastructure. Sixth, the implementation process requires participation of parties. Seventh, maintain the rights to land ownership. Eighth, save compensation costs. Ninth, better urban management.

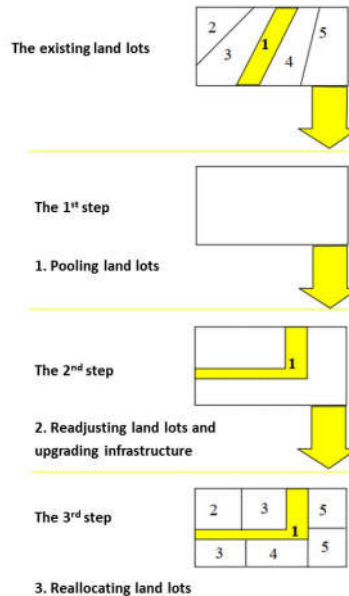


Fig 1.2: 03 activities of land readjustment

1.2. LR's application in project implementation in the world

a) Purposes and scopes of application

Purposes of application: Development of new urban areas; Renovating existing urban areas; Upgrading urban infrastructure; reconstruction after disasters.

Scope of application: urban areas have not been used; residential area does not meet the living standard; Urbanizing

suburban or slum areas; The urban center needs to be upgraded; Areas of traffic hubs need to be upgraded and combined with the development of urban functional areas; Areas damaged for disasters.

b) Types of LR projects

LR project is a term that refers to projects (can be a single building or urban areas) implemented using LR mechanism. This designation is intended to classify projects applying other land mechanisms (such as land acquisition or land transfer).

c) Project implementation applied LR

Four phases include: Pre-feasibility study; Feasibility study; Construction works; Finishing of construction. The three activities of LR are integrated in each phases: contribution and collection of land; readjustment of land use; and reallocation of land.

d) Conditions of application

The first is the consent of the land owners. Second, the project must meet the basic needs of the community. Third, there is a clear and transparent legal corridor. Fourth, there is the support and political determination of governments at all levels.

d) Advantages of applying LR

Create and develop a modern urban infrastructure. Mobilize social investment. Effective management of urban land.

e) Disadvantages of applying LR

Figure out the land contribution ratio and consensus. Handle issues of small land owners. Long time of negotiation. Need supports from the State in developing an institutional framework for dealing with disagreements and providing financial support.

1.3. Evaluation of urban development project implementation in the city center of Hanoi Capital according to LR's projects

a) Role and reality of project implementation in the city center of Hanoi Capital

The city center of Hanoi capital is the political, administrative, economic, cultural, historical, service, medical, high-quality training center of Hanoi City and the whole country. After more than 30 years of renovation, besides having formed new modern urban environment, there are also some limitations. The thesis assesses the actual situation of the implementation of urban development project according to the implementation of LR projects.

b) Participation of land owners in project implementation: there is no urban development project implemented in the form of land owners contributing land to implement.

c) Mobilize and exploit land resources in project implementation

The land acquisition and land transfer require a huge amount of money for compensation, creating a financial burden that reduces investment efficiency. Meanwhile, there is no suitable mechanism to mobilize local land resources for implementation.

d) Sharing benefits

The benefits of land owners are not harmonized (loss of land, livelihoods...), investors (difficult to negotiate) and the State (high cost of compensation and clearance).

1.4. Related studies and workshops in Viet Nam

There are few topics on the mechanism of land use right contribution in the implementation of small construction projects, showing that this is a mechanism similar to LR. Research by the Hanoi's PC and JICA has mentioned recommendations for the LR application in Hanoi but has not yet provided a measure for implementation. The international conference on LR in 2014, 2015 in Vietnam has agreed on the necessity of applying CBT in Vietnam.

1.5. The issues that need to be studied

- Building a scientific basis to apply mechanisms similar to LR in implementing urban development projects in accordance with the

Vietnamese institutional context and the socio-economic conditions of Hanoi Capital;

- Proposing the type of projects and measures to assess the suitability of the project to apply the mechanism similar to LR;
- Proposing a process of project implementation with a mechanism similar to LR in the context of Hanoi capital.

CHAPTER II. SCIENTIFIC BASIS OF APPLYING LR IN THE PROJECT IMPLEMENTATION

2.1. Theoretical basis of application

a) Planning and management on urban landscape, architectural

Urban planning helps to exploit and use economically and efficiently urban land; creating urban landscape, system of infrastructure and social buildings.

b) Effective exploitation and management of urban land

The land contribution of LD also has the same purpose as the accumulation and concentration of land for agricultural development. The readjustment of land is aimed at forming land plots with favorable conditions for management and increasing use value.

c) The role of community on urban investment

Land owners have the responsibility to contribute in the urban development. Regulations on capital contribution by land use right are the basis for allowing land owners to participate in urban development.

d) The role of the State

Building an institutional framework. Handling disagreements. Supporting experts and budget.

2.2. Legal framework of application

a) Legal framework on urban development and investment:

It has been gradually completed and synchronously created a legal corridor for implementation from central to local levels.

b) Land management in project implementation

The State is responsible for preparing the land for urban development; managing land through statistics, inventory and mapping. The urban planning and the system of building code are the basis for the formulation of construction projects directly related to the determination of land use criteria of each land lot.

c) Participation of land owners in project implementation

The mechanism for applying the regulations on land use right contribution and land use right readjustment is that the land owners participates in the implementation of project with the contributed capital being the land use right.

d) Procedure of project implementation

Current regulations do not provide specific guidance for investors to follow the mechanism of land use right contribution and land use right adjustment.

2.3. Practical basis of application

a) Some projects in Vietnam similar to LR's mechanism

In some localities, people have contributed land to build common infrastructure (such as widening alleys or forming community yards).

b) Some projects in Hanoi similar to LR's mechanism

In the renovating project of the I1, I2, I3 Thai Ha, the investor does not have to buy and sell houses, but instead is a conversion mechanism between new and old houses. The project of opening the alley in Long Bien, Hanoi, implemented with the proposal to widen two lanes by convincing households to contribute land and money.

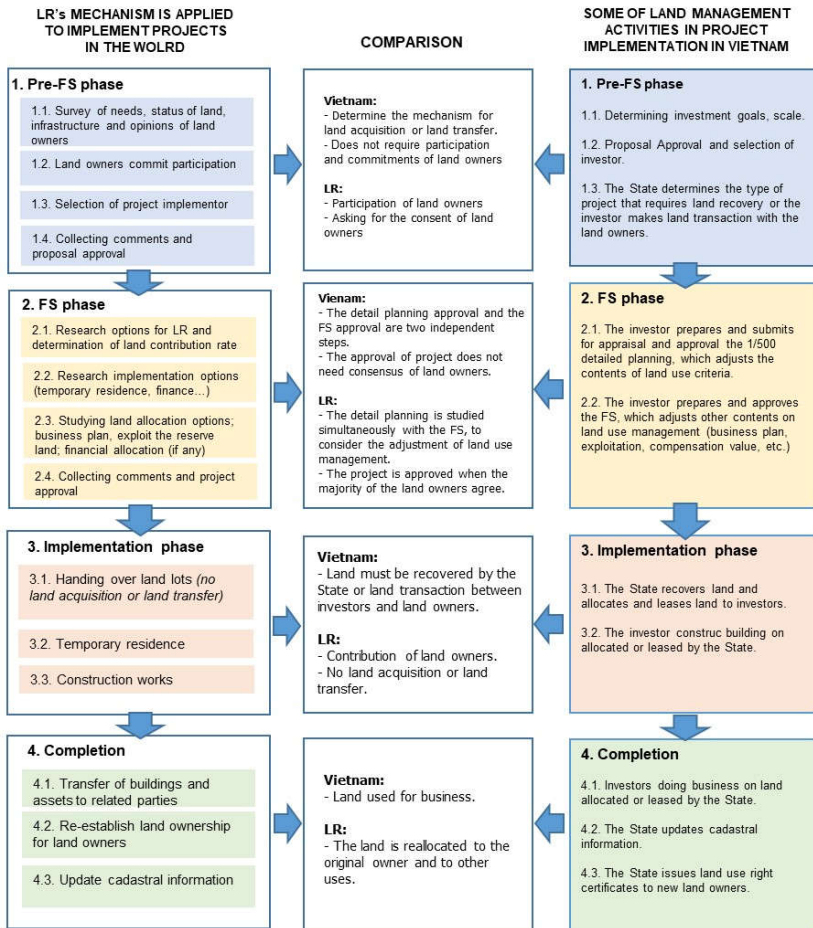


Fig 2.6: Comparison of the project implementation process applying the LR and the project applying the current land mechanism in Vietnam.

c) International experience of land owners' joint venture model

In Japan and Korea, for the private sector, it is common for land owners and/or tenants to form a Joint venture enterprise to implement LR project.

d) International experience of land right transformation

Japan and Korea allow, land owners can contribute land to implement the project but receive in return the floor area of buildings in LR project.

d) International experience of project management criteria

Three groups of criteria: (i) Criteria on social factors; (ii) Criteria on land; (iii) Criteria on finance.

2.4. Impact factors of application LR in Vietnam

a) Institutional background

In Vietnam, people only own “land use rights”. Therefore, the application of the regulations on land use right contribution and land use right readjustment in the project implementation in order to achieve the same results as LR, must need modification.

b) Conditions of economy and society

The projects that failed due to the lack of consensus of the people showed that the problem of social awareness is an important factor affecting the actual implementation.

c) Model of state management

Proposing measures to apply LR in urban development projects requires a flexible mechanism to ensure the synchronous and reasonable coordination of the Hanoi agencies.

CHAPTER III: MEASURES OF APPLYING LR IN THE IMPLEMENTATION OF URBAN DEVELOPMENT PROJECT IN THE CITY CENTER OF HANOI CAPITAL

3.1. Attitudes, goals and principles of application

a) Attitudes

- To ensure harmonization of interests between stakeholders in the project implementation;

- To ensure stable development and maintenance of existing residential communities;
- To manage and mobilize effectively urban land in the city center of Hanoi Capital;
- To promote the implementation of urban development projects in all levels of approved urban planning in Hanoi capital;
- To comply with the order and procedures of project implementation in accordance with current legal regulations.

b) Goals

- To strengthen the role of participation and supervision of land owner in the project implementation;
- To promote socialization in urban development;
- To limit the cases of land acquisition when implementing urban development projects;
- To reduce administrative procedures in land use management when implementing urban development projects.

c) Principles

- To apply step by step, with a roadmap from the projects identified in the Master Plans with the orientation to develop many urban areas, where the density is low and the urbanization rate is forecasted to be fast;
- To apply from small-scale projects to large-scale projects;
- To apply from projects that meet community goals to commercial projects;
- To apply regulations of land use right contribution and land use right readjustment to implement urban development projects;
- To apply to subjects having land use rights as prescribed by law;

- To apply only the majority of land owners in the project area agree; the remaining minority of land owners are responsible for implementing the approved project;

- The State has the responsibility to recover land for the minority of land owners who do not agree to serve the common purpose of project implementation.

3.2. Applying the regulation of land use right contribution and land use right readjustment

a) Establishment of an enterprise from capital contributed by land use rights

Land owners use capital by land use right to jointly establish a new enterprise with investors as a legal entity responsible for project implementation. The Hanoi PC approves the investment certification and approves the project owner as a newly established enterprise.

b) Prepare a plan of land use right contribution and land use right readjustment

Hanoi PC stipulates the content of the plan of land use right contribution and land use right readjustment, including: adding a map identifying the area or land plots used to contribute and readjusting; document related to the land lot used to contribute and to readjust.

To approve the above plan during the appraisal of the project in accordance with the law on construction. Hanoi PC approves the plan of land use right contribution and land use right readjustment as a basis for the parties to implement.

c) Implementation of compensation, site clearance, land allocation and land lease

Land owners hand over land to new enterprises that are project owner for site clearance (if any) and construction. For the area where minority of land owners do not take part in the project, Hanoi PC

shall organize the compensation and land recovery according to current regulations.

d) Readjust the land use right certificate upon completion of construction

DONRE updates the cadastral records according to the actual construction of the project. The State supports by not collecting fees related to the change of land use right certification.

đ) Collecting comments from relevant stakeholders

Hanoi PC regulates the collection of comments in two groups: (1) those affected by the project; (2) those who have the authority to approve the project. For Group 1: comments comply with current legal regulations. For Group 2: comments include the entire contents of the 1/500 master plan and the project's technical report.

The consensus ratio is achieved according to the mechanism of collecting majority opinions of the land owners who have contributed capital to form the enterprise as the project owners.

3.3. Identifying project application

a) Types of projects

Determining the application area: belongs to the group of zoning plans outside the 3rd belt road expected to have a high urbanization rate and a large concentration of urban projects: S1, S2, S3, S4, S5, N1, N2, N3, N4, N5, N6, N7, N8, N9, N10 and N11. Areas that meet attitudes, goals and principles include: (1) Urban infrastructure upgrading area; (2) Areas of urbanized villages; (3) The area is a traffic hub combined with urban development.

Determining project objectives: (1) Urban renovation project; (2) Urban infrastructure upgrading project; (3) Housing project for low-income people; (4) TOD project.

b) Criteria for assessing the suitability of the project

Criteria that need to be considered, amended and supplemented:

- Legal status of land lots: assessing the ability to contribute.
- The size of land lots: assessing the ability to contribute.
- Site potential ratio: Preliminary assessment of suitability of a site expected to apply the regulations on land use right contribution and land use right readjustment during the Pre-FS. Formulation:

$$Y_o = E_o / A_o$$

In which: Y_o is the Site potential ratio. ($Y_o > 1$ presentation of potential project area information for application); E_o is the average land price of the land lot after implementing the project; A_o is the average land price of the land lot before the project implementation.

Table 3.1: Proposing the type of projects for pilot application

| Potential areas | Contents | Attitudes/ Goals/ Principles | Legal framework |
|-----------------|--|---|--|
| | Zoning plan: S1, S2, S3, S4, S5, N1, N2, N3, N4, N5, N6, N7, N8, N9, N10 và N11: (1) Urban infrastructure upgrading area; (2) Areas of urbanized villages; (3) The area is a traffic hub combined with urban development. | <ul style="list-style-type: none"> - Attitudes: apply step-by-step, with a roadmap from the projects identified in the Master Plans with the orientation of developing many urban areas, the current construction density is still low and the forecast of rapid urbanization is expected; - Objective: Effective management of urban land use; implementing the approved urban plans; stable development of existing residential communities; - Objective: to promote socialization; limit the case of land acquisition. - Principle: Apply with route from the extended inner city; areas where people have legal land use right. | Apply the following provisions: - Contribute capital with land use rights for production and business (Provision 73, 146 and 179 in the Law on land); - Contributing land use rights and adjusting land use rights to implement projects (Article 2 Provision 34 in the Decree No 01/2017/NĐ-CP has been amended No 49a in the Decree No 43/2014/NĐ-CP). |
| | (1) Urban renovation project; (2) Urban infrastructure upgrading project; (3) Housing project for low-income people; (4) TOD project. | <ul style="list-style-type: none"> - Attitudes: Harmonize the interests of the parties; - Objective: Increase community participation; - Principles: apply from projects that meet community goals. | |
| | According to the project scale as determined in the zoning plan | To apply from small-scale projects to large-scale projects | |

- Site feasibility index value: evaluate the economic efficiency of a plan land use right contribution and land use right readjustment, during the appraisal phase. Formulation:

$$\alpha = Eo . eo / Ao . ao$$

In which: α is the Site feasibility Index Value ($\alpha > 1$ presentation of potential economic efficiency of a plan). Eo is the total value of land lots after the project; eo is the average land price of the land lot after the project; Ao is the total value of land lots before the project; ao is the average land price of the land lot before the project.

- Investment needs and opinions of the community: assessing the requirements to meet the needs of the community and reach the consensus of the people will be highly feasible in implementation.

3.4. Project implementation process using the regulation of land use right contribution and land use right readjustment.

Adjust some steps in the project implementation phases. (Fig 3.4)

3.5. Piloting to the IEC housing project

a) Principles of piloting

Piloting on simulation principles includes: assessing the conformity of the project with the proposed project management criteria; evaluate the economic effectiveness of the pilot solution.

b) Overview of pilot project

IEC Housing Project has a scale of 21,015m² invested by IEC Joint Stock Company with a total investment of about 1,293 billion VND; in the plot of land named B3-2 within the S5 zoning plan, Thanh Tri district, Hanoi. This is an project of high-rise social housing combining services, commerce... and low-rise housing.

c) Piloting

- Evaluation of the area and objectives of the project
- + Suitability on area: belong to the S5 zoning plan.

+ Suitability on objectives: serve the housing needs of low-income people.

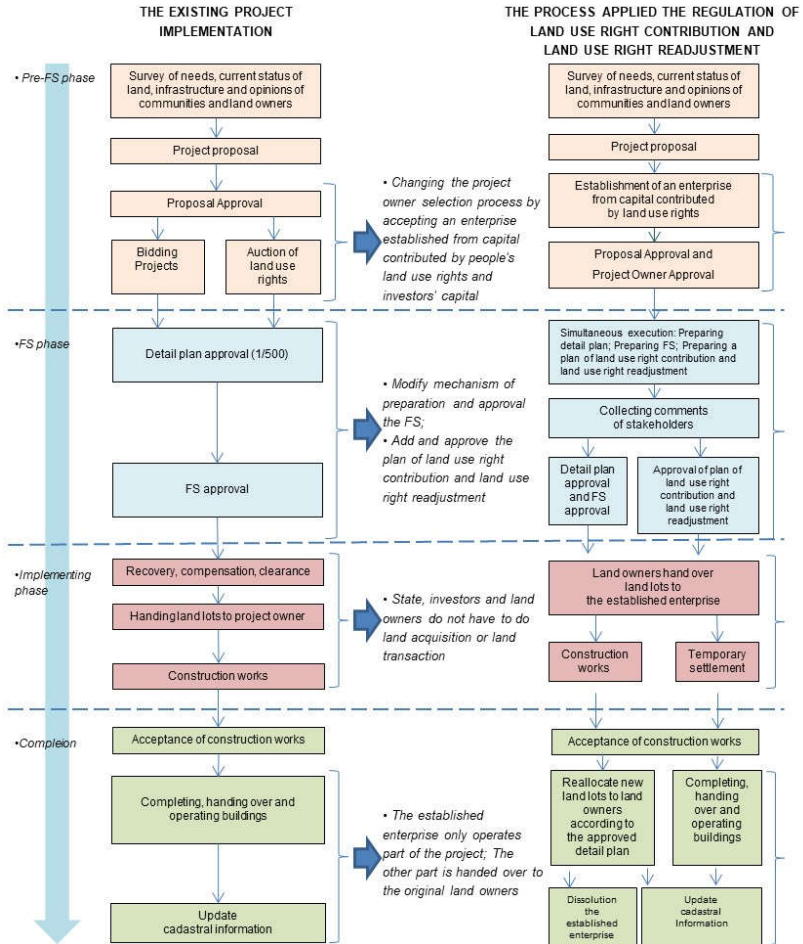


Fig 3.4: The project implementation process using the regulation of land use right contribution and land use right readjustment, in the city center of Hanoi Capital

- Evaluation of project criteria

- Legal status of land lots: Individuals and households living within the project area all have legal land use rights.

- The size of land lots: Within the project area, more than 80% of households own residential and agricultural land; Each household on average is over 100m². On that basis, calculate the value of the land use right of each household to contribute in the project implementation.

- Site potential ratio: $Y_o = 2,3 > 2$ that presents potential for application

- + Site feasibility index value: $\alpha = 1,55 > 1$ that presents potential economic efficiency of a plan.

- + Investment needs and opinions of the community: Because this is a simulation pilot, there is no basis to accurately assess the opinions of the community. However, this is a project to build social housing to serve the needs of low-income people. Therefore, the thesis assumes community consensus to implement this project.

- Establishment of enterprises from capital contributed by land use rights

The principle of determining the value of contributed capital is according to the market value and on the basis of the consensus of the parties. The base price that the land owners can negotiate is the price calculated according to the compensation price of the State. From this price, the land owners and the investor agree to have a consensus plan when contributing capital to establish the business. Table 3.7 illustrates the different agreement options.

c) Comparison of application

Land owners and investors are based on the capital contribution ratio to allocate real estate products after the project is completed.

Table 3.7: Comparison of profit/products distribution plans

| | The plan for the value of land use right according to the price of the State | | Scenario of 20% increase compared to the price of the State | | Scenario of 60% increase compared to the price of the State | |
|--------------|--|-----------------------------------|---|-----------------------------------|---|---------------------------------|
| | Ratio | profit/products | Ratio | profit/products | Ratio | profit/products |
| Land owners | 9,3% | 109 apartments 6 townhouses | 11,21% | 131 apartments 7 townhouses | 15% | 175 apartments 10 townhouses |
| Investor | 90,7% | 1,061 apartments 61 townhouses | 88,79% | 1.039 apartments 60 townhouses | 85% | 995 apartments 57 townhouses |
| Total | 1170 apartments and 67 townhouses | | | | | |

3.6. Discussing the research results of the thesis

a) About applying the regulation of land use right contribution and land use right readjustment

- The solution to establish an enterprise has been implemented by many countries, ensuring the participation, supervision and sharing of rights and responsibilities of the parties; in accordance with current legislation. However, this solution may give rise to problems such as: delay of negotiation; capacity issues of consulting units; lack of specific instructions on how to do it.

- Need to detail the plan of land use right contribution and land use right readjustment on Decree No. 01/2017/ND-CP; and it is necessary to ensure uniformity in the overall process of project implementation according to the law on urban planning and construction.

- The implementation of compensation, site clearance, land allocation and land lease is proposed on the basis of consensus of land users. The state is only involved in the case of dealing with a small number of people who disagree.

- Proposing the readjustment of the land use right certification upon completion of construction when the project applies LR without generating land transactions or land acquisition. In fact, this is a job under the functions of the State management agency and is still being implemented according to current regulations.

- Collecting comments of stakeholders: the collecting mechanism is implemented through the mechanism of shareholders in enterprises. This solution ensures the rights of land owners when participating in the project implementation, as well as the requirement to handle a small number of disagreements. In case of disagreement, they must follow the decision of the enterprise has been approved by the majority. The international experiences show that it is not feasible to reach for 100% of consensus. However, if the rate only just above 50%, it will not guarantee the stability and convenience for implementation. Therefore, it is necessary to have a study and review on specific norms for State management agencies as well as investors to conduct construction investment.

For the case where there are a few land owners who disagree: The State needs to recover, compensate and clear land for these people to ensure the interests of the majority.

b) About selection of areas and project application

The consideration and application of regulations on land use right contribution and land use right readjustment in project implementation need to be considered while doing the zoning plans. The zoning plan is the basis for identifying projects, so at this step, the State agency needs to figure out potential areas or types of projects to apply this regulations. In the context of Hanoi capital has covered the zoning plan, the review and selection of application areas is highly feasible, ensuring the legal basis as well as basic information for initial preparation of urban development projects.

Besides, the selection of projects according to investment needs (such as meeting community requirements or development orientation) can be done smoothly. These contents have also basically been identified in the urban planning or programs. The scale of the project applied in the first phase should be small

(projected with a scale of 5ha does not need detailed planning will be more convenient in terms of procedures in implementation).

For the group of criteria to assess the suitability of the project: the criteria proposed by the thesis are basically based on the current project management criteria. The thesis only proposes 5 criteria that need to be considered more specifically when applying the regulations on land use right contribution and land use right readjustment, of which there are 03 current criteria but are considered from a different angle to be more suitable with the current regulations and 02 proposed criteria learned from Japan. For the two new criteria, it is necessary to have more studies to provide specific parameters when assessing the suitability of the project in specific local conditions.

c) About the project implementation process

The thesis's proposed solution when adjusting the above 04 contents has the following advantages:

- Basic compliance with current legal regulations; point out the legal basis for application in implementation;
- There is no disturbance in the implementation process, thus ensuring feasibility and not causing major impacts when applied by investors, people and even State management agencies.

The new proposed process is a general, principled process; mainly specify 04 contents that need to be adjusted. In fact, the project implementation process includes many other secondary processes and procedures. Therefore, it is necessary to continue studying and perfecting legal regulations to guide in more detail and specifically the application of regulations on land use rights contribution and land use rights readjustment.

d) About results of pilot project

The pilot application leads to the following two specific results:

- First, the pilot shows the suitability and feasibility of the proposed project management criteria in terms of the collection, available information, simplicity of the methodology calculation;

- Second, the economic results show a clear effect when applying LR compared to the current plan that company are implementing.

However, the pilot application in the scope of the thesis also has some limitations, specifically as follows:

- Firstly, the data of the project are under the decision-making authority of the company and are all sensitive information closely related to the business plan, loss - profit, so the the accuracy of the data is also only at the reference level, may not be accurate with reality;

- Secondly, the pilot application of the thesis is only a simulation application, so it does not reflect all the difficulties that may arise in practice, as well as has not evaluated all the proposed solutions of the thesis in term of participation process.

CONCLUSIONS AND RECOMMENDATIONS

Conclusion

Currently, Hanoi city is gradually adapting to the process of rapid urbanization, the demand for urban development is increasing, requiring the cooperation of the community and the responsible participation of the people. Current limitations and inadequacies in the project implementation require new solutions to mobilize the participation of the community and harmonize the interests of stakeholders. LR has been implemented in many countries around the world is a solution that Vietnam in general and the central city of Hanoi capital in particular can consider applying. In order to successfully apply LR in implementing urban development projects, the thesis has studied and achieved the following results:

- Synthesizing, evaluating and selecting the characteristics of the land adjustment and measures to apply this method in the implementation of urban development projects in the world;

- Figuring out the mechanism in Vietnam when applying the land readjustment in the implementation of urban development projects, which is the regulation of land use right contribution and land use right readjustment;

- Proposing measures to apply the regulation of land use right contribution and land use right readjustment in the project implementation;

- Proposing the type of project, the group of evaluation criteria and the project implementation process using the regulation of land use right contribution and land use right readjustment

Recommendation

The results achieved by the thesis are general when applying a new method in the context of Vietnam in general as well as the central city of Hanoi capital in particular. These are the initial results, so it is necessary to continue to have in-depth studies on each group of issues that the overall solution of the thesis has proposed.

a) For State management agencies

- For the Ministry of Construction: it is necessary to soon study and advise documents detailing the formulation, appraisal and approval of urban development projects when applying the regulations of land use right contribution and land use right readjustment, from planning, project preparation, project implementation and completion;

- For the Ministry of Natural Resources and Environment: it is necessary to soon study and advise on detailed guiding documents on the land use right contribution and land use right readjustment in the project implementation with synchronization with the legal system;

- For other specialized ministries (MPI, MOF...): to advise and synchronously develop legal documents in the field of construction and natural resources and environment when using regulations on the land use right contribution and land use right readjustment;

- Ministries, sectors and localities shall organize a review of the practice of projects applying regulations on the land use right contribution and land use right readjustment, replication and dissemination of successful models; organize training and capacity building for stakeholders;

b) For investors: proactively improve the organizational structure of enterprises and organizations to promptly adapt to the use of regulations on the land use right contribution and land use right readjustment.

c) For the people: raising awareness and role in participating with the State and investors in urban development.

d) For experts, researchers

Continuing studies on a number of other technical issues such as: technical guidance for investors, people can dialogue and agree with each other when participating in project proposals, contributing capital by land use right and business establishment; how to get people's opinions; mechanism for reporting, explaining, monitoring and criticizing...; rate of consensus for each case; land use right contribution ratio, calculation formula; how to determine the value of reserve land, distribution ratio...; profile composition, project content. These studies are the basis for State management agencies to refer to when developing legal documents.

LIST OF SCIENTIFIC WORKS OF THE AUTHOR RELATED TO THE THESIS

1. Nguyen Du Minh (2019), *Legal basis for applying land adjustment method in urban construction investment management in Vietnam*; Vietnam Construction Magazine (ISSN 0866-0762), 11/2019.
2. Nguyen Du Minh (2020), *Completing legal regulations on land use right contribution and land use right adjustment when managing investment and construction of urban areas in Vietnam*; Vietnam Construction Magazine (ISSN 0866-0762), 2/2020.