Sector Background & Challenges

Since the adoption of the “Doi Moi” Policy, Vietnam has made continuous efforts to accelerate institutional reform. The strategy on improvement of the legal system and judicial reform have been developed and persistently followed. However, several priority issues of the legal and judicial reform agenda require stronger efforts, including delay in promulgation of legal documents, duplication or conflicts internally or with other legislation and lack of transparency, high ratio of errors in adjudication and the investigation process.

In order to build an action-oriented and facilitating government with integrity, the remaining challenges need to be resolutely addressed. The state administration does not function efficiently due to the cumbersome apparatus and the personnel administration system fails to motivate public employees. Limitations of intergovernmental and inter-provincial coordination lead to fragmented management and loss of efficiency.

Policy of the Government of Vietnam

Below are the major strategies of Vietnam in the Governance sector.

• Rule of Law
  Vietnam aspires to shift to a modern country ruled by law and establish a socialist-oriented market economy. For this to come true, Vietnam undertakes the establishment of basic laws and reform of the judicial system by 2020, such as improvement of the operation and execution system of legal normative documents.

• Government Effectiveness
  Vietnam focuses on building a streamlined, efficient and effective political apparatus including party, government and socio-political organization until 2020. For that purpose, Vietnam aims at reviewing the function/integration of organizations, reform the civil service system and capacity development of civil servants and party members.

• Quality of Legislation (National Assembly)
  In accordance with the 2013 Constitution, Vietnam strengthens the legislative, representative and oversight function of the National Assembly.

JICA’s Assistance Strategy

Good Governance for economic development and fair, equal society

JICA comprehensively supports Vietnam’s effort toward good governance making the most of the experience and knowledge of Japan accumulated in government/legal reform and capacity development.

• Rule of Law
  JICA supports the reform of the judicial system by institutional capacity development of the legal and judicial organization to deal with inconsistency in legal normative documents as well as undertaking uniform implementation and application of legal normative documents.

• Government Effectiveness
  For effective operation of the political and administrative apparatus, JICA strengthens administrative capabilities of civil servants and Vietnamese leaders. Emerging issues such as cyber security and maritime security are also supported.

• Quality of Legislation (National Assembly) and people’s participation in politics
  JICA focuses on capacity development of deputies and the Office of National Assembly (ONA). To promote people’s participation in the policy making process, JICA supports ONA’s public relations activities and strengthening of capacity of the media such as Vietnam Television (VTV) in terms of content and broadcasting.

Rule of Law
• Establishment of Basic Laws
• Judicial Reform to build consistent, fair, transparent legal system

Government Effectiveness
• Capacity Development of Leaders and Officials

Quality of Legislation
• Improving legislative function of the National Assembly

Voice and Accountability
• People’s participation in politics and administration
• Accuracy and transparency of media information
Good Practice (1)

- Project in the Legal and Judicial Field (Phase 1-3) (1996-2007)
- Project for Legal and Judicial System Reform (Phase 1-2) (2007-2015)
- Project for Harmonized, Practical Legislation and Uniform Application of Law Targeting Year 2020 (2015-2020)

Project Outline

JICA launched the Project in the Legal and Judicial Field in Vietnam in 1996. The core of the project was support for the drafting of legal normative documents in the civil and commercial law fields by Japanese experts and capacity development of legal professionals. JICA has also contributed to the completion of various legislative bills and development of practical manuals in accordance with the Vietnamese plan on legislation for the last 20 years. Along with the development of a market oriented economy and Vietnam’s implementation of the strategy for the legal and judicial system reform, the most recent project aims at resolving problems of undeveloped laws and regulations or inconsistency among them in order to create a better business environment in Vietnam.

Project Outcome

15 fundamental laws have been adopted and more than 650 Vietnamese legal professionals have learned about the law and legal system in Japan, which contribute to form the basis of the legal system in Vietnam. Also, continuous recommendation from Japanese experts resulted in the introduction of a judicial precedent system in 2014 and this system is the first step for the universal application of the law. Moreover, people’s access to justice has improved through the establishment of the Vietnam Bar Federation in 2009, a nationwide association of Vietnamese lawyers.

Future Prospect

JICA continues to support legal and judicial reform in Vietnam, which will continue to align with the 2013 Constitution and the Resolution of the Politburo of the Central Committee of the Communist Party of Vietnam. Also, JICA wishes Vietnam will be a supporter of legal and judicial reform of other countries together with Japan.

Comment by Dr. Le Thanh Long, Minister of Justice

“The greatest achievement of JICA’s cooperation in Vietnam for over 20 years is the development of human resources. We highly evaluate this cooperation. This is a long-term and sustainable achievement.”

<History and future chart of Cooperation for Legal and Judicial Reform>
Good Practice (2)


Project Outline
JICA updated the training methods and management of Ho Chi Minh National Academy of Politics for capacity development of public leaders and civil servants with a particular focus on the Potential Strategic Leaders Training program. Also, some of the participants joined training in Japan focusing on Japanese experience in priority issues of Vietnam. JICA also supported lecturers of the National Academy of Public Administration to develop a Master of Public Policy Program.

Project Outcome
- 511 officials participated in the Potential Strategic Leaders Training program in Vietnam and 113 of them attended training in Japan.
- Lectures at Ho Chi Minh National Academy of Politics became more practical by adopting an active learning method (blending lecture, group discussion and presentation) and with the Plan-Do-Check-Action (PDCA) cycle.
- National Academy of Public Administration started Master of Public Policy Program.

Future Prospect
Ho Chi Minh National Academy of Politics and JICA expert disseminate knowledge on training management to Regional Academies and Provincial Political Schools in 63 provinces.

Good Practice (3)

Capacity Development of the Office of the National Assembly of Vietnam (Phase 1-2) (2010-2021)

Project Outline
As the roles and functions of the National Assembly (NA) strengthened in the Vietnamese political system, the Office of National Assembly (ONA) has faced the strong necessity to cope with an increasing role in supporting NA deputies and NA discussions. The Project assists ONA to strengthen its capacity in drafting legal documents, doing research in order to equip NA deputies with necessary and sufficient information.

Project Outcome
JICA supported ONA to establish Law Making Guidelines for NA Deputies and to amend 5 important laws under the 2013 Constitution. The research function of the NA Library of Vietnam significantly improved through on-the-job training at the National Diet Library of Japan. Library staff launched quarterly reports according to the needs of the deputies and established a new reading room in the NA building.

Future Prospect
ONA further develops legislative function through on the job training at the Legislative Bureau of the House of Representatives of Japan. Digital library system will enable NA deputies to access necessary information. These contribute to the quality of law making and discussion of NA.
# PROJECTS IN VIETNAM:

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JICA’s New Vision from 2017

**Mission**

JICA, in accordance with the Development Cooperation Charter, will work on human security and quality growth.

**Vision**

**Leading the world with trust**

JICA, with its partners, will take the lead in forging bonds of trust across the world, aspiring for a free, peaceful and prosperous world where people can hope for a better future and explore their diverse potentials.

**Actions**

1. **Commitment:**
   Commit ourselves with pride and passion to achieving our mission and vision.

2. **Gemba:**
   Dive into the field (“gemba”) and work together with the people.

3. **Strategy:**
   Think and act strategically with broad and long-term perspectives.

4. **Co-creation:**
   Bring together diverse wisdom and resources.

5. **Innovation:**
   Innovate to bring about unprecedented impacts

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