

# EXPLANATIONS OF RESPONSIBILITY FOR CADRES, AND CIVIL SERVANTS ACCORDING TO THE LAWS IN VIETNAM

## EXPLICAÇÕES DE RESPONSABILIDADE PARA CADRES E FUNCIONÁRIOS CIVIS DE ACORDO COM AS LEIS DO VIETNÃ

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**Received:** 25 Jan 2023

**Accepted:** 2 April 2023

**Published:** 6 April 2023

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**Abstract:** Cadres and civil servants are people working in the public agencies of Vietnam. Accountability for cadres and civil servants are mandatory regulation for public agencies, demonstrating the sense of responsibility of cadres and civil servants for their assigned tasks. The sense of responsibility for performing tasks when assigned by the Communist Party of Vietnam (Party), Government, or superiors, whether big or small jobs, difficult or easy tasks, etc. All must be done until the end, overcome all difficulties, and make it successful. Because, the nature of the State of Vietnam as stated Constitution (2013) is “a socialist rule of law state, of the people, by the people, for the people”. Therefore, performing accountability to the people is an obvious obligation of the state in general and of cadres and civil servants. Within the scope of this article, the authors focus on analyzing accountability to serve as a basis for proposing solutions to tighten discipline, administrative discipline, and forms of disciplining officials and civil servants in the context of international integration to suit reality, and at the same time, contribute to building and perfecting the socialist rule-of-law State of Vietnam in a better and greater new period.

**Keywords:** Accountability. Responsibility. Discipline. Cadres. Civil servants.

**Resumo:** Quadros e funcionários públicos são pessoas que trabalham nas agências públicas do Vietnã. A prestação de contas dos quadros e servidores públicos é norma obrigatória para os órgãos públicos, demonstrando o senso de responsabilidade dos quadros e servidores pelas tarefas que lhes são atribuídas. O senso de responsabilidade pela execução de tarefas quando atribuídas pelo Partido Comunista do Vietnã

(Partido), Governo ou superiores, sejam grandes ou pequenos trabalhos, tarefas difíceis ou fáceis, etc. Tudo deve ser feito até o fim, superar todas as dificuldades e torná-lo bem sucedido. Porque, a natureza do Estado do Vietnã conforme a Constituição declarada (2013) é “um estado de direito socialista, do povo, pelo povo, para o povo”. Assim, a prestação de contas ao povo é uma obrigação óbvia do Estado em geral e dos quadros e funcionários públicos. No âmbito deste artigo, os autores centram-se na análise da prestação de contas para servir de base à proposição de soluções de reforço da disciplina, da disciplina administrativa e das formas de disciplinar funcionários e funcionários públicos no contexto da integração internacional de acordo com a realidade e, ao mesmo tempo, tempo, contribuir para a construção e aperfeiçoamento do estado de direito socialista do Vietnã em um novo período melhor e maior.

**Palavras-chave:** Prestação de contas. Responsabilidade. Disciplina. Quadros. Funcionários públicos.

## 1. Introduction

Since the Law on Cadres and Public Employees (2008) was born and took effect on January 1, 2010, it is considered a document with the highest legal value applied to cadres and civil servants. at that time, and very specific regulations on the rights and obligations of cadres and civil servants. However, the law has not yet devoted a single chapter to fully and in detail about the accountability of civil servants, and recently the National Assembly has amended and supplemented a number of articles of the Law on Cadres, Civil servants, and public servants. Law on Public Officials, and in 2019 promulgated the Law amending and supplementing a number of articles of the Law on Cadres and Civil Servants and the Law on Public Employees (This Law takes effect from July 1, 2020), but it is still not necessary. pay attention to the content of explanations of the contingent of cadres and civil servants working in the state apparatus.

Meanwhile, the Law on Prevention and Combating of Corruption (2018) has introduced the concept of accountability, according to which: “Accountability is the fact that competent agencies, organizations, units, and individuals clarify information. timely and fully explain their decisions and behaviors while performing their assigned tasks or official duties”. And according to Clause 1, Article 15 of the Law on Anti-corruption 2018 stipulates accountability as follows: Agencies, organizations, units, and individuals are responsible for explaining their decisions and acts in the field of law. performance of assigned tasks or official duties at the request of agencies, organizations, units, and individuals directly affected by such decisions or acts. The person carrying out the accountability is the head of an agency, organization, or unit or the person assigned or legally authorized to do the accountability.

The explanation of cadres and civil servants when the occurrence of events affects the correctness in the performance of duties and public duties. Responsibility here is understood as a must-do, of the subject’s own nature and is also a “responsibility” according to regulations that are required to explain, present and clarify the legal obligations to perform and determine to specify how far it has been done, why it hasn’t been done, where the problems are, etc. Accountability itself is not only a legal responsibility, a responsibility in the performance of public duties, but above all, a political responsibility, and a public moral responsibility of the person who exercises state power.

## 2. Literature Review

Pursuant to Article 3 of Decree No. 59/2019/ND-CP stipulating the content of the explanation as follows: Legal basis for issuing decisions and performing acts. Authority to issue

decisions and perform acts. Order and procedures for issuing decisions and performing acts. Contents of decisions and acts are detailed in Chapter II of Decree No. 59/2019/ND-CP dated July 1, 2019, of the Government.

Conditions for receiving requests for explanation are specified in Article 4 of Decree No. 59/2019/ND-CP: Individuals requesting explanations have full civil act capacity or have a representative as prescribed by law. The agency, organization, or unit that requests an explanation has a lawful representative of its agency, organization, or unit. Decisions and acts of the agency, organization, or unit that are requested to be explained directly affect the lawful rights and interests of the agency, organization, unit, or individual requesting explanation (Article 4). As follows:

(i) Accountability to superiors: Managers must rely on the provisions of the law, and comply with regulations, rules, guiding documents, and instructions of superiors related to their responsibilities. Tasks and powers are assigned to clarify the causes of success and failure of the work they are in charge of, and at the same time must attach the responsibility of the individual to the work results of the agency or unit. Making explanations to superiors is a way for leaders to show their ability and bravery in the process of operating at the unit, a testament to the leader's ability to "dare to think, dare to do, dare to endure" modern leadership and management;

(ii) Accountability to subordinates: The science of leadership and management shows that: The head of an organization is like a guide, guides, and mobilizes the intellectual concentration and capacity of subordinates to conspiracy in common. Therefore, in order to fulfill the assigned responsibilities and tasks well, the manager must be able to explain them to his subordinates. Accountability does not only take place after the job is completed but it must be explained in all 3 stages: preparation, implementation, and completion of the task. Explain to associates and subordinates to understand the goals and requirements of the job; duties of each person; be aware of available resources, advantages, difficulties, and risks that may be encountered to proactively respond to plans. Explaining to subordinates also has the meaning of motivating and mobilizing the positivity, initiative, and creativity of subordinates for assigned tasks; the explanation after the end of the activity is the analysis and evaluation of results, advantages, limitations, causes, and lessons learned;

(iii) Accountability to the people: This is an easy job, but it is actually extremely difficult. Firstly, the people as the masters of society, cadres, and civil servants are "public servants of the people". The servant always finds it difficult and pressured to explain and explain everything to his master, that is common psychology. Second, the people are a collection of people from all

walks of life, differing in their perceptions, qualifications, perspectives on problems, etc. Therefore, it is not easy for everyone to understand one or a group of problems. Third, there is never an absolute unity of thought in society, so when approaching a particular issue, the state often encounters the “reaction” of people or groups of people who do not share the same opinion. Finally, not all issues can be specifically explained to the people, especially the technical work of the administration, the internal regulations of the organization, or related issues. to national defense, security, etc. But, no matter how difficult it is, sooner or later, sooner or later, competent cadres must explain to the people to understand, because after all, all activities of the State and of the cadres, Party members all aim for a common goal: Rich people, strong country, fairness, democracy, and civilization;

(iv) The accountability of state agencies in law enforcement can be understood as the responsibility and obligation of the head in clarifying information and promptly and fully explain the activities conducted by law enforcement agencies. implementing agencies aim to realize the requirements of the law, bring the law to life and be responsible for the effectiveness of law enforcement according to their assigned functions and tasks. The person carrying out the accountability is the head of an agency, organization, or unit or the person assigned or legally authorized to do the accountability.

To organize the implementation of legal documents after being promulgated, according to the provisions of Article 183 of Decree No. 34/2016/ND-CP dated May 15, 2016, of the Government detailing a number of articles and measures to implement the Law on Promulgation of Legal Documents, “legal documents must be organized for timely and effective implementation”. In order to improve the efficiency of law enforcement, on February 26, 2018, the Prime Minister signed Decision No. 242/QD-TTg approving the Scheme for renovation and improvement of organizational efficiency. Law enforcement in the 2018-2022 period. The overall goal of the Project is to implement some basic solutions to innovate and improve the efficiency of law enforcement, toward the goal of building a house. socialist rule of law, enhancing the effectiveness and efficiency of the legal system; step by step overcoming the current limitations and inadequacies in the law enforcement organization, creating a premise for a drastic change in law enforcement activities.

According to the law, the accountability of state agencies in the process of law enforcement is carried out through the implementation of the following groups of basic activities:

Promulgate documents guiding the implementation of documents of superiors or concretize, detail, or suit specific characteristics of branches and localities in which state administrative agencies perform their management tasks;

Formulating, promulgating, or implementing strategies, programs, plans, and plans to implement legal documents issued by their superiors or issued by themselves;

Decide on measures to organize law enforcement;

Organization of apparatus, personnel, equipment, budget, and other conditions to ensure law enforcement;

Organize activities to disseminate and propagate the law;

Conduct activities of inspection, examination, handling of violations, settlement of complaints, denunciations, and recommendations in the course of law enforcement.

The nature of the State of Vietnam as stated in the 2013 Constitution is “a socialist rule of law state, of the people, by the people, for the people”. Therefore, carrying out accountability to the people is a natural obligation of the state. However, not everyone, not every time and not everything of the state has to be explained to the people. The explanation and explanation of the state’s work, responsibilities, and duties of cadres and civil servants to the people must comply with the order and procedures prescribed by law. Because in a rule of law, the law must be respected. Uncle Ho taught “Hundreds of things must have the spirit of the law” is like that.

In addition, the heads of agencies, units, and localities must also perform accountability to organizations at the same level (horizontal accountability).

Systems theory shows us that all the work of the state must be placed in a whole with multidimensional relationships, forming a system with organic relationships with each other. Therefore, when all levels and branches perform their functions, tasks, and powers according to their competence (by function or by territory), the coordination and provision of information to each other are also considered a responsibility to solve the problem. submit. Because state work is very complex, with many branches and fields, covering the entire space of the country and beyond, the assignment, division of duties, and decentralization of management are only relative. Therefore, horizontal accountability is the best way to create unity and synchronization, and enhance the effectiveness and efficiency of the state’s operations.

According to President Ho Chi Minh (2011a): “What is a sense of responsibility? When the Party, Government, or superiors give us anything, no matter how big or small, difficult or easy, we also put our spirit and force to work until we reach our destination, overcome all difficulties, and make success. Do it carelessly, make trouble, make it difficult to quit, beat the

drums, do something wrong, etc. there is no sense of responsibility”. Thus, from Ho Chi Minh’s point of view, it can be broadly understood that the responsibility of cadres and party members in general, and of the head, in particular, is to fulfill the assigned tasks, duties, tasks, and authority. or personal commitments before the Party, State, especially to the people, if they do not perform or perform improperly or poorly or make mistakes due to subjectivity and willpower, they must receive adverse consequences. about myself.

In addition, Ho Chi Minh also pointed out the “error” that today, our administrative apparatus is making: “Many People’s Committees, once they receive any orders from their superiors, only know how to stick their heads out. doing the exact same thing, doing it mechanically. They do not know how to adapt according to local circumstances, depending on the situation from time to time, do not know how to change, do more or less to be appropriate, etc. Many members of the Committees, who have been clearly assigned, have taken charge of a certain task, do not know how to think about how to practice their work effectively, and most of all, they only require the owner president or superior, do not know self-determination, self-determining, etc.” (Minh, 2011b).

According to Ho Chi Minh, the responsibility of cadres and party members should not only stop at “telling how to do it, where to go wrong” and “beating it up” but must be dynamic and creative like “We have to have our eyes. look, have brains to think, hands to do” (Minh, 2011c). To do this, Uncle Ho asked officials and civil servants to be “automatic” in performing their duties. According to Ho Chi Minh: “Automatic is not arbitrary. Many people understand that the meaning of automatic is completely wrong, do not consider political discipline, do whatever they want, just do it arbitrarily, do not discuss it with anyone, do not follow the laws issued by the Government, not based on the will of the people, etc. By acting like this, those committees have unknowingly caused many things that are harmful to the government’s reputation, making the people complain and complain”. To overcome the “error” of the lack of “automatic” of officials and civil servants. Ho Chi Minh (2011b) pointed out: “Not having to rely on anyone, it is knowing how to turn the newspaper around, knowing how to practice work in many new and diverse forms” and the staff in the People’s Committees must forge a strong automatic spirit, but having to give up whatever is arbitrary, etc.”. At the same time, he also requested, upholding the sense of responsibility for the work and the assigned tasks, to be proactive and positive, to build a scientific working style, to do everything there must be a plan, to have a plan. develop reasonable programs to achieve results and be able to predict the situation, ready plans, and preventive measures, to limit failures and unfortunate risks. So,

according to Ho Chi Minh's point of view: "Enthusiasm is not enough, you must have a plan and a direction" (Minh, 2011a).

Thus, the responsibility and accountability of the head have a close relationship with each other: wherever the powers and duties are, the head must be responsible and accountable to that point. This also means the principle that no rights and obligations belong to one person, but responsibility and accountability are the work of others (*Van, et al., 2021*). Therefore, in the process of building and perfecting the socialist rule of law state in Vietnam, and renewing the leadership method in the new and new context, it is important to pay attention to and promote accountability for the team. cadres and civil servants are now very important in the context of international integration and the 4.0 technology revolution which is having a strong impact on countries around the world in general and Vietnam cannot avoid it (Van, 2022).

### 3. Results and discussion

Practice accountability in accordance with the law of Vietnam

The Government's Decree No. 90/2013/ND-CP dated August 8, 2013, are the first legal documents to introduce the concept of accountability, which means that "state agencies provide, explain, clarify information on the performance of assigned tasks and powers and their responsibilities in the performance of such tasks and powers. According to the Law on Anti-Corruption (2018), the concept of accountability is understood: as "A competent agency, organization, unit or individual clarifying information, promptly and fully explaining information about their decisions and acts while performing their assigned tasks or public duties". And, the Law on Anti-Corruption (2018) stipulates accountability with the meaning and desire to be an effective anti-corruption measure. Accordingly, the Law stipulates the case of explanations at the request of agencies, organizations, units, and individuals and at the request of answers published in the press. The person who performs the explanation is defined as the head of the agency, organization, unit, or the person assigned, who is legally authorized to carry out the accountability. The law also indirectly provides for accountability in monitoring activities and in a number of other activities. The explanations in these cases shall be made in accordance with relevant laws. Decree No. 59/2019/ND-CP dated July 1, 2019 detailing and guiding a number of articles and implementation measures of the Law on Anti-Corruption has devoted a chapter with 12 articles to detailing This issue including (i) Contents and conditions for receiving requests for explanations, cases of refusal of requests for explanations, contents that are not within the scope

of explanations and the responsibility of the head in performing his/her responsibility accountability; (ii) Rights and obligations of the person requesting the explanation and the person performing the accountability; (iii) Order and procedures for accountability.

In the provisions of the Law on Anti-corruption (2018) and Decree No. 59/2019/ND-CP on accountability are inherited and developed on the basis of the provisions on this issue in the Law on Anti-corruption. corruption in 2005 and Decree No. 90/2013/ND-CP. It clearly identifies the contents that are not within the scope of explanation, including those belonging to state secrets, private life secrets, personal secrets, and business secrets as prescribed by law; contents of direction, administration, and organization of the performance of tasks and official duties within agencies, organizations or units that have not yet been promulgated or implemented, or contents of direction and administration of superior agencies with subordinate agencies (Hongvan, 2020 & Hongvu, 2021). These are also content that is not made public or that is restricted from being made public under certain circumstances.

The reality of summarizing the implementation of the 2005 Law on Anti-corruption shows that there are not many requests and explanations over the three years of implementation (from 2013 to 2016). As of 2016, state agencies only received and explained 17/17 requests from the people. This number is too small compared to other requests such as complaints, denunciations, petitions, and reflections. This is explained by the novelty of this regulation and the familiarity with using the people's right to complain and denounce.

Because it is not regulated into specific and direct contents as in the Law on Anti-corruption and its guiding documents, the implementation of accountability still takes place in public affairs. with diverse forms, on the basis of exercising the right to monitor and request. This spirit has also been codified in Clauses 2 and 3, Article 15 of the 2018 Law on Anti-corruption. The explanation is not only done as required but also in the process of performing tasks, official duties of subordinates to superiors, of persons performing official duties with persons competent to assign tasks; give explanations in the process of verifying, clarifying issues related to complaints, denunciations or verifying the declaration of assets and income of persons with positions and powers; give explanations when the press publishes information about violations of the law and requests answers to issues related to the performance of assigned tasks and public duties; and explain at the request of the supervisory authority or another competent agency, organization, unit, or individual, etc.

It can be said that if the approach to accountability in public affairs is wide-ranging, in addition to the specific regulations on accountability in the Law on Anti-corruption and Decree



No. 59/2019/ND-CP, the explanation is quite diverse, done in many contents and fields. Which, the explanations to voters in the sessions of the National Assembly, the Standing Committee of the National Assembly, and the meetings of the People’s Councils at all levels are popular and are being implemented effectively, contributing to the provision of information and clarifying responsibilities on issues of concern to voters. In addition, the explanation of issues mentioned and reflected by the public and the media has also been carried out by state agencies and competent people, bringing about positive effects in recent times.

The main research results on the accountability of all levels of government to the people. Table 1 presents the score results in 2021 of 4.29 compared to 2020 of 4.91 on a scale of 1 to 10, the content index of the provinces and cities in four quadrants (the group with the highest score), the group with the high average score, the group with the low average score, and the group with the lowest score). Results at the indicator level on the effectiveness of the interaction between the government and the people when there are requests, complaints, and denunciations of citizens as well as the level of trust of the people in the civil dispute resolution mechanisms. In the year 2021. Meanwhile, the results of the content index scores of the provinces and cities in four quartile groups (the group with the highest score, the group with the high average score, the group with the low average score, and the group with the highest score) in Figure 2 shows the results of comparing scores of each province and city over two years: 2020 is 6.96 and 2021 is 6.84.

**Table 1. List of components of the Content Index 3 “Accountability to the people” from 2020-2021 (PAPI, 2021)**

Ingredient	Description of content index, component content, and component indexes	Scoring Scale National GPA		Scoring Scale National GPA	
		Min	Max	PAPI 2020	PAPI 2021
Content index 3	Accountability to the people	1	10	4.91	4.29
Component Contents 1	Level and effectiveness of contact with authorities	0.33	3.3	2.02	1.99
Component Content 2	Respond to complaints, denunciations and questions of the people	0.33	3.3	0.95	0.49
Component Content 3	Access to legal services	0.34	3.4	1.94	1.81
S1. Level and effectiveness of	Percentage of respondents who said they contacted the village	0%	100%	29.14%	29.10%

contact with authorities	head/TDP leader to resolve the problem (%)				
	Percentage of respondents who said that the meeting with the village head/TDP leader to solve the problem had good results (%)	0%	100%	91.78%	91.08%
	Percentage of respondents who said that they had contacted the commune/ward People's Committee staff to solve their problems (%)	0%	100%	20.11%	17.67%
	Percentage of respondents who said that the meeting with the commune/ward People's Committee officer to solve the problem had good results (%)	0%	100%	90.27%	90.45%
	Percentage of respondents who said that they contacted mass officials to solve their problems (%)	0%	100%	12.27%	11.23%
	Percentage of respondents who said that meetings with mass organizations to solve problems had good results (%)	0%	100%	96.33%	93.68%
	Percentage of respondents who said that they had contacted the staff of the Commune/ward People's Council to solve the problem (%)	0%	100%	5.44%	4.65%
	Percentage of respondents who said that the meeting with the commune/ward People's Council officer to solve the problem had good results (%)	0%	100%	93.68%	89.56%
	S2. Respond to complaints, denunciations, and questions of the people	Percentage of respondents who said they had sent recommendations, denunciations, denunciations, complaints to local authorities (%)	0%	100%	22.40%
	Percentage of respondents who submitted recommendations, denunciations, denunciations and complaints that the government responded satisfactorily (%)	0%	100%	19.31%	20.23%
S3. Access to legal services	Percentage of respondents trusting the courts and local judicial authorities (%)	0%	100%	88.38%	86.91%

	Percentage of respondents who said that they would use local courts when having a civil dispute (%)	0%	100%	84.92%	73.90%
	Percentage of respondents who said that they would use non-court measures when having a civil dispute (%)	0%	100%	4.46%	10.46%

**Table 2. List of sub-indices of Sub-Index 4 “Controlling corruption in the public sector” from 2020-2021 (PAPI, 2021)**

Ingredient	Description of content index, component content, and component indexes	Scoring Scale National GPA		Scoring Scale National GPA	
		Min	Max	PAPI 2020	PAPI 2021
Content index 4	Control corruption in the public sector	<b>1</b>	<b>10</b>	<b>6.96</b>	<b>6.84</b>
Component Contents 1	Control corruption in local government	<i>0.25</i>	<i>2.5</i>	<i>1.73</i>	<i>1.67</i>
Component Content 2	Control corruption in public service delivery	<i>0.25</i>	<i>2.5</i>	<i>2.06</i>	<i>2.01</i>
Component Content 3	Equity in recruitment in the public sector	<i>0.25</i>	<i>2.5</i>	<i>1.22</i>	<i>1.21</i>
Component Content 4	Local government’s determination to fight corruption	<i>0.25</i>	<i>2.5</i>	<i>1.95</i>	<i>1.94</i>
S1. Control corruption in local government	The proportion of respondents saying that government officials do NOT use public funds for personal purposes (%)	0%	100%	68.92%	67.84%
	The proportion of respondents saying that people do NOT have to pay extra money to receive a land use right certificate (%)	0%	100%	63.95%	59.99%
	Percentage of applicants for land use right certificates who have to share expenses (% of people carrying out procedures)	100%	0%	46.46%	47.57%
	Proportion of respondents saying that people do NOT have to spend extra money to get construction permits (%)	0%	100%	64.59%	62.16%
S2. Control corruption in public service delivery	Percentage of respondents who said that people do NOT have to spend extra money to get better care when going to a district hospital (%)	0%	100%	69.74%	66.27%

	Percentage of people using medical examination and treatment services who have to share expenses to get better care for themselves or their loved ones (% of users)	100%	0%	44.24%	51.45%
	Percentage of respondents saying that parents of primary school students do NOT have to spend extra money to get more attention from their children (%)	0%	100%	73.91%	71.65%
S3. Equity in recruitment in the public sector	Percentage of respondents who said that they did NOT have to pay 'pawns' to get a job in a government agency (%)	0%	100%	54.76%	53.27%
	The personal relationship with authority is not important when applying for 1 of 5 positions asked (0=very important; 5=not important at all)	0	5	1.59	1.61
S4. Local government's determination to fight corruption	Percentage of people who said they were NOT asked for a bribe in the past 12 months (%)	0%	100%	97.47%	96.71%
	Percentage of people saying that the provincial/city government has seriously dealt with corruption cases in the locality (%)	0%	100%	50.32%	48.13%
	The amount of money demanded for bribes from people starting to report (unit 1,000 VND)	0	150,000	26,012	26,425
	The person accused of asking for a bribe (%)	100%	0%	3.68%	5.03%

This sub-index measures people's perceptions and experiences of the effectiveness of anti-corruption at all levels of government through four components. The index also reflects the level of tolerance of corruption of the people as well as the determination of the government and the people to reduce corruption. The four components that make up Sub-Index 4 include "Controlling corruption in local government", "Controlling corruption in public service delivery", "Equality in the recruitment of human resources into the public sector" and "Determined to fight the corruption of local government". Results in the content index of people's assessment of the level of corruption, the status of selflessness in recruitment into the state sector, as well as the status of 'shared spending' in the new/renewed/reissued use right certificates land use and medical care services at district public hospitals by the unit of province and city in 2021.

*From the practical basis and legal documents of Vietnam, the authors conclude as follows: the accountability of officials and civil servants working in the housing apparatus in Vietnam is mandatory. when performing tasks assigned by the Party and State. Therefore, the accountability of cadres and civil servants must first ensure compliance with Vietnamese law and uphold a sense of responsibility, public service ethics, publicity, transparency, and honesty. with the content of reports, explanations when exercising authorized or decentralized powers, and a commitment to take full responsibility for the results of the performance of assigned functions and tasks (Duchiep et al., 2022).*

*Some solutions to improve the accountability of cadres and civil servants in accordance with Vietnamese law*

*After nearly 40 years of implementation of the renovation work (starting from the Sixth Party Congress, 1986) and more than 30 years of implementing the Platform for national construction in the transition to socialism (Communist Party of Vietnam, 1991), the theory of the renovation line, socialism and the way to socialism in our country has been improved and gradually realized. The country of Vietnam has achieved great achievements of historical significance, and strong and comprehensive development compared to the previous years of renovation. The scale and level of the economy have been raised. People's lives have been significantly improved, both materially and spiritually. Our country has never had the opportunity, potential, position, and international prestige like today.*

However, in the situation that the world and the country have both advantages, opportunities, and difficulties, and challenges are intertwined, many new problems and new requirements are heavier and more complicated for the construction industry. and defending the Fatherland requires the entire Party, people, and army to unite with one heart, and continue to strongly renew thinking, in which, the role of the contingent of cadres and civil servants serving in the Ministry of Industry and Trade. State machinery holds a very important position in the process of implementing the guidelines, guidelines, and policies of the Party and State (Trung & Van, 2020a & 2020b). Therefore, in order to meet the integration process before the trend of globalization, the 4.0 technology revolution, to ensure the sustainable development of the country, the role of cadres and civil servants is very important (Van, 2022). Therefore, the contingent of cadres and civil servants needs to uphold the spirit of serving the country, serving the people, etc. In particular, it is necessary to uphold the sense of accountability in accordance with the provisions of Vietnamese law before the Party, State, people, and society, creating trust for organizations, businesses, and investors. To do well the accountability of each individual cadre and civil servant, it is necessary to promptly and flexibly implement a number of solutions as follows:

Firstly, it is necessary to concretize accountability in public service activities, in which, accountability is considered a mandatory obligation for individual cadres and civil servants in terms of accountability to the people, society, and agencies. government. At the same time, specifying the responsibilities of each individual cadre and civil servant in explaining to agencies, units, and organizations, and the explanation in public service activities must strictly follow current regulations. in the Law on Anti-corruption and Decree No. 59/2019/ND-CP. In addition, soon there will be a document amending and supplementing regulations on concretizing the provisions in Clause 3, Article 29 and Clause 3, Article 37 of the Law on Organization of the Government in 2015, amendments and supplements in 2019 on the implementation of the regime. to report to the People through the mass media on important issues under the jurisdiction of the Government and the Prime Minister, ministers, and heads of ministerial-level agencies. In addition, it is necessary to clearly define this responsibility in the Decree defining the functions, tasks, powers, and organizational structure of ministries and ministerial-level agencies, as well as in Decrees on functions, tasks, powers, and organizational structure of each ministry and ministerial-level agency. On the other hand, it is also necessary to specify specifically which responsibility is the responsibility of the individual head of the agency, unit, or organization, and which is the responsibility of the collective, in order to clearly define the accountability before Party, State, and People.

Secondly, regularly propagate and promote the supervisory role of society and people in promoting the accountability of state agencies and competent people. In addition to the accountability of individual cadres and civil servants, it is necessary to uphold the role and accountability of the People's Council when explaining important issues affecting the lives of the majority. people, society, organizations, and businesses. The explanation must comply with the provisions of the Law on Anti-corruption and the Decree guiding the implementation has not been paid attention to.

Third, the Party and State need to inspect and review the synchronous construction between the Party's documents and legal documents on the disciplinary handling of individual cadres and civil servants who commit violations when individuals commit violations. individuals and organizations that cause consequences affecting the interests of the country, people, society, and organizations and businesses affected by the promulgation of documents that are contrary to the 2013 Constitution and against current laws.

Fourth, the Party and State promote the development and completion of regulations on accountability in the management activities of the Party and State. In addition, it is necessary to

clearly establish the principles, requirements, and content of accountability to the National Assembly and People's Councils at all levels and promote the implementation and formation of a culture of accountability in the political life of the people. country. The explanation of state administrative agencies and judicial agencies before the National Assembly and People's Council is also the explanation to the People and to society. Since these are the elected bodies, representing the will and aspirations of the People, the people exercise state power through these agencies. In addition, it is necessary to be transparent about the violations of individual cadres and civil servants to conduct consideration for dismissal or reduction of staff.

Fifth, the Party, and State need to clearly establish the responsibility for coordination between agencies and units, when there are bad consequences, affecting the reputation of the Party and the State, it is necessary to promptly handle individuals who stand in the wrong direction. heads of agencies and units in the process of coordination when serious consequences occur. It is necessary to clearly separate the roles and responsibilities of the organization and the individual so that when accountability occurs, it is necessary to promptly discipline or temporarily suspend the position to take the next steps if the individual fails to do so. person or organization involved in the offense. In particular, do not appoint cadres and civil servants who have violated discipline and discipline and violated the principles of the Party and State. In addition to taking out of the plan for individuals and groups, organizations that violate discipline, proceed in parallel with bringing the next team from the top down or from the bottom up to replace those individuals' violations to ensure the smooth operation of the apparatus and not to be stopped by the fear of wrongdoing and fear of responsibility.

Sixth, the Party and State should soon develop and promulgate a law on accountability and a culture of resignation to serve as a basis for smooth state management, and stable and sustainable development of the country. At the same time, it is the basis for the contingent of cadres and civil servants to well perform their roles and responsibilities before the Party, State, people, and society, and is the basis of trust to attract investment capital from the State. organizations and businesses.

#### **4. Conclusion**

The accountability of the contingent of cadres and civil servants must comply with the provisions of Vietnamese law. Public accountability is to contribute to building and perfecting the socialist rule of law state in Vietnam in the new and better period. And, also to perfect the

socialist rule of law in Vietnam State of the People, by the People and for the People, led by the Communist Party of Vietnam. For the development of a stable law, a complete legal system, respect for the Constitution and the law, and effective respect, guarantee, and protection of human rights and citizens' rights, it is necessary to unify and assign clearly, closely coordinate, decentralize, clearly decentralize and effectively control the contingent of cadres and civil servants in the performance of their official duties.

Transparency is the responsibility of each individual and organization, contributing to building a professional, legal, and modern administrative and judicial system. Building a lean, clean, efficient, and effective state apparatus is the responsibility of each individual cadre and civil servant before the Party, State, and People. Therefore, the strengthening of supervision and regular inspection to promptly detect and correct errors when violations are small. In addition, accountability will ensure that cadres and civil servants have conditions to learn from experience, self-correct their behavior, expertise, and professionalism, and improve their quality, ethics, politics, and practice. professionalism. In addition, the explanation will contribute to building trust with the people, society, organizations, and businesses to gather the strength of national unity to strive for a Vietnam “rich people, strong country, democracy, justice, civilization”.



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