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Perfecting institutions in state governance to meet sustainable development goals in Vietnam

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Abstract: *Vietnam innovates its institutions and legal system to meet its national development requirements and international integration. The article presents some issues of building and perfecting political institutions, emphasizing the strengthening of transparency, democracy, and the rule of law; at the same time, strengthening the cultural and spiritual foundation for society; perfecting defense and security institutions to ensure national security and social order in the new situation; perfecting economic, cultural and social institutions to ensure the sustainable development of the socialist-oriented market economy.*

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1. Concepts, requirements and criteria of sustainable development

a. *The concepts of sustainable development*

The term “sustainable development” first appeared in 1980 in the World Conservation Strategy (published by the International Union for Conservation of Nature - IUCN). It emphasizes that “human development must not only focus on economic development but also respect the inevitable needs of society and the impact on the ecological environment” [1].

The concept was popularized in 1987 by the Brundtland Report (also known as Our Common Future) of the World Commission on Environment and Development - WCED (now the Brundtland Commission). It defines sustainability as “meeting the needs of the present without compromising the ability of future generations to meet their own needs” [2].

Globally, in 1992, the Earth Summit was held in Rio de Janeiro, where 179 participating

countries adopted the Rio de Janeiro Declaration on environment and development. The main objective of this declaration and Agenda 21 is to guide global sustainable development solutions in the 21st century. Notably, each country is recommended to develop its program based on its characteristics and conditions.

In 2002, the World Summit on Sustainable Development was organized in Johannesburg, and 166 participating countries adopted a political Declaration and Implementation Plan, which included provisions covering a set of activities and measures to be taken to achieve development that considers respect for the environment [3]. This Summit not only reaffirmed the previously established principles but also committed to implementing Agenda 21, in which it is clearly stated that sustainable development is not a simple concept. Achieving a balance between

socio-economic and environmental goals is sometimes challenging and contradictory. However, the focus is on comprehensively considering all socio-economic and environmental aspects.

According to the Asian Development Bank (ADB), "sustainable development is a new type of development, integrating the production process with resource conservation and improving environment quality. Sustainable development meets the needs of the present generation without compromising the needs of future generations" [4].

From the above analysis, it can be concluded that sustainable development aims at long-term progress, meeting current needs without harming the ability of future generations to meet their needs, requiring the adjustment of resource use, investment choices, technical progress, and social management to serve the goal of comprehensive development, considering the economy, society, environment, management structure, and security.

b. Fundamental requirements of sustainable development

By approaching the pillars, typically including five main pillars (economy, socio-politics, environment, institution, and defense-security), it can be seen the most basic requirements for sustainable development as follows:

Firstly, for the economy. A sustainable economic system should be able to produce goods and services continuously, avoid imbalances among regions that can harm production and consumption, and allocate and effectively use scarce resources.

Secondly, for the society. A sustainable social system must achieve equal distribution, provide a full range of social services, including health, education, and other types of welfare, and maintain, preserve, and absorb positive cultural values.

Thirdly, for the environment. A sustainable environmental system must maintain a stable resource base, avoiding over-exploitation of renewable resources or the absorption function of the environment, only exploiting non-renewable resources within the scope of replaceable investment. This includes maintaining biodiversity, atmospheric stability, and other ecosystem functions.

Fourthly, for the institutions. A sustainable institutional system should ensure transparency and accountability in the operation of the government and ensure the population's participation in state, social and community management activities.

Fifthly, for the national defense and security. A sustainable system should ensure the national defense and security of the People, have sufficient material strength to always maintain national sovereignty, national independence, and territorial integrity, and have truly safe and civilized social order and security to ensure citizens' welfare in specific conditions with the progressive trend.

c. Criteria of sustainable development

First, economically sustainable development is fast and safe growth with quality, in which natural resources for economic activities are shared equally. A sustainable economy needs to bring prosperity to the majority instead of concentrating profits on the hands of the few, within the limits of ecology and human rights. The critical point is to create shared prosperity, including reducing energy and resource consumption through economic technology, sustainable lifestyle, protecting biodiversity and the environment; having equitable access to resources, health services, and education; eliminating poverty and applying clean technology, recycling, reducing waste, and renewing energy.

Second, socially sustainable development is assessed through the human development

index (HDI), income equality coefficient, education indicators, health, social welfare, and cultural enjoyment. In addition, social sustainability is the assurance of harmonious social life, social justice among classes, and gender equality; the gaps between the wealthy and the poor and among regions are increasingly narrowed. Socially sustainable development also emphasizes fairness in accessing opportunities to develop one's potential and having acceptable living conditions.

Third, environmentally sustainable development. Environmental sustainability is the management and exploitation of natural resources while preserving the quality of the environment through the purity of air, water, and land. The quality of the above elements should be regularly assessed against national or international standards, efficiently using and exploiting natural resources, especially non-renewable ones, not exceeding the capacity of the ecosystem, protecting biodiversity and the ozone layer, controlling greenhouse gas emissions, protecting sensitive ecosystems, and reducing pollution. This balance helps to maintain the environment of humans and living creatures on earth while protecting ecosystems from the pressures of industrialization and urbanization.

2. The role of institutions in state governance to meet the requirements of sustainable development in Vietnam

The institutions of a country or a territory play critical roles in sustainable development. Institutions are the content, the condition, and the driving force of sustainable development in a country. Here below are some roles of institutions [5]:

Firstly, institutions play an important role in orienting, guiding, and creating a framework for the organization and operation of society. Historically, countries developed differently, but all relied on institutional tools

to survive and develop. Institutions are essential at the national level and for organizations and social groups, which need frameworks and laws to form and operate. The institutions navigate goals and provide a legal framework for social activities, establish the status, and instruct behaviors between subjects to help them recognize their responsibilities and behave appropriately in relationships and tasks.

Secondly, the institution creates the economic socio-political foundation of the country. Institutions determine how the economy, politics, and society work, and their effectiveness depends on the suitability and effectiveness of these mechanisms. Appropriate institutions include a credible legal system, rights protection, a justice mechanism in dispute resolution, and a transparent and capable government. A solid institutional foundation creates a stable environment for smooth social operation, helps the State regulate society effectively, and ensures that each individual thoroughly understands and exercises their rights and obligations.

Thirdly, institutions play the role of the subject of social management and practical social management tools. Institutions reflect the national spirit and regulate orders and limits in social relations. As a result of the joint will in building social rules, institutions are management tools that the State and subjects must follow. Thereby, institutions form and regulate activities, ranging from power to parts of the political system, ensuring social compliance and harmony. Constitutions, laws, and policies are national institutions that guide and regulate society.

3. Some solutions to perfect institutions in state governance

Firstly, building and perfecting institutions on the organization and operation of institutions in the political system by the

requirements of building a socialist rule-of-law State of Vietnam.

It is a must to renovate the Party's leadership, ensure the operation by the Constitution and laws, strengthen the role of the State and society, improve the efficiency and effectiveness of state management, and promote the activeness of the Fatherland Front and socio-political organizations.

The focus is on perfecting the law on the organization and operation of people's courts, ensuring that the courts conduct trials independently, promptly, and strictly, and delineating the jurisdiction of the first-instance courts and the appellate courts by the two-level trial principle. The management mechanism of local people's courts also needs improving to ensure independence in trial activities between courts at all levels.

It is also necessary to perfect the law on the organization and operation of the people's procuracy to ensure the excellent performance of the prosecution function and supervision of judicial activities, as well as research towards transforming into a prosecution academy.

In addition, it is a duty to develop and improve the law on the organization and operation of the investigating agency towards streamlining procedures, closely combining reconnaissance and preliminary investigation with procedural activities of the investigating agency; develop a Code of Judgment Execution that regulates all areas of judgment execution; identify the Ministry of Justice as the agency that helps the Government in state management to unify the execution of judgments; gradually socialize the execution of judgments.

Developing and perfecting the law on judicial support (lawyers, notaries, appraisers, and judicial police) should be conducted in the direction of supporting fully and conveniently the diverse legal needs of the People and enterprises while ensuring the strong

socialization of judicial support activities, and combining state management with self-governance of professional social organizations.

It is necessary to implement strong reforms of legal procedural formalities towards democracy, equality, transparency, and rigor, but also convenience, ensuring the participation and supervision of the People in judicial activities. Moreover, the following criteria need to be achieved: ensuring the quality of litigation at court hearings; guaranteeing the results of court litigation as an important basis for judging the verdict, considering this a breakthrough to improve the quality of judicial activities; and expanding the jurisdiction of administrative courts for all types of administrative lawsuits.

Secondly, building and perfecting institutions to ensure human rights, freedom, and democracy for citizens.

It is necessary to strengthen the legal responsibility of the State in promulgating and enforcing international laws and treaties related to human and citizen rights in all fields, improve citizen protection rights, and strengthen the responsibility of state agencies, especially the courts, in protecting these rights and handling violations rigorously, correcting wrongdoings and soon promulgating the law on state compensation; complete the law on the supervision right of elected agencies, the right of citizens to directly supervise and inspect the activities of agencies, cadres, and civil servants; and expand forms of direct democracy to involve people in certain State's affairs within the legal framework.

Thirdly, building and perfecting the socialist-oriented market economy institution.

In order to continue its sustainable development, Vietnam needs to perfect the socialist-oriented market economy institution, meeting the requirements of industrialization, modernization, and international integration.

The focus is on economic, legal reform, especially in ownership, business freedom, state management, and competition. The law on ownership needs to be transparent, ensuring the owner's rights and limiting the abuse of ownership rights. At the same time, freedom of business must be protected, respecting the right of citizens to do things not prohibited by law. Domestic and foreign enterprises need a uniform legal framework that encourages healthy and fair competition.

Also, it is necessary to complete the real estate and land laws, opening doors for overseas Vietnamese and foreigners to invest. The legal environment for the labor market must be developed, encouraging talented workers and protecting workers' rights. Intellectual property rights must be protected and developed along with the science and technology market, following international standards. The currency and credit markets need to be healthy, safe, and internationally competitive.

The law on the securities market and public finance needs to be clarified, publicized, and transparent, ensuring revenue sources and budget expenditure structure. Tax reform should also be implemented to make it simple, stable, and harmonized with international standards.

The law on natural resources and the environment should be strengthened in the direction of strict management and sustainable development, ensuring a balance between exploitation and protection of natural resources.

Fourthly, building and perfecting institutions on social issues.

It is essential to develop and improve the law on People's healthcare, ensuring that citizens have favorable conditions to access and use quality medical services; create a legal basis for the development of grassroots medical networks; apply scientific, technical,

and high-tech advances in medical activities; create the equality between public and private healthcare. Besides, it also requires the completion of the law on the professional activities of medical practitioners and pharmacists, laws on population, family, protection, care, and education of children, and laws regarding people with disabilities.

Policies on social justice need to be institutionalized to ensure that all citizens have access to and enjoy public services, health insurance, social insurance, social relief, and poverty reduction; complete the law on social incentives for policy beneficiary's consumer protection; form an unemployment insurance fund to ensure social security.

Notes:

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CONTENTS

Nguyen Thi Thuy Dung - Nguyen Thi Mai Anh Perfecting institutions in state governance to meet sustainable development goals in Vietnam.....	1
Ha Van Hoa Accountability of state agencies in the Vietnamese Home Affairs sector: current situations and potential solutions	6
Tran Thi Vanh Khuyen - Nguyen Thi Thu Hoa Fostering the commitment of Vietnamese public employees to the public sector.....	14
Tran Thi Chau The application of Marxism - Leninism in building socialist culture in Vietnam.....	19
Bui Quang Hiep Enhancing commune-level government performance in building the socialist rule-of-law state.....	25
Nguyen Dinh Quy Supporting people with disabilities through the government's provision of open-data.....	30
Luong Thi Phuong Developing the teaching faculty in line with Ho Chi Minh's thought.....	34
Le Thac Dien Potential solutions to improve the quality of political theory lecturers.....	38
Pham Thi Lan Enhancing young people's behavior culture towards the natural environment.....	42
Nguyen Thi Thu Hoai Raising awareness of reproductive health care for orphans in social support facilities.....	50
Nguyen Xuan Duong Improving the effectiveness of state management institutions for the quality of higher education at schools under the Ministry of Public Security.....	56
Nguyen Thi Tuyet Loan Advancing the Provincial Vietnam Fatherland Front's role in local government development at the same level.....	62
Nguyen Viet Thanh - Pham Dinh Tho Building the intellectual force in Mekong Delta provinces.....	68
Dang Thi Thu Phuong Improving the quality of state management of e-archives in Ho Chi Minh city.....	72
Pham Thi Minh Uyen - Chu Ba Quyet Measuring the value of e-commerce of Hanoi and some policy recommendations.....	78
Nguyen Huu Lap Improving the recovery of disaster consequences for grassroots military units.....	84
Do Ngoc Huy Enhancing the development of party organizations at non-state enterprises in Dong Nai province.....	88
Souksvanh Bouthasone The higher education of the Lao people's democratic republic: challenges and solutions.....	93
Alex Bello Brillantes, Jr - Lizan Perante-Calina - Karl Emmanuel Villanueva Ruiz Towards a public sector reform in the Philippines.....	99