

Some solutions for anti-corruptions in Vietnam

Ms Nguyen Thi Hong Van

Corruption has become a global issue which has grown and has a negative effect on many aspects of society, hindering the development of each country and increasing the gap between rich and poor. Corruption has been an agonizing problem of many countries in the world, especially in developing countries, among which there is Vietnam. The paper includes three parts. The first part provides corruption and anti-corruption situation in Vietnam and the second presents the causes on corruption in Vietnam and the third part proposes the solutions to solve.

I. Corruption and anti-corruption situation in Vietnam

Stepping into the renovation time, Vietnam Communist Party has defined that corruption is one of the risks that makes our country lag behind time, and it has actively found out many aims and measures to cope with this problem, specifically is the regulations in the anti-corruption decrees; the officer, civil servant decree; forbidden things towards Party members, the criminal law; instruction 15 of ministry of politics, the 6th central resolution (2nd time); boosting administrative reformation together with a series of legal norm documents and other professional measures. And to cope with corruption in the new situation, the Anti-corruption Law; the Law on Practicing on saving, Anti-wastage officially came into force. On the international relation side, Vietnam has also taken part in the anti-corruption program of the Asia-Pacific area; at the same time, it has taken advantage of the intelligence of international experts and many other countries in preventing and fighting with corruption.

The result is in the past time, a series of ministries, industries; “sensitive” fields with corruption have been inspected (such as telecommunications and post, oil and gas, basic construction ...). Through inspection and other professional measures of the authorities, a series of negative cases, corruption, wastefulness no matter how big or small they are, have been unveiled, prosecuted and heard. The special thing to note is recently the big negative, corruption cases concerning the senior officers of the Party and the State have been investigated, prosecuted (such as the case of the building Dien Bien Phu Victory statue, the criminal case of Huynh Ngoc Sy, the program 112...) This is an extremely positive record because it proves the strong determination of the Party, our Government and people are willingly fighting with corruption and ensure the equality of every citizen to the law, no matter who he is, at any position. The prevention and fight against corruption in the past time have shown positive changes and important achievements, enhancing the trust of the citizen and international friends.

One of the big corruption cases was The PMU (Project Management Unit) 18, which is an agency under the Ministry of Transport that handles road and other infrastructure projects. In 2007, PMU18, which operates under the Ministry of Transport, formed the epicenter of a major corruption scandal which has remained unresolved for the last three years. Top officials were accused of spending public funds for personal purposes, with former General Director of PMU 18 Bui Tien Dung sentenced to 13 years in jail for gambling and offering bribes. In 2009, Dung and his accomplices Vu Manh Tien, Le Thi Thanh Hoa, Nguyen Thanh Son and Bui Thu Hanh were further accused of "deliberately acting against the State's regulations on economic management, causing serious consequences" and "abusing positions and

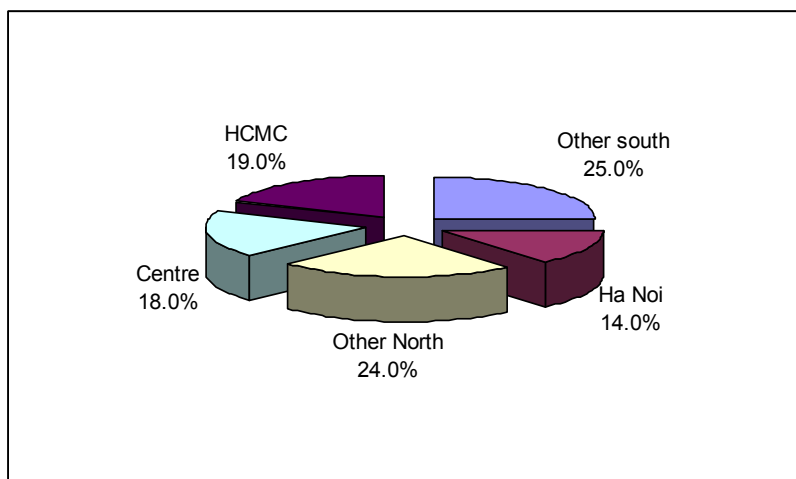
power while performing official duties." For this scandal, Dung was sentenced to three years in jail, after the Supreme People's court had recommended a sentence of four to six years. In addition to the November 14 2007 ruling of the Supreme People's Court, Dung will now have to serve 16 years. His accomplices, Vu Manh Tien, Nguyen Thanh Son, Le Thi Thu Hoa and Bui Thu Hanh, were also charged with "abusing positions and power while performing official duties," but remorse, co-operative attitudes to the investigation, settled family lives and sicknesses were taken into account during sentencing.

Therefore, through the negative, corruption cases which have been discovered, heard in the past time, it also reveals the characteristics and degrees which are more and more sophisticated, serious and cunning of our country's corruption. Although Vietnam have many organization and mechanism to fighting corruption, such The Office of the Anti-Corruption Central Steering Committee; the Law on anti-corruption; Judicial system; and Mass media system, the rate of corruption cases have been increasing. During the 2007-09period, the country took legal proceeding against 1,063 cases of corruption. And according to a survey of the Transparency international, Vietnam is one of the high rates of corruption, ranking in the number of 120 of list.

The types of corruption in Vietnam are also delivery because corruption has existed in most of social life aspect. All different ways of classifying corruption have their uses although with reference to petty and grand corruption. Vietnam has both and both are serious (the level of corruption). There may be benefit in referring to public and private corruption (UNDP Vietnam 2009, p.13). Corrupt behaviors have appeared from local government to central government; in both public sector and

private sector. Corrupt behaviors have three existence of administrative, political, and judicial corruption in Vietnam. Corruption in Vietnam occurs at all levels of the Party and the State and in all sectors, including the public and the private sector. It is no exaggeration to say that in business and in public administration, corruption is the “norm” in Vietnam (UNDP Vietnam 2009, p.14). There are four sectors that have high rate of corruption as Land (20.4%); Transport (11.1%); Administration (10%) and Construction & Infrastructure (7%). Corruption also has existence in all areas nationwide, from North to South as the chart below:

Geographical Distribution of Corruption



2. The causes on corruption in Vietnam

There are many reasons leading to corruption: Because the policy, law system of our country is in the transitional, additional, completing period thus it is both lack of and overlapping, not synchronizing, effective, thus, it has created slots for the corruptive people to avoid the law; moreover, there are negative, corruption cases which are judged very lightly, not powerful enough to threaten. Because the administrative machine is still cumbersome, the administrative procedure system still has the ask-give mechanism,

overlapping, annoying, lack of transparency, thus the people who have authority to deal with them can easily take advantage of to turn it into the “maze” to torture the people, the enterprises...; the result is those who have a need should bribe; for example, bribing for obtaining the “red certificate”, bribing for construction licenses, bribing for children to get into good schools, bribing for good doctors, bribing for good projects, bribing for the customs, tax department, police ... To minimize corruption in these fields, it is necessary to change the ask-give mechanism and try to build a clear legal corridor, every individual, organization has the right to freely operate within the size without having to ask for anything at the authorities; the functional parts of these agencies can only have the task to supervise the obedience of the law and should only interfere if there are errors.

Because the selection, recruitment; using, evaluating officer at many times, many places still lack of transparency, democracy, open, it is still indulging, ignoring. This leads to the situation of bribing for jobs, bribing for positions, bribing for power, bribing for crimes ... and it has spoilt the operational machinery of the country no few less talented people, lack of morality, opportunists. These people once stable in their position always try to collect, be corruptive to compensate for the capital amount they spent when being the “victim” of corruption, and they try to “get the profit” as much as possible. Once they have entered the whirl, corruption – bribing for power, bribing for position – corruption, the corruptive actions are hard to discover, deal with strictly because it becomes a close circle to protect one another, if not it will “snap the thread, stir up the forest”. This phenomenon is more and more having ground to abuse their power when the mechanism of being responsible for one’s individual, voting for non-trust towards the leader officer staff in our country has not become a normal deed in many

other countries in the world. Recently, the public has been very dissatisfied when many leaders of ministries, industries when answering questions about the errors in the field managed by them in front of the national assembly tribute, to the public have tried to answer somehow to finish the case, try to avoid, refuse the responsibility.

The regulation on declaring the assets of officers, civil servants still have many slots, not to mentioned they are performed not seriously, or performing in the nominal way; in addition is our country's economy still perform direct transaction in cash; that is why it is difficult to manage the income of officers, civil servants, and people, it is difficult to discover illegal income, the "dirty money" ... this crevice also facilitate corruptive behavior to develop.

Besides, we still lack of the mechanism to encourage, protect those who fight for corruption, bureaucracy, wastefulness, together with the lack of democracy at many times, many places leading to the fact that many honest people, frank, ready to fight are prejudiced, inferior, isolated. This leads to the fact that in many agencies, organizations, although the corruptive, devalued people are only a minority but they still exist, try to exceed their power, meanwhile the rest of them not dare to fight to protect the right thing, point out the erroneous thing; there are even people who have to go along with the bad thing (although their conscience is aching) to maintain their existence. This fact explains why in the past time, most of the corruption cases which are discovered, brought to light (there are even "shocking" cases) which are the merit of the newspaper, the public and the external forces.

. Another reason which is often mentioned is the income of the civil servants is still low. This is only a minor reason which has no deciding

character towards corruption behavior but it is frequently abused to explain for corruption behavior. It is clear that blaming for the low, unreasonable salary. Currently the salary scale of our society is very different, there are some industries which are involved in monopoly can have super profit, still it is these industries that there are big corruption cases! If it is to blame for low salaries, we would raise the question that why in the oil and gas industry (specifically PETRO Vietnam), the industry that is one of the highest revenue industries in our country, especially the income of senior managers are much higher, why they still commit corruption. Why is the period that our country was still in difficulty in the past, many people whose lives were still difficult but they still live a clear, modest, integrity life?! This can only be explained because of the endless greed; because of the selfishness, only because of their personal benefit that they step on the benefit of the community, country, and nation and even of the future of our children; it is because of the eye-catching attraction of money and the corruptive lifestyle of the corruptive. In other words, it is the degradation of morality of the officer staff. It is thought that, this is the most basic and in-depth reason.

3. Some solutions for anti-corruptions in Vietnam

The Communist Party of Vietnam describes corruption as one of major dangers threatening the existence of the Party and the regime because it causes negative consequences in various fields of social life and wears people's trust. The Party and State have always placed special importance on anti-corruption work, with a view to "preventing and completely eradicating corruption and prodigality,"

The Office of the Anti-Corruption Central Steering Committee has mapped out six basic criteria, including the level of finalizing corruption prevention and control institutions and implementation results of preventive measures and the number of discovered corruption cases. Other criteria included self-assessment of agencies, organizations and units and assessment of authorized related agencies; results from public opinion surveys and media information; results of socio-economic development, political stability and social order; and assessment of some international organizations.

To prevent and fight with corruption effectively, the viewpoint is said to be very pleasing, which is agreed by many people that is all the aims, policies, law of the state should be done so that all the officers, civil servants in the political system and economic units which *are impossible to corrupt, dare not to corrupt and there is no need to corrupt*. To be able to do this, there should be synchronous solution in 3 aspects: mechanism, human and machine. However, this is the result of the synchronous system of specific, practical and not simple solutions. Thus in the framework of this paper, we can only offer some following solutions:

Firstly, considering generally, there should be transparent environment, tight, synchronous environment so that there is no slot for corruption; there should be legal system that have strong threatening characteristic, the higher the position, the more heavily one should be punished, strictly punish to control corruption, there are satisfactory salaries, benefits so that the officers, civil servants have a sumptuous life.

Secondly, not only transparent in legal environment, but it should be transparent in the asset of civil servants, transparent in recruitment, promotion, appointing officers, transparent in managerial process, practicing

public work, economic activities ... of all agencies, organization according to the framework of the law so that any individuals, organization that has concerning jobs can be easy, convenient in approaching and dealing with them.

Thirdly, continue to complete the legal policy system, boosting further the renovation of refined, effective administrative machinery, actually becomes serving machinery; boosting the renovation of administrative procedure in the direction of being simple, convenient, transparent, synchronous, eradicating totally the ask-give mechanism.

Fourthly, there should be mechanism to encourage and protect those who prosecute, fight with corruption; implementing seriously the democratic norm; boosting propaganda about prevention, fighting with corruption; establishing a hot line to prosecute corruption ... in order to create the social agreement and a high movement in fighting with corruption.

Fifthly, one should grasp thoroughly and boost further the prevention and fighting with corruption in the aims, paths of the Party, and legal policies of the State. Because according to legal experts, not because we lack of legal environment for dealing with corruption, but the main thing is executing it not seriously, not drastically, we still are still indulgent, ignoring, avoiding, "light to the above and heavy to the lower". Fighting with corruption should be closely connected with bureaucracy, wastage; one should combine between protections and fighting in the spirit of preventing, preventing to fight, not preventing is the majority.

Sixthly, one should increase inspecting, testing of party committee, authority, and functional agencies and supervisory of the national assembly,

the people's council of different level and especially the supervision of the people.

Seventhly, leaders should be responsible for anti-corruption. The leaders in all levels, industries going together with power delegated by the Party, the State, they should have the responsibility, task towards all success and failure, they cannot stand outside the matter, they should discard responsibility before the errors, negation at the place they are responsible for.

Finally, about the machinery specializing for fighting with corruption, if considering corruption as the formidable internal invader, in the external invader fighting we have decisive, intelligent, skillful commanders thus in this internal invader fighting front, it is necessary to have a skillful commander with transparent people who are conscientious, sacrifice, flexible, cute, full of energy and operating independently to become "clean hands" to clear away the corrupted people.

REFERENCES

1. Dung, Nguyen Tan (2009), *Anti-corruption is not high effective*
<http://www.laodong.com.vn/Home/Dau-tranh-chong-tham-nhung-chua-dat-hieu-qua-cao-nhat/200910/159214.laodong>
2. The Journalist and the Public, issued on 20-26/5/2005, pp.8.
3. UNDP Vietnam (2009), *Corruption, Public Administration Reform and Development: Challenges and Opportunities as Vietnam moves towards Middle-Income.*