



Anti-Corruption Legislation in Vietnam: Barriers in Practical Application

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ABSTRACT

Corruption has persisted as one of the most complex and enduring challenges in human society. Since the mid-twentieth century, it has evolved into a widespread global issue, exerting harmful effects not only on economic growth but also on social ethics, political stability, and cultural values. Across many nations, corrupt behavior erodes institutional integrity, weakens citizen confidence, and impedes sustainable development. This study examines the nature, scope, and consequences of corruption, highlighting recent trends in Vietnam. Although the Vietnamese government has made consistent efforts through legislative reform and institutional restructuring, the practical outcomes remain below expectations. The central limitation lies in the lack of comprehensive enforcement and the inadequate deterrent effect of existing sanctions. By combining theoretical interpretation with empirical observation, the article argues that an effective anti-corruption strategy must focus on strengthening legal enforcement and ensuring equality before the law. Strict and impartial punishment of corrupt officials, particularly those holding Party or governmental positions, is essential to restore public trust and reinforce state legitimacy. The study thereby contributes to the ongoing academic and policy dialogue on promoting the rule of law and enhancing the efficiency of anti-corruption governance in transitional political systems.

INTRODUCTION

Corruption and efforts to prevent it have existed throughout the long course of human civilization. Across historical periods, corruption has not only reflected the moral decline of individuals but also exposed structural weaknesses in the exercise of public authority, creating systemic harm to political, economic, and cultural life. Since the latter half of the twentieth century, this phenomenon has evolved into a global crisis that undermines social morality, weakens institutional credibility, and poses serious threats to sustainable development.

During the past thirty years, numerous countries and international organizations have launched extensive strategies and programs aimed at reducing corruption. These initiatives include reforming legal frameworks, enhancing transparency in state management, strengthening the role of oversight by civil society, and expanding international cooperation in the investigation and prosecution of corruption cases. However, the practical outcomes remain limited. In many developing and transitional economies, corruption continues to adapt in increasingly complex forms, penetrating both public and private sectors. Such persistence erodes citizen trust, obstructs fair competition, and hinders the pursuit of inclusive and sustainable growth.

In the context of Vietnam, corruption has exhibited complicated and persistent characteristics, negatively affecting multiple dimensions of social life. Acknowledging its serious consequences, the Communist Party of Vietnam identified corruption as one of the four primary risks threatening the stability of the political system and the success of national renovation.¹ This recognition reflects the Party's consistent awareness of the fundamental importance of anti-corruption, linking it closely to the mission of building a socialist rule of law state and advancing a socialist-oriented market economy.

According to the National Strategy on An-

ti-Corruption to 2020, the prevention and control of corruption constitute a collective responsibility of the entire political system under the leadership of the Party. The strategy emphasizes the coordination among state agencies, social organizations, and citizens, while underlining the accountability of leaders of public institutions. Anti-corruption work is considered both an urgent and long-term mission, closely tied to the objectives of socio-economic reform and institutional modernization.²

Despite the visible progress achieved through legislation and enforcement, manifestations such as bureaucracy, abuse of authority, and harassment by certain officials still appear, particularly at the grassroots level. These problems diminish the moral authority of the Party, weaken public confidence, and highlight that corruption in Vietnam is not only a legal challenge but also a question of political ethics and administrative integrity.

In this situation, the Communist Party of Vietnam has repeatedly affirmed that combating corruption is a shared task of the entire political system under unified Party leadership.^{3,4} The campaign must be implemented comprehensively, mobilizing the strength of governmental institutions, social organizations, trade unions, and the people at large. It must also be associated with the broader goals of socio-economic transformation, political stability, and the consolidation of national unity in building a socialist rule of law state during the new phase of development.

From this perspective, the study of Vietnam's anti-corruption legal framework, particularly in relation to obstacles in practical implementation, bears profound theoretical and practical relevance. Understanding the weaknesses within the institutional mechanism is essential for formulating solutions that improve the effectiveness and coherence of the legal system.

1 CPV. (2001). The 9th National Delegate Congress. Hanoi: The Truth.

2 CPV. (2021). The 13th National Delegate Congress. Hanoi: The Truth.

3 CPV. (2016). The 12th National Delegate Congress. Hanoi: The Truth.

4 CPV. (2021). The 13th National Delegate Congress. Hanoi: The Truth.

Such efforts will not only strengthen the rule of law but also advance the broader objective of sustainable development and national modernization.

1. LITERATURE REVIEW

1.1 Economic and investment environment impacts of corruption

Many works have focused on clarifying the relationship between corruption, economic growth, and investment in the context of Vietnam's transition to a socialist-oriented market economy. Anh, Minh, & Tran (2016) argue that corruption is a negative factor that reduces the efficiency of resource allocation, distorts market signals, and limits growth rates.⁵ The authors demonstrate that although Vietnam has issued many legal regulations on transparency and integrity in public service, the effectiveness of enforcement is limited due to the lack of independent inspection and monitoring mechanisms.

Bai, Jayachandran, Malesky & Olken (2017) use empirical evidence on Vietnamese enterprises to show that corruption in the licensing, inspection, and access to capital processes is a major barrier to private sector development.⁶ Despite the presence of anti-corruption legislation in the business environment, weak enforcement imposes significant "informal costs" on firms, which reduces incentives for innovation and long-term investment.

Nguyen, Tran, & Truong (2024) approach this issue at the local level, emphasizing that corruption levels in localities are closely linked to investment performance.⁷ In provinces with

high levels of corruption, firms tend to scale down operations and reduce investment, despite preferential policies. This reflects a clear gap between the anti-corruption legal framework and enforcement effectiveness in the context of local governance.

Notably, research by Huy, Khanh, Viet & Cuong (2025) assesses the large-scale anti-corruption campaign in Vietnam in the recent period.⁸ The results show that the Government's strong measures have temporarily increased investor confidence, but have not created a sustainable impact on the business environment. The lack of consistency in law enforcement and the instability of the institutional framework make businesses still hesitant to expand investment.

Thus, studies in this area agree on the view that the effectiveness of anti-corruption law enforcement has a direct impact on market confidence and national competitiveness, and at the same time point out the need to strengthen independent enforcement and monitoring mechanisms to minimize informal costs in the economy.

1.2 Institutions, politics, and law in anti-corruption

The second research area focuses on analyzing the institutional, political, and legal aspects in the process of planning and implementing anti-corruption policies in Vietnam. Bui Hai Thiem (2019) is one of the pioneering scholars who pointed out that anti-corruption reforms in Vietnam are strongly influenced by political factors,⁹ in which the Communist Party of Vietnam

5 Anh, N. N., Minh, N. N., Tran, N. B. (2016). Corruption and economic growth, with a focus on Vietnam. *Crime, Law and Social Change*, 65(4), 307-324. <https://mpira.ub.uni-muenchen.de/84728/>.

6 Bai, J., Jayachandran, S., Malesky, E. J., Olken, B. A. (2017). *Firm growth and corruption: Empirical evidence from Vietnam*. Oxford University Press on behalf of Royal Economic Society. *The Economic Journal*, 129(618), 651-677. <https://doi.org/10.1111/econj.12560>.

7 Nguyen, T. M., Tran, Q. T., Truong, T. T. T. (2024).

Local corruption and corporate investment in an emerging market. *Asia and the Global Economy*, 4(2), 100087. <https://doi.org/10.1016/j.aglobe.2024.100087>.

8 Huy, V. H., Khanh, H., Viet, H., Cuong, N. (2025). Investment under anticorruption: Evidence from the high-profile anticorruption campaign in Vietnam. *Emerging Markets Review*, 69. <https://doi.org/10.1016/j.ememar.2025.101360>.

9 Bui, H. T. (2019). The politics of anti-corruption and integrity system reform in Vietnam. In Hu-

plays a central role in guiding and controlling the implementation process. The author argues that although the legal framework has been expanded with the Law on Anti-Corruption (2018) and guiding documents, the concentration of power and the lack of independence of supervisory agencies remain the main barriers to practical effectiveness.¹⁰

Nguyen & Nguyen's research (2025) takes an institutional analysis approach, emphasizing that although the Vietnamese legal system on anti-corruption is comprehensive in terms of structure, it is "institutionally dependent", meaning that the effectiveness of the law depends on the level of political commitment and the ability of the administrative apparatus to operate.¹¹ The lack of a mechanism to ensure the independence of the courts, the procuracy, and the investigation agencies makes anti-corruption laws not as effective as expected.

Dung & Thanh (2023) extend the issue to the field of corruption in the private sector, pointing out that current laws do not have strong enough tools to control bribery between enterprises or between the private sector and the public sector.¹² Although Vietnam has criminalized the liability of legal entities, the mechanism for investigation, prosecution, and protection of whistleblowers is still weak, leading to an "imbalance" between regulations and practical application.

In addition, Giang (2024) analyzes the "furnace" campaign from a political economy perspective, arguing that this is both a political

measure and a test of the effectiveness of the legal system.¹³ The results show that this campaign contributes to strengthening integrity in the public sector, but at the same time reflects that anti-corruption in Vietnam is still closely tied to political power and cannot become a purely legal process.

Forde (2022) adds a theoretical perspective when viewing corruption in Vietnam as a "power accumulation structure" associated with a cronyism mechanism.¹⁴ The author argues that although the law in this context is regularly reformed, it is difficult to achieve real effectiveness because it is dominated by group interests and lacks accountability.

In general, studies in this group agree on the argument that institutional and political barriers are the underlying cause of the failure of anti-corruption laws in Vietnam to be fully effective.

1.3 Law enforcement, media, and regional comparisons

The third research area extends to issues of law enforcement, the role of media, regional comparisons, and historical legal inheritance.

Nguyen and Nhan (2024) focus on the role of investigative journalism, considering it an important tool for monitoring and detecting corruption.¹⁵ However, the study also found that press freedom and journalists' access to information are still constrained by the legal framework, making it difficult to investigate and report on corruption.

man rights and peace in Southeast Asia series 4: Challenging the norms (pp. 55–72). East Asia and the Pacific.

- 10 National Assembly. (2018). Law on Anti-Corruption (Law No. 36/2018/QH14). Hanoi.
- 11 Nguyen, N. A., Nguyen, D. N. (2025). Anti-corruption in Vietnam – an institutional analysis. *Cogent Social Sciences*, 11(1). <https://doi.org/10.1080/23311886.2025.2460320>.
- 12 Dung, N. D., Thanh, N. T. (2023). Private Sector Corruption in Vietnam: From Legislation to its Impact on the Economy. *International Journal of Professional Business Review*, 8(2), e01490. <https://doi.org/10.26668/businessreview/2023.v8i2.1490>.

- 13 Giang, N. K. (2024). The political economy of Vietnam's anti-corruption campaign. In Singh, D., Ha, H. T. (Eds.), *Southeast Asian affairs 2024* (pp. 375–390). Singapore: ISEAS Publishing. <https://doi.org/10.1355/9789815203516-023>.
- 14 Forde, A. (2022). Vietnamese Patterns of Corruption and Accumulation: Research Puzzles. *Journal of Contemporary Asia*, 53(2), 253–266. <https://doi.org/10.1080/00472336.2022.2037010>.
- 15 Nguyen, D. Q., Nhan, H. (2024). The watchdog navigates to bark: investigative reporting on corruption in Vietnam. *Media Asia*, 51(4), 570–593. <https://doi.org/10.1080/01296612.2024.2312658>.

Maslen's (2025) report, conducted by Transparency International, provides a comprehensive overview of corruption patterns and anti-corruption policies in Vietnam.¹⁶ The report found that Vietnam has made significant progress in lawmaking, but enforcement, asset transparency, and whistleblower protection remain major weaknesses. At the regional level, Nobumichi Teramura & Luke Nottage (2025) compared anti-corruption provisions in East Asian and South Asian investment treaties, finding that although Vietnam has adapted many regulations to international standards, it still lacks an effective internalization mechanism.¹⁷

In particular, Van, Van, Minh & Trong (2024) approach the issue from a legal historical perspective, analyzing the crime of bribery in the Hong Duc Code and considering it a typical legal precedent for current regulations on public service integrity.¹⁸ This study affirms that the Vietnamese legal tradition has always attached great importance to the ethics of officials and transparency in the performance of public duties, but in the modern context, this factor has not been effectively transformed into a legal enforcement mechanism.

1.4 Research gap

Synthesizing studies in this group shows that, although Vietnam has made much prog-

ress in perfecting the law and raising social awareness, the gap between legal regulations and practical effectiveness remains a big challenge. The lack of coordination between state agencies, the media, and civil society means that the law has not really played its role in preventing, detecting, and handling corrupt acts.

The three research areas above have provided a comprehensive view of the issue of corruption and anti-corruption laws in Vietnam. The works all agree that barriers in the practice of law enforcement originate from institutional, political, and social factors, in which the effectiveness of the law depends on the level of transparency, independence of the judicial system, and monitoring mechanisms.

However, the current gap lies in the lack of in-depth empirical studies on the effectiveness of new legal regulations, as well as the relationship between anti-corruption, social trust, and improving the investment environment. The topic "Anti-Corruption Legislation in Vietnam: Barriers in Practical Application" aims to overcome that gap by analyzing institutional, legal, and behavioral barriers in the practice of anti-corruption law enforcement in Vietnam, contributing to perfecting the legal foundation and promoting transparency and integrity in national governance.

2. METHODOLOGY

2.1 Documentary analysis and synthesis

Objective: The purpose of this method is to clarify the theoretical foundations and the current system of legal regulations and policy frameworks concerning the prevention and control of corruption in Vietnam.

Data Sources: The study draws upon a variety of normative and institutional documents, including the Law on Anti-Corruption adopted in 2018 and its guiding decrees and circulars. Supplementary materials comprise annual and thematic reports of the Government Inspectorate, the Ministry of Justice, and the Judicial

- 16 Maslen, C. (2025). *Vietnam: Corruption and anti-corruption* (U4 Helpdesk Answer 2025:21). Bergen: Transparency International and U4 Anti-Corruption Resource Centre, Chr. Michelsen Institute. https://knowledgehub.transparency.org/assets/uploads/helpdesk/Vietnam-Corruption-and-anti-corruption_250903_113041.pdf.
- 17 Teramura, N., Nottage, L. (2025). Corruption-related provisions in East and South Asian investment agreements: An empirical analysis. *Journal of International Economic Law*, 28(2), 157-183. <https://doi.org/10.1093/jiel/jgaf013>.
- 18 Van, L. N., Van, A. D., Minh, A. P., Trong, A. P. (2024). The Crime of Accepting Bribes in the Hong Duc Code and Its Significance as a Model for Contemporary Criminal Law in Vietnam. *International Journal of Law and Society*, 7(3), 112-117. <https://doi.org/10.11648/j.ijls.20240703.13>.

Committee of the National Assembly. In addition, analytical and comparative data are collected from international organizations such as the United Nations Development Program, the Organization for Economic Co-operation and Development, and the World Bank.

Approach: The analysis focuses on the systematization of relevant legal provisions, the interpretation of fundamental concepts, the clarification of the scope and objectives of anti-corruption legislation, and the identification of core policy orientations. The findings are then compared with international standards and best practices to determine the level of harmonization between Vietnam's legal framework and global approaches to integrity and transparency.

2.2 Legal reality analysis

Objective: This method aims to identify and interpret the main barriers that arise in the practical implementation of anti-corruption laws and policies.

Practical Data: Empirical evidence is gathered from representative cases that have been tried in court or subjected to administrative sanctions, inspection and audit findings, official conclusions of the State Audit Office, and independent evaluations prepared by social organizations, professional associations, and policy experts.

Method: Through detailed analysis of judicial judgments, inspection reports, and law enforcement assessments, the study identifies recurring patterns and systemic obstacles that hinder the effectiveness of anti-corruption mechanisms. These include inconsistencies and loopholes in the legal framework, conflicts of interest within administrative structures, insufficient coordination among competent authorities, and inadequate mechanisms for the protection of whistleblowers and informants.

2.3 Comparative legal method

Objective: The purpose of the comparative legal approach is to evaluate the Vietnamese anti-corruption framework in relation to selected foreign models, thereby identifying both its advantages and limitations.

Method: The comparison is conducted on the basis of specific criteria such as the transparency of asset declaration mechanisms, the independence of investigative bodies, the effectiveness of whistleblower protection, and the participation of civil society in monitoring public integrity. The institutional differences and their practical implications are analyzed to draw lessons for improving Vietnam's anti-corruption system and ensuring greater coherence between legal provisions and implementation outcomes.

3. FINDINGS AND DISCUSSION

3.1 Findings

3.1.1 Current landscape of corruption in Vietnam

Corruption in Vietnam remains a pervasive and complex reality that cuts across sectors and levels of authority. Wherever material incentives intersect with non-material interests, opportunities for rent seeking and illicit gain tend to arise. The Political Report of the Ninth National Congress identified corruption as a serious national problem, a conclusion that still frames contemporary assessments of risks to governance and development in the country.¹⁹

The spectrum of corrupt conduct is diverse. It includes embezzlement, bribery, diversion and misuse of public assets, fraudulent appropriation of property from the state and citizens, and abuse of position or power to create artificial obstacles for private gain. Other recurrent patterns include the creation of unauthorized funds and the use of budget resources contrary to legal provisions for

19 CPV. (2021). The 13th National Delegate Congress. Hanoi: The Truth.

particularistic benefits. Such practices have been documented across public finance and procurement, land administration, taxation, banking, customs, commercial activities, education, health services, the justice chain, and the administration of social programs, among other domains.²⁰

In terms of scale, corruption appears at the level of individuals and groups, in both sporadic and structured forms. The measurable loss to the public purse can reach very large magnitudes, with some cases causing damage amounting to hundreds or thousands of billions of Vietnamese dong. The intangible harm is even more serious. Corruption erodes public trust, weakens the moral authority of public institutions, and undermines confidence in the reform trajectory pursued by the Communist Party of Vietnam.

3.1.2 Evolution of anti-corruption efforts

Vietnam has treated anti-corruption as a core governance priority since the early years of the revolutionary state. President Ho Chi Minh warned that greed is an internal enemy and must be confronted decisively.²¹ In recent decades, the Party, the State, and the people have consistently characterized corruption as a grave national threat and have acted to contain it through a mix of prevention, detection, and sanctioning measures.²²

Policy directions and legal instruments have been repeatedly articulated in Party resolutions, statutes, executive regulations, and institutional guidance. Public communication through mass media and scholarly and professional forums has made corruption and anti-corruption a regular item in central and sectoral reporting. The issue is also a subject of daily public debate, reflecting the expectations

and frustrations of citizens in both urban and rural settings.

Over time, Vietnam has moved from foundational enactments to more comprehensive institutional reforms. The Law on Anti-Corruption and the Law on Thrift Practice and Waste Combat were important milestones, followed by the establishment of the Central Steering Committee on Anti-Corruption. A theme resolution of the Third Conference of the Tenth Central Committee offered a frank appraisal of constraints, clarified objectives and guiding views, and set out measures and implementation responsibilities in a structured way. The Law on Anti-Corruption of 2018 represents a major update. It came into effect on 1 July 2019 and expanded the scope of asset and income declaration, mandated publicity of declarations, clarified leadership accountability when corruption occurs in agencies and units, and strengthened the consequences for dishonest declarations, including possible dismissal.²³ These innovations aim to improve transparency, reinforce personal responsibility in declaration and control of conflicts, and elevate the role of leaders in building integrity-centered organizations.

The political determination behind these reforms is to shape four conditions that reduce the space for wrongdoing. The goal is that people do not need to engage in corruption, cannot easily do so, do not want to do so, and do not dare to do so. Despite this broad approach, outcomes have not yet matched expectations. Official assessments still describe corruption and waste as serious and widespread in several sectors and levels of administration, with complex modalities and negative social effects that diminish public confidence.²⁴

20 WB. (2005). Legal corruption. World Bank. https://web.archive.org/web/20150505185227/http://siteresources.worldbank.org/INTWBIGOV-ANTCOR/Resources/Legal_Corruption.pdf.

21 Minh, H. C. (1995). Complete episode, episode 5. Hanoi: National Politics.

22 CPV. (2016). The 12th National Delegate Congress. Hanoi: The Truth.

23 National Assembly. (2018). Law on Anti-Corruption (Law No. 36/2018/QH14). Hanoi.

24 Politburo. (2022). Ten-year review of anti-corruption and control of negative practices from 2012 to 2022. Tasks and solutions for the coming period. Hanoi.

3.1.3 Why results remain below expectations

The shortfall does not imply an absence of effort. Rather, it indicates that the strength, continuity, and coherence of policy implementation have not always been adequate to produce transformative outcomes. Objective factors identified in recent research point to the rapid diversification of economic activities that has exceeded the regulatory and oversight capacity of existing institutions. Weaknesses in the system of checks and balances, combined with incomplete mechanisms for transparency and accountability, have enabled conflicts of interest and abuse of authority to persist in practice.²⁵

Another key limitation lies in the structural complexity of corruption itself. Contemporary studies reveal that corruption is no longer confined to the public sector but increasingly manifests in non-state domains and at the intersection between public and private interests. This blurred boundary complicates traditional control models that rely solely on administrative or criminal sanctions. In sectors such as public procurement, land management, banking, and health care, forms of collusive corruption often occur through networks that involve both state officials and private actors, making detection and accountability far more difficult.²⁶

At the same time, normative inconsistencies within the legal system have constrained deterrence capacity. The coexistence of overlapping regulations, discretionary enforcement, and limited coordination among supervisory bodies has allowed certain acts of misconduct to fall

outside the scope of effective sanctioning. The persistence of waste, embezzlement, and regulatory capture demonstrates that enforcement must be integrated with preventive measures, ensuring that behavioral norms are internalized across the entire administrative system rather than addressed only through isolated punitive actions.²⁷

Equally important is the challenge of cultivating an integrity culture in the public service. Despite improvements in political education and ethics training, the incentive structure within many institutions remains insufficient to encourage honest behavior or reward compliance. Inadequate protection for whistleblowers, limited citizen oversight, and weak linkage between performance evaluation and integrity standards reduce the effectiveness of moral and institutional deterrents. Thus, the effectiveness of anti-corruption policy depends not only on law enforcement but also on building a comprehensive system of incentives, accountability, and civic participation that reinforces transparency and collective responsibility.

3.1.4 Strategic orientation and breakthrough priorities

In the near term, a breakthrough strategy should prioritize two achievable conditions while longer-term structural reforms continue to mature. The priority is to reduce the desire to engage in corruption by fostering a social environment where integrity is a valued norm and corrupt conduct is a source of shame, community disapproval, and legal consequence. The second priority is to increase the risk calculus against corruption so that the likelihood and severity of punishment decisively outweigh expected gains. Three mutually reinforcing measures are central:

(1) Promote ethical standards and a public

25 Van, L. N., Van, A. D., Minh, A. P., Trong, A. P. (2024). The Crime of Accepting Bribes in the Hong Duc Code and Its Significance as a Model for Contemporary Criminal Law in Vietnam. *International Journal of Law and Society*, 7(3), 112-117. <https://doi.org/10.11648/j.ijls.20240703.13>.

26 Doan, H. N. (2025). Corruption in the non-state sector in Vietnam today and some solutions for the coming period. *Journal of Communist*. <https://www.tapchicongsan.org.vn/web/guest/kinh-te/-/2018/1115802/tham-nhung-trong-khu-vuc-ngoai-nha-nuoc-tai-viet-nam-hien-nay-va-mot-so-giai-phap-phong%2C-chong-thoi-gian-toi.aspx>.

27 Vu, V. H. (2025). An explanation of corruption, waste and negative practices and solutions for the current stage. *State Management Journal*. <https://www.quanlynhanuoc.vn/2025/05/15/luan-giai-ve-tham-nhung-lang-phi-tieu-cuc-va-giai-phap-phong-chong-tham-nhung-lang-phi-tieu-cuc-trong-giai-doan-hien-nay/>.

culture that recognizes integrity as a social good. This involves education in civic values, visible rewards for honest public service, and community-based condemnation of corrupt acts.

(2) Deepen democratic practices and community oversight in line with grassroots democracy regulations. Citizens need safe channels to raise concerns, robust legal protection for whistleblowers, and a credible expectation that reports will lead to impartial investigation.

(3) Apply strict and impartial sanctions whenever corruption is detected, with special emphasis on officials and Party members who hold public power. Public disclosure of outcomes, full recovery of illicit gains, and consistent discipline are essential to restore trust and deter future violations.

These priorities echo the official ten-year review of anti-corruption and negative practice control from 2012 to 2022, which called for stronger responsibility of leaders, an integrity culture across the system, and tighter coordination among inspection, audit, investigation, prosecution, adjudication, and enforcement bodies to close enforcement gaps and improve deterrence quality and speed.²⁸

3.1.5 Implementation focus

Effective implementation begins with example setting by public officials and Party members. Primary Party organizations should cultivate an internal climate of openness and accountability, with genuine self-criticism and peer review, so that warning signs are identified early and addressed promptly. When violations occur, procedures must be predictable, evidence-based, and firm for all subjects, with no tolerance for selective enforcement.

Citizen oversight, investigative journalism, and professional monitoring by social organizations can amplify detection capacity and reinforce norms against wrongdoing. Public awareness campaigns that highlight the social

costs of corruption and celebrate clean governance can convert millions of eyes and ears into an integrity network that constrains misconduct through social disapproval as well as through legal consequences. Historical experience shows that firm punishment of bribery and embezzlement has long underpinned public service ethics in Vietnam. The contemporary legal order should continue this principle by tailoring modern sanctions to present-day economic realities while safeguarding due process and equality before the law.

Over the long run, sustained progress also requires continued work on the other two conditions that are more resource-intensive. Expanding inclusive development and improving public service delivery can reduce the perceived need for illicit rents. Consolidating a rule of law state with strong transparency, fit-for-purpose procedures, and real-time data systems can make corruption much harder to perform and much easier to detect. These structural investments take time, but the interim breakthrough measures described above can cool the problem while the broader system matures.

3.2 Discussion

The results show that the barriers to the practical application of anti-corruption laws in Vietnam stem from the complex interaction between institutional structures, economic incentives, and social norms of integrity. In other words, the current normative framework has made significant progress in form, but its enforcement effectiveness is still limited by the independence of law enforcement actors, the ability of public oversight, and mechanisms to reduce opportunities for profiteering in high-risk processes. This discussion highlights three main axes, including economic impacts and market signals, institutional and political-legal conditions, and the role of social media and regional comparisons. From there, it proposes a reform logic towards increasing the probability of detection, ensuring the certainty of sanc-

28 Politburo. (2022). Ten-year review of anti-corruption and control of negative practices from 2012 to 2022. Tasks and solutions for the coming period. Hanoi.

tions, and reducing the opportunities for violations in sensitive stages.

On the economic impact axis, empirical evidence confirms that corruption creates informal costs and distorts market signals, thereby reducing investment and innovation by firms. Using Vietnamese firm data, show that informal costs in licensing, inspection, and access to capital are significant barriers to scale growth and long-term investment by the private sector, even though anti-corruption regulations are present in the business environment, but are not enforced strongly enough to eliminate incentives for illegal payments.²⁹

At the macro level, argued that corruption reduces resource allocation efficiency and stunts growth through price signal distortions and wasted public investment, while transparency and integrity regulations are difficult to be effective in the absence of credible independent monitoring mechanisms.³⁰ At the local level, the negative relationship between corruption and investment performance is quite consistent when policy incentives are offset by institutional risks, causing firms to shrink operations and delay capital expansion.³¹ These observations reinforce the argument that to encourage sustainable investment, it is necessary to move from campaign-based signaling to process standardization, because political nudges only create temporary trust if they are not institutionalized into predictable and consistent processing chains.³²

Regarding the institutional and political-legal axis, many studies converge on the assessment of the institutional dependence of anti-corruption laws. Bui Hai Thiem (2019) analyzes that integrity reform in Vietnam is strongly influenced by political factors, in which the leading role of the Party is both a driving force and a limit when designing mechanisms for power control and accountability.³³ According to the institutional analysis approach, Nguyen and Nguyen point out that the effectiveness of the law depends significantly on the level of political commitment and the operational capacity of the administrative apparatus, in the context of the lack of guarantees of independence of the courts, the procuracy, and the investigation agency.³⁴ On that basis, Forde sketches corruption as a power accumulation structure associated with cronyism, where group interests can undermine the substantive impact of normative reforms despite the high frequency of law amendments.³⁵

From the political economy perspective, Giang asserts that the anti-corruption campaign has strengthened public sector integrity, but at the same time shows that anti-corruption is still closely tied to political power and has not yet operated as a purely legal process, which requires further institutionalization of the process to reduce dependence on episodic impulses.³⁶

- 29 Bai, J., Jayachandran, S., Malesky, E. J., Olken, B. A. (2017). Firm growth and corruption: Empirical evidence from Vietnam. Oxford University Press on behalf of Royal Economic Society. *The Economic Journal*, 129(618), 651-677. <https://doi.org/10.1111/eoj.12560>.
- 30 Anh, N. N., Minh, N. N., Tran, N. B. (2016). Corruption and economic growth, with a focus on Vietnam. *Crime, Law and Social Change*, 65(4), 307-324. <https://mpira.ub.uni-muenchen.de/84728/>.
- 31 Nguyen, D. Q., Nhan, H. (2024). The watchdog navigates to bark: investigative reporting on corruption in Vietnam. *Media Asia*, 51(4), 570-593. <https://doi.org/10.1080/01296612.2024.2312658>.
- 32 Huy, V. H., Khanh, H., Viet, H., Cuong, N. (2025). Investment under anticorruption: Evidence from the high-profile anticorruption campaign in Viet-

- nam. *Emerging Markets Review*, 69. <https://doi.org/10.1016/j.ememar.2025.101360>.
- 33 Bui, H. T. (2019). The politics of anti-corruption and integrity system reform in Vietnam. In *Human rights and peace in Southeast Asia series 4: Challenging the norms* (pp. 55-72). East Asia and the Pacific.
- 34 Nguyen, N. A., Nguyen, D. N. (2025). Anti-corruption in Vietnam – an institutional analysis. *Cogent Social Sciences*, 11(1). <https://doi.org/10.1080/23311886.2025.2460320>.
- 35 Forde, A. (2022). Vietnamese Patterns of Corruption and Accumulation: Research Puzzles. *Journal of Contemporary Asia*, 53(2), 253-266. <https://doi.org/10.1080/00472336.2022.2037010>.
- 36 Giang, N. K. (2024). The political economy of Vietnam's anti-corruption campaign. In Singh, D., Ha, H. T. (Eds.), *Southeast Asian affairs 2024* (pp. 375-390). Singapore: ISEAS Publishing. <https://doi.org/10.1016/j.asea.2024.100000>.

The third axis relates to enforcement, communication, and social norms. The role of investigative journalism is seen as an important discovery channel, but is limited by the legal framework on access to information and occupational risks, making the monitoring capacity of society not yet at the level necessary to create effective preventive pressure.³⁷ The overview report of Transparency International and U4 noted that Vietnam has made significant progress in lawmaking, but bottlenecks remain in the disclosure of income and assets, whistleblower protection mechanisms, and the consistency of enforcement in the field.³⁸

From a regional comparative perspective, analysis of anti-corruption provisions in East Asian and South Asian investment agreements shows that Vietnam has significantly adapted to international standards but lacks an effective internalization mechanism to convert external commitments into domestic enforcement capacity.³⁹

From the legal tradition, the study of bribery in the National Dynasty Penal Code of the Hong Duc period shows that the foundation of public service ethics and the spirit of deterrence have long been codified, suggesting lessons on designing sanctions stratified by public service status and the level of damage to maximize the overall deterrent effect.⁴⁰ It is also worth noting

the World Bank's argument on legal corruption in a broad sense, according to which institutional loopholes can create space for self-interested behavior within a weak legal framework, blurring the line between legal wrongdoing and deviation from governance standards, thereby challenging purely norm-based prevention efforts.

From the three axes of analysis above, the policy logic can be reinterpreted in the direction of balancing strong deterrence and reducing opportunities and incentives:

First, increasing the probability of detection through data technology and risk-based auditing is a fundamental breakthrough. It is necessary to merge the asset declaration database with tax, land, business registration, and financial transaction data, and deploy random checks with a frequency large enough to change the risk expectations of potential violators.

Second, ensuring the certainty of sanctions rather than just increasing the nominal penalty. Certainty is reflected in the time-bound processing process, transparency in the criteria for quantifying damages, and the mechanism for recovering assets of unaccounted origin according to international judicial cooperation standards. Comparative experience with the internalization of anti-corruption provisions in investment treaties shows that deterrence depends on cross-border enforcement of illicit assets and complex ownership structures, which Vietnam needs to improve soon through a network of mutual legal assistance and internationally compatible anti-money laundering regulations.⁴¹

Third, reduce opportunities for profiteering by redesigning processes in high-risk areas such as land, public procurement and licensing. The focus is on digitizing the entire procedural lifecycle, making real-time progress milestones, document lists, bid prices and contractor se-

org/10.1355/9789815203516-023.

37 Nguyen, D. Q., Nhan, H. (2024). The watchdog navigates to bark: investigative reporting on corruption in Vietnam. *Media Asia*, 51(4), 570-593. <https://doi.org/10.1080/01296612.2024.2312658>.

38 Maslen, C. (2025). Vietnam: Corruption and anti-corruption (U4 Helpdesk Answer 2025:21). Bergen: Transparency International and U4 Anti-Corruption Resource Centre, Chr. Michelsen Institute. https://knowledgehub.transparency.org/assets/uploads/helpdesk/Vietnam-Corruption-and-anti-corruption_250903_113041.pdf.

39 Teramura, N., Nottage, L. (2025). Corruption-related provisions in East and South Asian investment agreements: An empirical analysis. *Journal of International Economic Law*, 28(2), 157-183. <https://doi.org/10.1093/jiel/jgaf013>.

40 Luong, P. V., Van, V. H. (2019). Study of the Laws under the Feudal Dynasties of Vietnam. *Addaiyan Journal of Arts, Humanities and Social Sciences*, 1(7). https://aipublisher.org/article_id=87.

41 Teramura, N., Nottage, L. (2025). Corruption-related provisions in East and South Asian investment agreements: An empirical analysis. *Journal of International Economic Law*, 28(2), 157-183. <https://doi.org/10.1093/jiel/jgaf013>.

lection results public, so that electronic audit trails become a soft but continuous deterrent mechanism.

One point to emphasize is that the measure of anti-corruption effectiveness should shift from perception to verifiable behavioral indicators. Observable variables such as the rate of timely settlement, the difference between the estimated and winning bid prices, the rate of randomly verified declarations, and the rate of return on assets recovered allow for monitoring the progress of reforms at local and sectoral levels. When results are published periodically, competition for integrity can develop, creating incentives for improvement from within the apparatus.

Empirical evidence on the impact of anti-corruption campaigns on investment confidence suggests that the signaling effect is real but short-lived without changes in operating rules. Huy et al. note that improved confidence does not translate into sustained investment growth when enforcement consistency is limited, reinforcing the need to institutionalize predictable, non-discriminatory standards for handling violations and with independent monitoring mechanisms.⁴²

Thus, an effective anti-corruption strategy for Vietnam needs to synchronize the two components. The institutional component is to strengthen the relative independence of supervision and investigation, data interconnection and standardization of case handling procedures. The behavioral component is to reduce opportunities and incentives through process redesign, public service performance management and integrity standards communication. When both components are operated together, the conditions of not wanting to be corrupt and not daring to be corrupt will reach a threshold large enough to create a sustainable effect, narrowing the gap between legal documents and

enforcement, thereby strengthening the rule of law and restoring social trust.

CONCLUSION

Power inherently carries the risk of being distorted or abused. Corruption is often viewed as an intrinsic flaw that accompanies the possession of power. For this reason, it is essential to construct a comprehensive mechanism that supervises and limits the exercise of authority. Every form of power must be placed under effective institutional control, ensuring that authority is always linked to accountability. The principle must be that the greater the authority one holds, the heavier the corresponding responsibility becomes. In order to realize this principle, inspection, supervision, and oversight mechanisms must be reinforced to guarantee that all power is exercised in a lawful, transparent, and responsible manner. The process of delegation and decentralization must always go hand in hand with clear assignment of duties and enforceable accountability. Officials who display indications of misconduct or engage in corrupt practices should be promptly transferred, demoted, or dismissed. Leaders who allow corruption to occur within their agencies must also bear direct responsibility and face strict disciplinary actions. These measures are designed to ensure that power is effectively constrained by institutional rules, figuratively “locking authority within the cage of regulations”, as expressed in Party documents.

Particular attention should be given to monitoring how senior officials, especially heads of agencies, use their authority. Internal collective supervision within leadership structures must be strengthened. At the same time, the decision-making processes of those who exercise power should be made public, allowing both officials and citizens to participate in lawful supervision. The struggle against corruption is an arduous and enduring endeavor. Yet, from the progress and lessons of recent years, particularly since the Twelfth National Congress,

42 Huy, V. H., Khanh, H., Viet, H., Cuong, N. (2025). Investment under anticorruption: Evidence from the high-profile anticorruption campaign in Vietnam. *Emerging Markets Review*, 69. <https://doi.org/10.1016/j.ememar.2025.101360>.

there is firm ground for optimism. With strong political determination from the Party and the State, the coordinated participation of Party committees, public authorities, and the entire political system, along with active engagement from society, the anti-corruption movement has achieved visible progress. Continued persever-

ance and institutional refinement will enable Vietnam to gradually contain and repel corruption, contributing to the creation of a cleaner and stronger Party and State that meet the aspirations of the people and the demands of national development.

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