

**HO CHI MINH NATIONAL ACADEMY OF POLITICS**

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**THE MONITORING ACTIVITIES  
OF THE PROVINCIAL PEOPLE'S COUNCIL IN  
SEVERAL PROVINCES IN THE NORTHWEST  
REGION CURRENTLY**

**SUMMARY OF THE DOCTORAL THESIS**

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## INTRODUCTION

### 1. Rationale of the research

The People's Council is the local state authority and is elected by the people at the local level. This provision was passed by the First National Assembly of the Democratic Republic of Vietnam in the Law on the Organization of Local Governments. Subsequent constitutions and legal documents have emphasized the importance of the People's Council as the local state authority.

The Law on the Oversight Activities of the National Assembly and the People's Council marks a significant step forward in the process of perfecting the legal framework for the oversight functions of People's Councils at all levels, as well as in institutionalizing this activity to achieve higher quality and efficiency. This legal document defines the subjects, powers, targets, and methods of oversight for People's Councils at all levels, particularly at the provincial level. With a legal basis as the local state authority, the provincial People's Council has three functions: representation, decision-making, and oversight.

Thus, the provincial People's Council not only has the authority to make decisions but also exercises the function of overseeing the activities of state agencies and organizations at the local level. In the current context, where local governments are increasingly taking initiative and are accountable to both the central government and the people, the oversight methods of the provincial People's Council are becoming increasingly important.

Lao Cai, Yen Bai and Lai Chau are mountainous provinces in the Northwest region, still facing significant economic and social challenges. In addition, the majority of their populations are from ethnic minority groups (Lao Cai: 64%; Yen Bai: 57%; Lai Chau: 84%). In recent years, the oversight activities of the provincial People's Councils in these three localities have been carried out effectively and with high quality, gaining the consensus of the people. The oversight process has been conducted transparently, in accordance with the law, and in a diverse range of methods. Through these oversight activities, there has been a practical basis for reassessing the resolutions of the local People's Councils, ensuring they meet real-world needs and are integrated into everyday life. As a result, recommendations have been made to amend and supplement specific regulations and policies to better suit each province. The provincial People's Committees have accepted the post-oversight recommendations and have implemented them, leading to positive results and improvements.

The socio-economic situation and the enhancement of local government management capacity in the Northwestern provinces, particularly in Lao Cai, Yen Bai, and Lai Chau, present significant challenges in the development process of these areas. Therefore, these provinces must make breakthroughs, maintain growth rates across all

sectors in each specific phase, and create momentum for higher development in the coming years. To achieve this breakthrough, the oversight tasks of the provincial People's Councils are crucial, complex, and demanding. Oversight aims to promote the implementation of the law into practice and contribute to maintaining order and discipline, while simultaneously fostering dynamism for the province's continued development. Currently, there are many complex issues at the local level that need to be addressed, particularly in areas such as social welfare, economy, national defense, security, poverty reduction policies, policies for people with meritorious service, education, healthcare, and more. Given this situation, there is a need to strengthen management at all levels and across all sectors, especially the role of oversight by state authorities, including the National Assembly and the People's Councils at various levels, within their allocated responsibilities... Therefore, choosing the topic *The monitoring activities of the Provincial People's Council in several provinces in the Northwest region currently* for a doctoral dissertation in Political Science is both urgent and valuable, with significance in both theory and practice.

## **2. Research objectives and tasks**

### **2.1. Research objectives**

This research aims to examine the theoretical issues related to the oversight activities of Provincial People's Councils; evaluate the current situation, and based on this, propose viewpoints and solutions to improve the effectiveness of oversight activities by the Provincial People's Councils in Lao Cai, Yen Bai and Lai Chau in the coming period.

### **2.2. Research tasks**

To achieve the aforementioned objectives, the dissertation will undertake the following research tasks:

*First*, to review the relevant scientific works both domestically and internationally related to the topic. From this, clarify the theoretical and practical contributions of previous studies in the actual oversight activities of the People's Councils; identify areas for continuation and development, and point out issues that have not been systematically researched or clarified, which should be further explored in the dissertation.

*Second*, to clarify the theoretical foundations of oversight activities by the Provincial People's Councils, including: definitions, roles, characteristics, contents, and forms of oversight; while also analyzing the factors that affect the effectiveness of these activities at the local level.

*Third*, to analyze and assess the current state of oversight activities by the Provincial People's Councils in the provinces of Lao Cai, Yen Bai and Lai Chau over two consecutive terms.

*Fourth*, to propose viewpoints and solutions aimed at enhancing the effectiveness of oversight by the Provincial People's Councils in Lao Cai, Yen Bai and Lai Chau in the near future.

### **3. Research subject and scope**

#### **3.1. Research subjects**

Supervision activities of the provincial People's Council in Lao Cai, Yen Bai and Lai Chau.

#### **3.2. Research scopes**

- Scope of content: The thesis research on supervision activities of the provincial People's Council on the basis of the position, role, functions and tasks of the local elected agency

- Space scope: In 3 provinces: Lao Cai, Yen Bai and Lai Chau.

- Time scope: term 2016 - 2021 and the first half of the term 2021 - 2026.

### **4. Research Methods**

#### **4.1. Theoretical Basis of the Methodology**

This dissertation is based on the methodology of Marxism-Leninism and the thought of Ho Chi Minh regarding the structure and organizational activities of local government at the provincial level, specifically the People's Council and its supervisory function as a local state power body. It also draws on the viewpoints, guidelines, and policies of the Party and the State concerning the supervisory role of the People's Council, based on the principle that all power belongs to the people. The dissertation aims to further enhance the form of representative democracy, enabling the people to fully exercise their ownership rights through the supervisory activities of the People's Council.

#### **4.2. Research methods**

Based on the methodology, the dissertation employs the following research methods:

- Analytical - Synthesis Method
- Statistical Method
- Comparative Method
- Document Analysis Method
- Historical Method
- Sociological Survey Method
- Generalization and Systematization Method
- Interpretative and Inductive Method

### **5. Scientific Contributions of the Dissertation**

- The dissertation is the first independent, systematic, and comprehensive study on the supervisory activities of the Provincial People's Councils in several provinces of the Northwestern region.

- From a political science perspective, the dissertation provides an objective, scientific, and comprehensive assessment of the supervisory practices of the People's Councils in the provinces of Lao Cai, Yen Bai, and Lai Chau. Based on this, it offers a foundation for proposing appropriate and effective solutions.

- The viewpoints and solutions proposed in the dissertation will serve as a valuable reference for enhancing the effectiveness of the supervisory activities of the People's Councils in Lao Cai, Yen Bai, Lai Chau, and other provinces in the Northwestern region in the future.

## **6. Theoretical and Practical Significance of the Dissertation**

- Provides valuable reference and cognitive insights for the implementation of supervisory tasks by Provincial People's Councils in the Northwestern region and in Vietnam.

- Contributes to improving the quality of the activities of elected provincial bodies, promoting socio-economic development, and meeting the expectations of the people; helps reduce bureaucracy, corruption, and fosters the improvement of social relations.

## **7. Structure of the thesis**

In addition to the introduction, conclusion, reference list, and appendices, the dissertation consists of 4 chapters, 12 sections, a list of the author's published works related to the dissertation topic, and a reference list.

# **Chapter 1**

## **OVERVIEW OF THE RESEARCH SITUATION**

### **1.1. Research Situation**

#### ***1.1.1. Studies on people-elected agencies; local governance and democracy***

As a local state power body representing the will and aspirations of the local people, the People's Council in general, and the Provincial People's Council in particular, is considered a special entity in exercising the people's ownership rights and promoting democracy. To date, the topic of people-elected agencies and the People's Councils has attracted numerous research works from various approaches, including law, public administration, and political science.

Notable works include the specialized report *International Experience on the Oversight of Elected Government and Its Relevance to Vietnam* (2022) by author Vu Cong Giao; the book *International Experience on Local Self-Governance and Its Applicability to Vietnam* (2017) by Nguyen Van Cuong; *The Organization of State Power at the Local Level in the Socialist Rule of Law State of Vietnam* by author Vu Thu; and the book *People's Oversight of Elected Government in Vietnam During the Renovation Period* by Dang Dinh Tan. Other significant contributions include Nguyen

Van Thoi's article *The Current Situation and Solutions to Enhance the Capacity and Effectiveness of Local Governance in Vietnam Today* (2023); Dao Thi Thanh Thuy's study *Local Governance – Approaches to Improve the Quality and Effectiveness of Local Government Activities* (2016); *Direct Democracy and Representative Democracy – The People's Ownership Rights* by Ha Quoc Thanh (2020).

International works include *Government Accountability and External Watchdogs* by Schmuhn Robert (2005); and *Democracy, Accountability, and Representation* by Adam Przeworski and Susan C. Stokes (2012).

### ***1.1.2. Studies on Oversight Activities as a Form of State Power Control***

Regarding oversight activities, many scholars, both domestic and international, have focused on analyzing, interpreting, and evaluating its impact on the control of state power.

Notable works include *State Power Control: Some Theoretical and Practical Issues in Vietnam Today* (2008) by Trinh Thi Xuyen; the article *Social Oversight in the Rule of Law State* by Vu Anh Tuan; Trinh Xuan Thang's article *The Mechanism of State Power Control through Public Disclosure and Transparency in the Operation of State Agencies*; the PhD dissertation *Improving the Law on People's Oversight of State Administrative Agencies in Vietnam* by Hoang Minh Hoi; and the article *On the Subjects of Oversight by the People's Council* by Nguyen Hai Long.

International studies related to oversight activities aimed at controlling state power include *The Sources of Social Power* (1986) by Michael Mann; *Power and Maintenance* (1997) by Sargent M.; Herbert Alexander Simon's book *A Study of Decision-Making Processes in Administrative Organizations*; and the article *The People's Political Consultative Conference of China* by the Foreign Affairs Department of Ho Chi Minh City.

### ***1.1.3. Studies on the Oversight Activities of the Provincial People's Council***

When discussing the activities of elected bodies in general and the oversight activities of local elected bodies in particular, many studies have deeply analyzed the oversight activities of the Provincial People's Council:

Vu Manh (1988), *Enhancing the Effectiveness of the Oversight Activities of the Provincial People's Council in the Context of Renovation in Vietnam Today*; National Assembly Office, Institute of Public Policy and Law (2015), *Oversight Activities of Elected Bodies in Vietnam: Issues and Solutions*; Nguyen Nam Ha (2013), *The Quality of the Activities of the Provincial People's Council in Accordance with the Requirements of the Socialist Rule of Law State of Vietnam*; Le Duc Trung (2023), *The Role of the Provincial People's Council in Anti-Corruption Efforts*; Nguyen Truong Giang's article *Enhancing the Quality of the*

*Oversight Activities of the Provincial People's Council in the Oversight of Elected Bodies Concerning the Resolution of Voter Petitions.*

#### ***1.1.4. Research Works on the Oversight Activities of the Provincial People's Council in Practice in Some Localities***

Studies on the oversight activities of the Provincial People's Council in several localities include:

Standing Committee of the Provincial People's Council of Ha Tinh (2017), *Enhancing the Quality of the Oversight Activities of the Provincial People's Council in Ha Tinh Province*; Provincial-level Scientific Research Project (2015): *Renovating and Enhancing the Quality of the Sessions of the Provincial People's Council of Thanh Hoa*; Le Thi Minh Ha's article *The Provincial Party Committee of Hà Nam Strengthens Leadership in the Oversight Activities of the Provincial People's Council* (2016); Doan Thi Kieu Tien's article *Enhancing the Quality of Oversight Activities of the Provincial People's Council in Trà Vinh Province*.

### **1.2. Overview of Main Results from Published Studies Related to the thesis and Issues Requiring Further Research**

#### ***1.2.1. Summary of Key Results from Published Studies Related to the thesis***

Based on the analysis of scientific studies published both domestically and internationally related to the thesis, the results of the research can be summarized and commented as follows:

In various types and levels of studies, scientific research has addressed the concept, function, and role of oversight in relation to the state apparatus. Some studies have argued that oversight activities, in general, stem from the objective need for their existence. State power oversight consists of both internal and external oversight mechanisms.

For some studies on the oversight activities of the Provincial People's Council, authors have emphasized the need to answer the question of why this oversight activity must be conducted substantively. Only by doing so can all aspects of social life truly be effective, bringing legitimate benefits to the people and the state apparatus. However, through these studies, it is apparent that in many provinces, oversight by the People's Councils still faces many limitations, especially in terms of the quality of oversight during council sessions, the proactive approach in selecting oversight topics, and the effectiveness of the oversight carried out by the representatives.

#### ***1.2.2. The issues that need to continue researching*** ***Theoretical:***

- Content continues to study and resolve including concepts, characteristics, contents, and supervision purpose of the People's Council; Analysis of evaluation criteria and political influence factors.



- The thesis clarifies theoretical issue of the purpose of the People's Council in the organizational structure of the local power.

- The thesis clearly identifies the objects and operational processes; Duties and powers of delegates and conditions to ensure supervision activities of the People's Council.

***Practical:***

- Comprehensive and systematic evaluation, assessment in 3 provinces in the Northwest (Lao Cai, Yen Bai, Lai Chau) on supervision activities of the provincial People's Council.

- The thesis proposes synchronous views and solutions to improve and improve the effectiveness of supervision activities of the provincial People's Council.

***1.2.3. Research questions and scientific hypotheses***

*1.2.3.1. Research questions about theoretical content:* Awareness of local election agencies and supervision activities of people-elected agencies?

Research hypothesis.

Expected research results.

*1.2.3.2. Research questions about practical content:* What is the current situation of supervision activities of the People's Council of the province in Lao Cai, Yen Bai and Lai Chau now? What is the cause of the achievements in monitoring activities? Views and solutions to improve the effectiveness of supervision activities of the provincial People's Council in Lao Cai, Yen Bai and Lai Chau?

Research hypothesis.

Expected research results.

### **Conclusion of Chapter 1**

An overview of the domestic and international literature has created a relatively comprehensive picture, from theory to practice, regarding the oversight activities of people-elected agencies and Provincial People's Councils under various perspectives and approaches. The scientific studies provide a complete theoretical framework on oversight activities, the current status and effectiveness of oversight, and solutions for improving the quality of oversight by the National Assembly and People's Councils.

These sources are valuable for the doctoral candidate to continue studying, inheriting, supplementing, and developing them throughout the dissertation process. However, to date, no research has specifically examined the oversight activities of Provincial People's Councils in the North-Western region. This research and general evaluation will serve as the foundation for the doctoral candidate to further study, develop, and construct a system of issues that the dissertation needs to address.

## **Chapter 2**

### **THEORIES ON THE SUPERVISION ACTIVITIES OF PROVINCIAL PEOPLE'S COUNCILS**

#### **2.1. The formation and development of people-elected agencies and representative governments**

In the historical development of humanity, people have always had the tendency to live in communities. In the early stages, when the community size was small, direct democracy was widely used. However, as the community size grew larger, the population in city-states increased, and common issues became more complex, it became increasingly difficult to assemble people regularly and allow everyone to directly participate in decisions regarding the community's collective activities. This posed challenges and even made such participation technically unfeasible. At this point, political thinkers and citizens began to realize that power must be entrusted to a body that represents the will and aspirations of the people, in order to govern on behalf of the population.

#### **2.2. General awareness of people-elected agencies and the supervision activities of people-elected agencies at the local level**

##### **2.2.1. Concept of local people-elected agencies**

###### *- Worldwide*

People-elected agencies at the local level are those bodies directly elected by the people at the local level for a specific term, through voting, and are entrusted with local governmental power by the people. The function of these people-elected agencies is to represent the will and aspirations of the local people, make important decisions on their behalf, oversee the implementation of laws and local regulations within their jurisdiction.

###### *- In Vietnam*

It is a state agency elected by local voters, representing local people, operating for a term, with the function of deciding important local issues, controlling and supervising the implementation of the Constitution and laws in the locality, resolutions of people-elected agencies; is a bridge to implement the central government's guidelines and policies to the grassroots and the people to ensure that state power belongs to the people.

##### **2.2.2. Elected representatives at the local level**

Representatives of elected state bodies are individuals chosen by voters through open, democratic, and direct elections to represent the residents of a locality or region in exercising public power. They are accountable to the people for the legitimacy of their representation.

### **2.2.3. Supervision activities of people-elected agencies at the local level**

In Vietnam, this function has always played an important role and has been enhanced through various tools. Organizing meetings with voters on specific issues is often conducted on a large scale, ensuring fairness and effectiveness, while ensuring the principle that everyone is informed and understands the value of their opinions in the development of the nation. Additionally, representatives are continuously raising awareness and implementing deterrent measures to manage and supervise local officials at all levels.

### **2.3. The role and functions of the Provincial People's Council**

#### ***2.3.1. The role of the Provincial People's Council***

#### ***2.3.2. The functions of the Provincial People's Council***

- The decision-making function.
- The supervision function.

“The Provincial People's Council exercises the right to supervise the implementation of its own resolutions; the adherence to the Constitution and laws at the local level”, and at the same time, it “supervises the activities of the Standing Committee of the People's Council, the People's Committee, the People's Court, the People's Procuracy at the same level, as well as the Committees of the People's Council; it supervises the legal documents issued by the People's Committee and the resolutions of the People's Council at the district level”.

### **2.4. The supervision activities of the Provincial People's Council**

#### ***2.4.1. The concept, characteristics, purpose, and role of supervision by the Provincial People's Council***

##### ***2.4.1.1. The concept of supervision and the supervision of the Provincial People's Council***

##### ***- The Concept of Supervision***

Supervision is the act of monitoring, observing, reviewing, and assessing the actions or behaviors of the subject being supervised to determine whether they comply with the requirements set by the authority. Based on this evaluation, actions are taken to compel the subject to comply with the demands and regulations established by the authority.

##### ***- Distinguishing supervision from inspection, examination, and prosecution***

Supervision differs from inspection, examination, and prosecution in that it focuses on continuous observation and assessment to ensure compliance, whereas inspection and examination often involve more formal investigations, and prosecution focuses on legal accountability for violations.

##### ***- Supervision by the Provincial People's Council***

Supervision by the Provincial People's Council refers to the overall activities of elected bodies at the local level. It is a process where the People's Council monitors, evaluates, and examines the activities of organizations, agencies, and individuals in the province to ensure that all actions comply with the law, fulfill their functions, responsibilities, and authority as assigned, and ensure that state power truly belongs to the people.

#### *2.4.1.2. Characteristics of the supervision activities of the Provincial People's Council*

*First*, supervision is the highest form of state power activity at the local level.

*Second*, it has both political and legal aspects.

*Third*, it depends on the economic, political, cultural, and social conditions of each province.

*Fourth*, the scope of supervision by the Provincial People's Council is both general and specific.

*Fifth*, it serves as a link between the supervision activities of the National Assembly and those of the People's Councils at the district and commune levels.

#### *2.4.1.3. The purpose of supervision by the Provincial People's Council*

*First*, to ensure that all power belongs to the people, promoting the people's right to self-govern.

*Second*, to prevent the abuse of power, while contributing to the respect, protection, and guarantee of human rights and citizens' rights.

*Third*, to ensure compliance with the Constitution and laws at the local level and to enhance the effectiveness of the implementation of resolutions passed by the Provincial People's Council.

*Fourth*, to contribute to strengthening the effectiveness and efficiency of the Provincial People's Council and the local state apparatus in general.

#### *2.4.1.4. The role of supervision by the Provincial People's Council*

- The role is demonstrated through supervision activities.

- It contributes to purifying the local state apparatus, making local government transparent and strong.

- It contributes to enhancing the effectiveness and efficiency of the Provincial People's Council and the local state apparatus in general.

### ***2.4.2. Supervisory subjects and supervisory objects of the Provincial People's Council***

#### *2.4.2.1. Supervisory Subjects*

The supervisory subjects of the Provincial People's Council include: (1) The Provincial People's Council; (2) The Standing Committee of the Provincial People's Council; (3) The Committees of the Provincial People's Council; (4) The

Delegation of Provincial People's Council Representatives; (5) The Representatives of the Provincial People's Council.

#### *2.4.2.2. Supervisory Objects*

The objects subject to supervision by the Provincial People's Council include: The activities of the Standing Committee of the Provincial People's Council, the Provincial People's Committee, the Provincial People's Procuracy, and the Provincial People's Court. The implementation of the resolutions of the Provincial People's Council. The compliance with the law by state agencies, economic organizations, social organizations, armed forces, and citizens at the local level.

In addition to the above objects, when necessary, the Provincial People's Council, its Standing Committee, and the Committees of the Provincial People's Council may supervise the activities of other agencies and individuals at the local level.

#### ***2.4.3. The content and forms of supervision by the Provincial People's Council***

##### *2.4.3.1. The content of supervision by the Provincial People's Council*

The content of supervision refers to issues and areas within the scope of the Provincial People's Council's authority. Therefore, the content of supervision by the Provincial People's Council includes:

Supervising the implementation of the Constitution and laws in the province; the enforcement of the resolutions of the Provincial People's Council; the issuance of legal documents by local state agencies; the handling of complaints and denunciations from local citizens; addressing the petitions of voters; and supervising the activities of provincial civil servants.

Supervising all aspects of state management in various fields of social life; Supervising the decisions and the implementation of measures aimed at promoting the people's right to self-govern.

##### *2.4.3.2. the forms of supervision by the Provincial People's Council*

- Reviewing the reports of the Standing Committee of the Provincial People's Council, the Provincial People's Committee, the Provincial People's Court, and the Provincial People's Procuracy.

- Reviewing the responses to questions raised by the Chairperson of the Provincial People's Council, the Chairperson of the Provincial People's Committee, other members of the Provincial People's Committee, the directors of departments, the Head of the Provincial People's Procuracy, and the Chief Justice of the Provincial People's Court.

- Reviewing legal documents issued by the Provincial People's Committee and resolutions of the District People's Council when there are signs of conflict with the Constitution or the law.

- Conducting regular supervision and surveys; organizing specialized supervision sessions and forming Supervisory Delegations when necessary.

- Conducting votes of confidence for individuals holding positions elected by the Provincial People's Council.

#### ***2.4.4. Consequences of the Supervision Activities of the Provincial People's Council***

In Vietnam, the consequences of supervision by the People's Council in general and by the Provincial People's Council in particular are aimed at influencing the behavior of the supervised subjects. These may include requesting the cessation of violations, proposing votes of confidence, or the dismissal of individuals holding positions elected by the People's Council, leading to consequences related to accountability in the supervision process. The accountability consequences reflect the will and attitude of the People's Council regarding the results of the supervision.

When evaluating the consequences of the supervision activities of the Provincial People's Council, the results obtained after conducting supervision sessions also have a dual nature. The consequences may be assessed quantitatively, but they can also be evaluated qualitatively.

#### **2.5. Factors affecting the supervision activities of the Provincial People's Council**

2.5.1. Political factors.

2.5.2. Legal factors.

2.5.3. Organizational, structural, and human resource factors.

2.5.4. Economic factors.

2.5.5. Social factors.

2.5.6. The supervision program and plan of the Provincial People's Council.

2.5.7. The quality of the representatives of the People's Council.

2.5.8. The education level and political culture of citizens.

### **Conclusion of Chapter 2**

Through a scientific approach to identify key aspects related to the supervision activities of the Provincial People's Council, the thesis develops and analyzes the concept, characteristics, and objectives of the supervision activities of the Provincial People's Council. From this, the thesis points out the content and methods of supervision by the Provincial People's Council, including reviewing reports from the Standing Committee of the Provincial People's Council, the Provincial People's Committee, the Provincial People's Court, and the Provincial People's Procuracy; conducting questioning sessions; reviewing legal documents; establishing supervisory delegations when necessary; and conducting votes of confidence for individuals holding positions elected by the Provincial People's Council.

The thesis clarifies the differences between supervision, inspection, examination, and prosecution; the distinction between the supervision of the

Provincial People's Council and that of the Party; the supervision by the National Assembly; the supervision of the People's Councils at the district and commune levels; and social supervision by the Vietnam Fatherland Front and other political-social organizations, with forms such as: reviewing reports from the Standing Committee of the Provincial People's Council; questioning and answering questions; reviewing legal documents; reviewing reports from the supervisory delegation; and voting of confidence... The content of supervision by the Provincial People's Council spans multiple fields, including economics, politics, security, and defense, with the subjects of supervision being the Standing Committee of the Provincial People's Council, the Provincial People's Committee, the Provincial People's Court, and the Provincial People's Procuracy... At the same time, the thesis also analyzes the factors that ensure the success of the Provincial People's Council's supervision activities, such as political factors, legal factors, organizational, structural, and human resource factors, economic factors, social factors, and the program and plan of supervision activities of the Provincial People's Council. These are critical factors that contribute to the success and effectiveness of the supervision activities of the People's Council.

### **Chapter 3**

#### **THE CURRENT SITUATION OF THE SUPERVISION ACTIVITIES OF THE PROVINCIAL PEOPLE'S COUNCIL IN LAO CAI, YEN BAI, AND LAI CHAU**

##### **3.1. Overview of the natural, socio-economic characteristics and the Provincial People's Council in some provinces of the Northwestern Region**

##### ***3.1.1. Overview of the natural, socio-economic characteristics of the three provinces of Lao Cai, Yen Bai, and Lai Chau***

The three provinces of Lao Cai, Yen Bai, and Lai Chau share several similarities in terms of natural conditions, economy, and society. They are located in the same climatic sub-region, with a mountainous terrain that is fragmented; the lives of the people, especially those of ethnic minorities, still face many challenges. However, thanks to advantages and potential in various economic sectors (such as border-gate economy, industrial economy, mining economy, tourism economy, etc.), and their positions as the entry points into Vietnam in the Kunming - Lao Cai - Hanoi - Hai Phong - Quang Ninh economic corridor, Lao Cai has significant strengths to lead the Northwestern provinces in development indicators, especially GDP, followed by Hoa Binh province. Yen Bai is a province with income indicators in the middle group of the Northwestern provinces, along with Son La. Meanwhile, Lai Chau, along with Dien Bien, ranks at the bottom in terms of economic development indicators and social development conditions.

These development indicators have both favorable and unfavorable impacts on organizing the activities of the People's Council in general and the supervision activities of the Provincial People's Council in particular. Specifically, factors such as the level of education, professional expertise, income, and employment have an impact. This is the main reason why the author selected these three provinces for the study. They not only reflect the specific characteristics of each province but also represent the Northwestern region as a whole.

### ***3.1.2. Overview of the Provincial People's Councils of Lao Cai, Yen Bai, and Lai Chau***

#### *3.1.2.1. Organizational structure and machinery*

With the characteristics of mountainous localities, many ethnic groups, and various regions, the provinces in the Northwestern area, including Lao Cai, Yen Bai, and Lai Chau, all have a high proportion of ethnic minorities (Lai Chau: 84%, Lao Cai: 64%, Yen Bai: 57%). Therefore, in the organizational structure of the Provincial People's Council, an additional Ethnic Affairs Committee is established. Compared to other localities in the country, the Provincial People's Council only has three main committees: the Legal Committee, the Culture-Social Committee, and the Economic-Budget Committee.

#### *3.1.2.2. Standing committee of the Provincial People's Council*

At the beginning of the 2016-2021 term, the Standing Committee of the Provincial People's Council in Lao Cai, Yen Bai, and Lai Chau each had 8 members. However, during the course of the term, the number decreased due to transfers, retirements, or health reasons. In the 2021-2026 term, the number of members in each province was reduced by one, leaving 7 members (with the position of the Chief of the Provincial People's Council Office being abolished).

#### *3.1.2.3. Committees of the Provincial People's Council*

By the end of the 2016-2021 term, the number of members in the committees of the Provincial People's Councils of Lao Cai, Yen Bai, and Lai Chau had decreased due to transfers, retirements, or deaths. In the 2021-2026 term, the number of members in these committees increased compared to the previous term, with Lai Chau's Provincial People's Council seeing the largest increase (from 28 to 37 members).

#### *3.1.2.4. Groups of the Provincial People's Council*

To ensure that the structure aligns with local conditions, during both the 2016-2021 and 2021-2026 terms, the Provincial People's Councils of Lao Cai, Yen Bai, and Lai Chau established representative groups based on district-level administrative units (Yen Bai has 9 representative groups, Lao Cai has 9, and Lai Chau has 8).

#### *3.1.2.5. Number and composition of the Provincial People's Council representatives*



Based on the data extracted from the organizational structure, the Provincial People's Councils of Lao Cai, Yen Bai, and Lai Chau have between 50 and 60 representatives, depending on the population ratio.

In general, the professional and political theory qualifications of the provincial council representatives are quite high, which positively impacts their ability to consider and decide on socio-economic development issues, national security, and defense matters, ensuring that decisions are scientific, realistic to local conditions, and in accordance with legal regulations.

### ***3.1.3. Relationship between the Provincial People's Councils of Lao Cai, Yen Bai, Lai Chau and local agencies and units***

3.1.3.1. Relationship with the Party Committee.

3.1.3.2. Relationship with the People's Committee, the Vietnam Fatherland Front Committee of the Province, and Political-Social Organizations.

3.1.3.3. Relationship with People's Councils at other levels.

3.1.3.4. Relationship with judicial agencies.

3.1.3.5. Relationship with the Provincial Delegation to the National Assembly, the National Assembly's agencies, the Standing Committee of the National Assembly, ministries, departments, and Standing Committees of other provincial People's Councils.

3.1.3.6. Relationship between the Provincial People's Council, the Standing Committee of the Provincial People's Council, the Committees of the Provincial People's Council, and the Representative Groups of the Provincial People's Council.

## **3.2. Actual Situation of Oversight Activities by the Provincial People's Councils in Lao Cai, Yen Bai, and Lai Chau from 2016 to 2023**

### ***3.2.1. Oversight through Reviewing Reports***

At the sessions, the Provincial People's Councils of Lao Cai, Yen Bai, and Lai Chau have overseen the reports on the work of the Standing Committee of the Provincial People's Council, the Provincial People's Committee, the People's Court, the People's Procuracy at the same level regarding the results of implementing socio-economic development indicators, investment in development, the budget estimate for the first six months of the year; key tasks and solutions for the last six months of the year; resolution of citizens' petitions, petitions from the Vietnam Fatherland Front Committee of the province, recommendations following the oversight by the Standing Committee, the Committees of the Provincial People's Council; consolidated reports on the verification of socio-economic development tasks, investment in development in the first six months of the year; adjustment of local budget estimates; socio-economic development directions and tasks for the last six months of the year; crime prevention and law violation prevention work; anti-

corruption activities; results of savings practices and waste reduction; complaints and denunciations resolution work... oversight of the activities of the People's Council and its Committees; oversight of the operational management of the People's Committee. The focus of the oversight content is on the results of implementing and organizing the enforcement of the People's Council's Resolutions and the fulfillment of the "commitments" by the heads of local state management agencies.

### ***3.2.2. Oversight through questioning and answering questions***

The content of the questions during the regular sessions of the Provincial People's Councils in the three provinces focused on urgent issues of social concern related to fields such as: investment in infrastructure (electricity, roads, schools, stations); land compensation and site clearance; mineral exploitation; planning, etc. In these provinces, the process of questioning and answering questions is carried out as follows: Members of the Provincial People's Council submit their questions to the Standing Committee of the Provincial People's Council via question forms. The Standing Committee then consolidates, classifies the questions, and sends them to the relevant agencies for responses. Upon receiving the questions, the concerned agencies prepare written responses and send them to the Standing Committee of the Provincial People's Council, along with explanations during the questioning sessions.

### ***3.2.3. Oversight through confidence voting for people in positions elected by the Provincial People's Council***

It can be observed that in the three provinces of Lao Cai, Yen Bai, and Lai Chau, the Provincial People's Councils strictly implemented Resolution No. 85/2014/QH13 dated November 28, 2014, of the National Assembly, and Resolution No. 96/2023/QH15 on confidence voting for those holding positions elected and approved by the National Assembly and the Provincial People's Council. The process of confidence voting has been conducted thoroughly, following the correct procedure; the entire process of confidence voting is carried out democratically, transparently, and openly. With their responsibilities, the members of the Provincial People's Council spent time researching, gathering information, discussing, and making cautious, objective, and fair assessments in their voting. The results of the confidence votes reflected the actual level of trust the members of the Provincial People's Council had in those elected to positions. The results were publicly disclosed in full and accurately at the sessions and through mass media for public opinion, voters, and citizens in the province to observe and oversee.

### ***3.2.4. Oversight through reviewing legal documents of the Provincial People's Committee and resolutions of the district people's councils***

It can be assessed that the review of legal documents by the Provincial People's Council in Lao Cai, Yen Bai, and Lai Chau has been carried out

thoroughly and promptly as soon as there were grounds for review. This has ensured the consistency of the local legal documents with those from higher state authorities, in line with the actual situation of the locality, and created favorable conditions for the socio-economic development of the provinces.

***3.2.5. Ongoing oversight, surveys, special topic oversight, and the establishment of oversight delegations when necessary***

In practice, many proposals and recommendations from the Standing Committee of the Provincial People's Council, the Committees, and the members of the Provincial People's Council through ongoing surveys, special topic oversight, and establishment of oversight delegations have helped agencies, units, and localities enhance the effectiveness and efficiency of state management. This also enabled the provincial People's Council to assess its previously issued decisions and serve as the basis for the Council to issue new resolutions that are more aligned with the local conditions and have a high degree of feasibility.

**3.3. Evaluation of the oversight activities of the Provincial People's Councils in Lao Cai, Yen Bai, and Lai Chau**

***3.3.1. Achievements***

***3.3.1.1. Results of the oversight by the standing committees, the committees, and the delegation groups of the Provincial People's Councils Ensure the Effectiveness and Efficiency of the Local people-elected agencies***

The oversight activities carried out by the Standing Committees, the Committees, and the delegation groups of the Provincial People's Councils have contributed to ensuring the effectiveness and efficiency of the functioning of the elected bodies at the local level.

***3.3.1.2. The capacity and effectiveness of the oversight by the members of the Provincial People's Councils have seen clear progress, ensuring representation before the voters***

The capacity and effectiveness of oversight by the members of the Provincial People's Councils have clearly improved, ensuring that the councils remain representative of the people they serve.

***3.3.1.3. The oversight results of the Provincial People's Councils ensure that all power belongs to the people and promote people's ownership***

The outcomes of the oversight activities ensure that all power is vested in the people and help to promote the people's right to self-governance.

***3.3.2. Causes of the Achievements***

*First*, the leadership role of the Party committees, the National Assembly, and the coordination between the agencies and units.

*Second*, the effectiveness of the planning process.

*Third*, the restructuring and improvement in the number and quality of council members.

*Fourth*, innovation in oversight activities.

*Fifth*, emphasis on post-oversight activities.

*Sixth*, the innovation of oversight methods.

### **3.3.3. Limitations and Causes**

#### *3.3.3.1. Limitations*

*First*, regarding the structure and the quality of the work of elected representatives.

*Second*, the incomplete fulfillment of the duties of elected representatives in the oversight process.

*Third*, limitations in coordination work.

*Fourth*, the absence of criteria to assess the results of oversight activities.

*Fifth*, limitations in the effectiveness of actions following oversight.

#### *3.3.3.2. Causes of the Limitations*

##### **\* General Evaluation**

*- Some distinctive features in the oversight activities of the Northwestern region.*

*First*, in the organizational structure of the Provincial People's Councils, there is the presence of the Ethnic Committee.

*Second*, depending on the time and specific context, the Provincial People's Council may choose to implement oversight activities that are more suited to local needs.

*Third*, the oversight process is also reviewed in accordance with the organizational structure, capacity, and resources of the Provincial People's Councils.

*Fourth*, the members of the Provincial People's Councils in the Northwestern region must always improve their skills in engaging with voters.

*- Reference and Comparison with the Oversight Activities of Other Provinces in the Northwestern Region and Other Regions.*

In addition to the reference and comparison with other provinces in the Northwestern region (Hoa Binh, Son La, Dien Bien), this thesis also studies the oversight activities of some provinces in the Northeastern region, such as Tuyen Quang and Phu Tho. Additionally, comparisons are made with the Central Highlands region.

### **Conclusion of Chapter 3**

Oversight is one of the key functions of representative bodies, in general, and Provincial People's Councils, in particular. During the 2016-2021 term and the first half of the 2021-2026 term, the oversight activities of the Standing Committees, Committees, and Delegation Groups of the Provincial People's Councils of Lao Cai, Yen Bai, and Lai Chau have undergone many innovations, increasingly going into greater depth. The methods and content of oversight have been diversified, with the timing and organizational approaches constantly being studied and

adjusted to ensure effectiveness. These methods have been applied during regular sessions, between sessions, and include specialized oversight topics.

The oversight topics chosen are well-considered, comprehensive, and focus on significant local issues that have a strong impact on the lives of voters and the economic-social development of the province. At the same time, the oversight also focuses on monitoring the implementation of the resolutions passed by the Provincial People's Councils, to timely detect shortcomings, inadequacies, and obstacles from the agencies, units, and localities, thereby making recommendations to the competent authorities for review and resolution.

However, alongside the positive results, the oversight activities of the Provincial People's Councils in Lao Cai, Yen Bai, and Lai Chau still face some common limitations, such as: Due to the structure and composition of the councils, the quality of the council members is uneven in terms of professional qualifications. Most council members work part-time, and they do not dedicate enough time to their duties as representatives. Some members are still uncertain in their methods of working, are hesitant to speak up, and avoid confrontation and debate, especially in the questioning sessions and when proposing oversight topics to the Standing Committee of the People's Council...

## **Chapter 4**

### **PERSPECTIVES AND SOLUTIONS TO IMPROVING THE EFFECTIVENESS OF OVERSIGHT ACTIVITIES BY THE PROVINCIAL PEOPLE'S COUNCILS IN SOME PROVINCES OF THE NORTHWEST REGION**

#### **4.1. Perspectives on improving the effectiveness of oversight activities by local people-elected agencies at the provincial level in some provinces in the Northwest region**

##### ***4.1.1. Ensuring full awareness of the oversight activities of local people-elected agencies***

The local representative bodies at the provincial level must ensure that all members fully understand the importance and role of oversight in the functioning of local governance. This awareness must be deeply ingrained in the council's operations and should be reflected in the planning, execution, and evaluation of oversight activities.

##### ***4.1.2. Oversight activities of local people-elected agencies at the provincial level should be based on the principle that state power belongs to the people, and promote democracy at the local level***

The oversight process should guarantee that it reflects the people's power, ensuring that local representatives act as a direct link between the people and the government. It is essential that oversight activities strengthen the democratic process, ensuring transparency and accountability at all levels of government.

***4.1.3. Oversight activities of local people-elected agencies at the provincial level should contribute to the economic-social development and political stability of the region***

Oversight must not only focus on monitoring compliance with policies but also work to create an environment that fosters development and stability. By monitoring the implementation of policies, the provincial councils can identify potential obstacles to progress, thereby helping to improve decision-making and governance that leads to socio-economic growth and political stability.

***4.1.4. Oversight activities of local people-elected agencies at the provincial level must be linked to the fight against corruption and negative practices at the local level***

Effective oversight must be a key tool in detecting and addressing corruption, waste, and inefficiency within local government operations. Oversight should prioritize monitoring anti-corruption measures and ensure that any misuse of power is swiftly addressed, contributing to a more transparent and ethical government.

**4.2. Solutions to enhance the effectiveness of oversight activities by the Provincial People's Councils in some provinces in the Northwest region**

To improve the effectiveness of oversight, the Provincial People's Councils in the Northwest region need to adopt more proactive and innovative approaches. These solutions will be aimed at strengthening the oversight capacity, improving transparency, and fostering a more active role for the councils in ensuring that local governments are accountable to the people.

***4.2.1. Innovating the structure and organization of the Provincial People's Council to enhance the effectiveness of oversight***

***4.2.1.1. Regarding the standing committee of the Provincial People's Council***

Efforts should be made to strengthen the Standing Committee's role in coordinating and overseeing the work of the Provincial People's Council. This can be achieved by ensuring that the Standing Committee has the capacity to monitor and evaluate the effectiveness of government actions, and to provide recommendations that align with the people's needs and priorities.

***4.2.1.2. Regarding the committees of the Provincial People's Council***

The committees should be empowered with better resources and support to enhance their capacity for specialized oversight. Strengthening the role and expertise of these committees will help them play a more active part in monitoring and assessing policies and government actions.

***4.2.2. Enhancing the effectiveness of the key entities responsible for performing the oversight functions of the Provincial People's Council***

- Providing comprehensive information: Ensure that all relevant and up-to-date information is made available to the People's Council to support informed decision-making and effective oversight.

- Regular training and capacity-building for Provincial People's Council representatives.

- Training for candidates of the Provincial People's Council before elections.

- Enhancing the capacity and effectiveness of the Standing Committee of the Provincial People's Council.

- Improving the capacity and effectiveness of the committees of the Provincial People's Council.

- Improving the quality of activities for the delegations and organizing effective oversight by the delegations of the Provincial People's Council.

- Strengthening the capacity of the secretariat of the Provincial People's Council.

#### ***4.2.3. Innovating the content and methods of oversight by the Provincial People's Council to ensure effective exercise of state power at the local level***

4.2.3.1. Innovating and enhancing the effectiveness of reviewing reports at council sessions.

4.2.3.2. Innovating and enhancing the effectiveness of questioning and answering during council sessions.

4.2.3.3. Effectively implementing the confidence vote for individuals holding positions elected by the Provincial People's Council.

4.2.3.4. Innovating and enhancing the effectiveness of regular oversight and thematic oversight between sessions.

4.2.3.5. Improving the quality of activities for engaging with voters.

#### ***4.2.4. Developing criteria to assess the effectiveness of oversight by the Provincial People's Council.***

- *Criterion 1:* The socio-economic situation after oversight activities compared to the situation before oversight activities.

- *Criterion 2:* The degree to which the objectives of oversight are achieved.

- *Criterion 3:* The results achieved due to the impact of oversight activities.

- *Criterion 4:* The outcomes achieved relative to the costs incurred.

#### ***4.2.5. Promoting transparency and public disclosure of oversight results***

According to Article 28 of Resolution No. 594/NQ-UBTVQH15 issued by the Standing Committee of the 15th National Assembly, the results of implementing resolutions, conclusions, and oversight recommendations must be made public within 15 days after the completion of the period for addressing the issues concluded and recommended by the People's Council. Therefore, after the specified period, the Standing Committees of the People's Councils in the provinces of Lào Cai, Yên Bái, and Lai Châu must be responsible for publicly posting the oversight results through local media or other appropriate means, allowing voters and the public to follow and monitor them, except for cases related to state secrets.

***4.2.6. Ensuring the leadership of the party committee and strengthening coordination in oversight activities to enhance the effective exercise of state power by people-elected agencies at the local level***

4.2.6.1. Ensuring the leadership of the party committee.

4.2.6.2. Strengthening Coordination with Political-Social Organizations.

4.2.6.3. Strengthening coordination with the national assembly, People's Councils at all levels, and relevant agencies in oversight activities.

***4.2.7. Ensuring the conditions for effective oversight by the Provincial People's Council***

4.2.7.1. Creating favorable conditions for funding and material support for oversight activities.

4.2.7.2. Enhancing information and technology use to support people's council activities.

***4.2.8. Ensuring the implementation of resolutions, conclusions, recommendations, and legal consequences after oversight***

Improving the mechanism for overseeing the implementation of resolutions, conclusions, and recommendations from the oversight body to ensure the effectiveness and efficiency of the People's Council's oversight activities. Post-oversight activities should be assigned and monitored by a responsible department to ensure that progress is tracked. Regular reports on the implementation results of the supervised entities should be provided during council sessions.

**Conclusion of Chapter 4**

To enhance the role and position of the People's Council, the oversight role of the collective People's Council, the Standing Committee of the People's Council, and the People's Council's Committees must be effectively exercised and meet the requirements stipulated by the law. This requires: Raising awareness among levels, sectors, individuals, organizations, etc., about the oversight role of the People's Council; Reforming oversight methods and forms such as questioning and answering questions, reviewing state agency reports, reviewing legal normative reports, and conducting confidence votes, etc.; Organizing training sessions to improve the skills of People's Council deputies so that they can fulfill the responsibilities entrusted to them by the people; Reforming the organizational structure of the People's Council, including the structure and number of deputies; Motivating the staff assisting the oversight activities; and many more measures. All of these solutions aim to further promote the positive outcomes already achieved in oversight activities at the local level. At the same time, they provide a foundation to overcome the remaining limitations in oversight activities, thereby establishing mechanisms to control power at all levels of government, ensuring citizens' rights and human rights.



## CONCLUSION

The state power in Vietnam's socialist rule of law system is unified from the central government to the local level and belongs to the people. The people hold supreme power. To ensure that state power truly belongs to the people, it is necessary to enhance the leadership role of the Party committees at all levels over the People's Councils. Therefore, the People's Councils need to continue to improve their organization, enhance the effectiveness and efficiency of their activities, and strengthen their position as the state authority at the local level. This is an issue that not only concerns the People's Councils and each deputy but is also the responsibility of the entire political system.

Ensuring the oversight role of the provincial People's Councils must be linked to the leadership of Party committees at all levels; it must be placed in relation to the Party's inspection and oversight, as well as other forms of power control by organizations and units. The process of perfecting the laws on the oversight activities of provincial People's Councils must continue, ensuring that the highest elected body at the local level fully exercises its power based on its functions and tasks as prescribed by law to oversee the implementation and compliance with the law by individuals, agencies, and units.

The results of the thesis represent a synthesis of methods for collecting and processing information and data to provide honest and objective assessments of oversight activities in some provinces in the Northwest region today (Lao Cai, Yen Bai, and Lai Chau). All three provinces are considered poor and have fairly similar socio-economic conditions.

The thesis synthesizes and analyzes the value of research works related to oversight activities both domestically and internationally; generalizes the theoretical foundation of elected bodies in general and provincial People's Councils in particular; and examines the understanding of the content and forms of oversight and the positive effects this activity brings to each locality.

In practice, the oversight activities of the provincial People's Councils during the 2016-2021 term and the first half of the 2021-2026 term in these provinces are directly reflected through oversight activities during meetings (reviewing reports, questioning and answering questions, conducting confidence votes on People's Council positions, etc.) and between sessions. From this, the author has made evaluations and assessments on both the strengths and limitations, clarifying the causes leading to the current situation.

Based on the limitations in the oversight activities of the provincial People's Councils in these localities, the thesis proposes a system of viewpoints to raise

awareness about oversight activities and the conditions to promote and enhance oversight. The proposed solutions focus on restructuring and organizing the provincial People's Councils, enhancing the oversight capacity of the relevant actors, and reforming the content and methods of oversight.

In conclusion, for the oversight activities of provincial People's Councils to have real power and to prevent the abuse of the people's power, this is a requirement today. Continuing to promote the management role of local governments, continuing reforms and improvements to the state apparatus, has become an urgent issue in practice, especially during the period of industrialization, modernization, and the promotion of the country's economic and international integration. The oversight of state power at the local level by the provincial People's Councils of Lao Cai, Yen Bai, and Lai Chau must ensure citizens' and human rights and must play a role in the practical exercise of power, which must be institutionalized and clearly defined by law.