

**HO CHI MINH NATIONAL ACADEMY OF POLITICS**

**NGUYEN MINH HAI**

**IMPLEMENTATION OF LAW ON THE CIVIL SERVANT  
EVALUATION IN SPECIALIZED AGENCIES UNDER  
PROVINCIAL-LEVEL PEOPLE'S COMMITTEES IN VIETNAM**

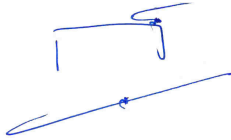
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## **INTRODUCTION**

### **1. Urgency of the Research Topic**

During his lifetime, President Ho Chi Minh consistently affirmed that: “Cadres are the root of all work” and that “Success or failure in every undertaking depends on whether cadres are good or poor.” His thought has become a guiding principle throughout the leadership of the Vietnamese revolution. Thoroughly grasping his ideology, the Communist Party of Vietnam has consistently identified cadre work as the “key task of the key tasks” in Party building and the construction of the political system. Within the overall framework of cadre work, the evaluation of civil servants plays a foundational role and constitutes the “starting point” of the entire civil servant management cycle.

The evaluation of civil servants is a fundamental stage of cadre work and carries decisive significance for the quality of the civil service corps as well as the operational effectiveness of the state apparatus. In recent years, the law on civil servant evaluation in Vietnam has gradually been improved toward greater quantification, linkage with job positions, performance outcomes, and the requirements of digital transformation, thereby establishing a relatively comprehensive legal basis for this activity.

However, practice reveals a notable contradiction: while the legal framework has become increasingly, the implementation of law on civil servant evaluation still exhibits many shortcomings and has not yet ensured substantive, objective, and effective outcomes. Evaluation activities in many agencies and units, particularly specialized agencies under provincial-level People’s Committees, remain largely formalistic; evaluation criteria have not been clearly quantified; and evaluation results have yet to accurately reflect the quality of public duty performance or to be closely associated with job positions, work outputs, and the accountability of evaluation subjects. This demonstrates that the issue lies not only in the legal norms themselves, but primarily in the mechanisms and quality of legal implementation.

From the perspective of the Theory and History of State and Law, the gap between “law as enacted” and “law as implemented” reflects essential issues concerning the operational mechanisms of law in social life. Nevertheless, existing studies mainly approach civil servant evaluation from the perspectives of public administration or cadre management, without systematically clarifying the theoretical and practical issues relating to the implementation of law in this field, especially at the provincial level — the level directly responsible for organizing law implementation and where shortcomings are most clearly manifested.

In the context of building a socialist rule-of-law State, reforming civil servant management based on job positions, and improving the local government model, researching the topic “Implementation of Law on the Evaluation of Civil Servants in Specialized Agencies under Provincial-Level People’s Committees in Vietnam” is therefore of both theoretical and practical necessity. The study aims to clarify the theoretical foundations, assess the current situation, and propose solutions to enhance the effectiveness of the implementation of law in this field in Vietnam.

### **2. Research Purpose and Research Tasks**

#### ***2.1. Research Purpose***

On the basis of analyzing and clarifying the theoretical and practical issues concerning

the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam, the dissertation proposes viewpoints and solutions aimed at ensuring the effective implementation of this legal domain in Vietnam in the current period.

## **2.2. Research Tasks**

- To conduct a systematic review of domestic and foreign studies directly related to the dissertation topic; thereby identifying research gaps and issues that have not yet been fully clarified or adequately approached, serving as the scientific basis for further research.

- To analyze and clarify the theoretical foundations of the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees, including concepts, characteristics, roles, contents, forms, and conditions ensuring such implementation.

- To examine and assess the legal framework governing civil servant evaluation; concurrently, to survey and assess the current state of its implementation, thereby identifying the achievements, limitations, and their causes in the implementation of the law on the evaluation of civil servants working in specialized agencies under provincial-level People's Committees in Vietnam.

- To scientifically analyze and substantiate relevant viewpoints, and at the same time propose a comprehensive and feasible system of solutions to ensure the effective implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam in the current context.

## **3. Research Subject and Scope of the Study**

### **3.1. Research Subject**

The research subject of the dissertation is the theory and practice of the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam today, examined from the perspective of the major in Theory and History of State and Law.

### **3.2. Scope of the Study**

- *In terms of content:* The dissertation focuses on theoretical and practical issues relating to the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam, including the following groups of legal provisions: provisions on principles of civil servant evaluation; provisions on evaluation criteria; and provisions on competence, procedures, timing, use of evaluation results, and settlement of recommendations and complaints concerning the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam.

- *In terms of space:* The dissertation primarily limits its research scope to specialized agencies under provincial-level People's Committees in Vietnam at present. However, in order to obtain in-depth data, the dissertation conducts surveys, questionnaire-based investigations, and in-depth interviews concerning the implementation of law on the evaluation of civil servants in specialized agencies under People's Committees in several provinces and centrally governed cities.

- *In terms of time:*

Scope of legal review: From 1998, when the Standing Committee of the National

Assembly promulgated the Ordinance on Cadres and Civil Servants, up to the present, in order to ensure the continuity and logical development of the legal framework.

Scope of practical survey: From 2020 to the present, approaching the research issues on the basis of the 2008 Law on Cadres and Civil Servants (as amended and supplemented in 2019, effective from July 1, 2020); the 2025 Law on Cadres and Civil Servants; and legal normative documents promulgated from 2020 onwards, thereby ensuring the topicality and contemporary relevance of the research subject. The viewpoints and solutions proposed in the dissertation are intended for the period from 2026 to 2030, with orientations and vision toward 2045.

#### **4. Theoretical Foundations and Research Methodology**

##### ***4.1. Theoretical Foundations***

The dissertation examines the research issues on the basis of the viewpoints of Marxism–Leninism, Ho Chi Minh Thought, and the viewpoints of the Communist Party of Vietnam concerning the State and law in the context of building and perfecting the socialist rule-of-law State of Vietnam; the implementation of law; and the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People’s Committees.

##### ***4.2. Research Methodology***

In terms of methodology, the dissertation is grounded in the principles of dialectical materialism and historical materialism of Marxism–Leninism, Ho Chi Minh Thought, as well as the viewpoints and principles of the Party and the State regarding the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People’s Committees.

The dissertation also employs specific research methods, including: document research method; methods of analysis and synthesis; historical and logical methods; comparative and statistical methods; and sociological survey methods.

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

From the perspective of the Theory of State and Law, the dissertation constitutes a specialized and systematic research work that comprehensively approaches the issue of the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People’s Committees in Vietnam. The principal new contributions of the dissertation are reflected in the following aspects:

*In terms of theory:* The dissertation develops and clarifies the concepts, characteristics, contents, forms, and conditions ensuring the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People’s Committees, thereby contributing to the further development of the theory of legal implementation in this field.

*In practical terms:* To analyze and assess the current state of the law on civil servant evaluation and the implementation of the law on the evaluation of civil servants working in specialized agencies under provincial-level People’s Committees in Vietnam; concurrently, to identify the achievements, limitations, and their causes in each form of law implementation concerning the research subject.

*In terms of solutions:* The dissertation proposes viewpoints and a comprehensive system of solutions aimed at improving the effectiveness of the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People’s Committees, including the improvement of the legal framework, the renewal of implementation mechanisms, and the assurance of conditions for effective enforcement.

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

### **6.1. Theoretical Significance**

The dissertation contributes to systematizing and clarifying the theoretical and practical foundations of the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam at present.

### **6.2. Practical Significance**

The research findings and the system of solutions proposed in the dissertation provide valuable reference materials for competent authorities in the formulation and improvement of legal regulations on civil servant evaluation. The dissertation also serves as a useful source for research and teaching in the fields of State and Law studies, and constitutes a practical basis for provincial-level People's Committees, departments, and equivalent agencies in organizing the implementation of law on civil servant evaluation. In addition, the dissertation has practical applicability in the training and fostering of cadres and civil servants at political schools (Faculties of State and Law) and political training centers throughout the country.

## **7. Structure of the Dissertation**

In addition to the Introduction, Conclusion, Appendices, and References, the dissertation is structured into four chapters with ten sections.

## **Chapter 1**

### **LITERATURE REVIEW ON THE IMPLEMENTATION OF LAW ON THE EVALUATION OF CIVIL SERVANTS IN SPECIALIZED AGENCIES UNDER PROVINCIAL-LEVEL PEOPLE'S COMMITTEES IN VIETNAM**

#### **1.1. RESEARCH WORKS RELATED TO THE DISSERTATION**

##### **1.1.1. Domestic Research Situation**

##### **1.1.1.1. Research Works on the Evaluation of Civil Servants**

Typical works include: the book *Administrative Management Skills* (2014) by Pham Duc Chinh and Ngo Thanh Can; the book *Reforming the Evaluation and Utilization of Cadres* (2017) edited by Nguyen Minh Tuan; the book *Cadres and Cadre Work in the Renewal Period* (2018) published by the Communist Party of Vietnam (Extracts from Party Documents); the books *Determined to Prevent and Repel Corruption* (2019) and *Persistently and Resolutely Fighting Corruption and Negativity, Contributing to Building an Increasingly Clean and Strong Party and State* (2023); the book *Thought and Theory in National Renewal and Development* (2021) by Nguyen Xuan Thang; the book *Competency Framework and Competency-Based Civil Servant Management* (2021) by Pham Duc Toan and Dao Thi Thanh Thuy; the book *Civil Servant Management under the Position-Based Civil Service Model in Vietnam in the Context of International Integration* (2023) co-edited by Tran Thi Hai Yen, Dam Bich Hien, and Ngo Van Vu; the book *Building a Contingent of Provincial-Level Leading and Managerial Cadres in the Southern Key Economic Region at Present* (2023) co-edited by Pham Minh Tuan, Nguyen Thi Tuyet Mai, and Nguyen Thi Thao. In addition, there are ministerial- and provincial-level scientific research projects such as: the ministerial-level project *Reforming Methods of Civil Servant Evaluation in State Administrative Agencies* (2007) headed by Ha Quang Ngoc; the provincial-level project *Building an Information System for Civil Servant Evaluation in Dong Thap Province*

(2015) headed by Pham Van Tieu; and the provincial-level project *Reforming Civil Servant Evaluation in State Administrative Agencies of Lam Dong Province* (2016) headed by Dam Minh Tuan. Relevant doctoral dissertations include: *Evaluation of Civil Servants Based on Public Duty Performance Results* (2015) by Dao Thi Thanh Thuy; *Improving Criteria and Methods for Evaluating Commune-Level Civil Servants from the Practice of Quang Binh Province in the Current Period* (2016) by Doan Nhan Dao; *Competency-Based Civil Servant Management in State Administrative Agencies to Meet Administrative Reform Requirements* (2020) by Pham Duc Toan; and *Evaluation of Civil Servants in State Economic Management Agencies of Hanoi* (2023) by Tran Thanh Nga. A number of journal articles may also be noted, including: *Improving the Quality of Cadre and Civil Servant Evaluation in the Current Period* (2017) by Hoang Thi Hoai Thuong; *Assessment Centers – A New Technology in Civil Servant Management and Its Application to Input Quality Accreditation for Civil Servants in Vietnam* (2019) by Nguyen Thi Thu Van; *Evaluation and Classification of Cadres and Civil Servants in Ho Chi Minh City – Solutions and Recommendations* (2021) by Nguyen Thi Thu Hoa and Nguyen Van Hieu; *Improving the Quality of Cadre Evaluation Today* (2021) by Pham Ngoc Hung; and *Reforming Civil Servant Evaluation: Approaches from International Practice to National Policy* (2025) by Ta Van Viet, Vu Thi Minh Tam, and Chu Duc Ha. The aforementioned studies have clarified many aspects of civil servant evaluation, particularly from the perspectives of management, evaluation methods, and evaluation criteria. However, in general, these studies have not approached the issue systematically from the perspective of the implementation of law and still lack a close connection between legal provisions and practical implementation. Furthermore, no study has yet focused comprehensively on the implementation of law, especially in association with the context of administrative apparatus reform and the two-tier local government model. At the same time, existing studies have not sufficiently clarified the relationship between legal regulations and practical implementation, nor the roles of different actors within the various forms of legal implementation. This constitutes the research gap that the dissertation seeks to inherit, develop, and further deepen in both theoretical and practical terms.

#### **1.1.1.2. Research Works on the Law on Civil Servant Evaluation**

Typical works include: the book *Law on Public Service and Civil Servants in Vietnam and Several Countries around the World* (2012) edited by Tran Anh Tuan; the ministerial-level scientific research project *Improving the Evaluation Mechanism for Civil Servants, Public Employees, and Employees of the Ministry of Justice* (2018) headed by Phan Chi Hieu; the doctoral dissertation *Law on Decentralization of Civil Servant Management in the System of Vietnamese State Administrative Agencies* (2018) by Vu Thuy Hien. Relevant journal articles include: *Improving the Legal System on Civil Servant Evaluation in Vietnam* (2016) and *Solutions to Improve the Quality of Civil Servant Evaluation in State Administrative Agencies* (2017) by Hoang Thi Giang; *Improving the Civil Servant Evaluation Process* (2018) by Vu Thi Ngoc Dung, which analyzes the process of civil servant evaluation under current law applicable to both managerial and non-managerial civil servants. On that basis, the author identifies shortcomings and inadequacies in the existing evaluation process, emphasizes the need for procedural reform, and studies the application of appropriate evaluation methods to enhance the effectiveness of performance assessment; *Several Solutions for Improving the Law on Cadres*,

Civil Servants, and Public Employees (2019) by Le Thanh Binh; New Regulations on the Evaluation and Classification of Cadres, Civil Servants, and Public Employees (2020) by Nguyen Minh Phuong and Nguyen Anh Nguyet; and Improving Legal Provisions on the Evaluation of Commune-Level Civil Servants (2022) by Lu Minh Dang. It can be observed that the above-mentioned studies approach the law on civil servant evaluation from different perspectives, aspects, and periods. These works have clarified issues relating to evaluation contents, evaluation standards, evaluation methods, evaluation procedures, and approaches to civil servant evaluation, thereby contributing to improving the quality of civil servant evaluation in Vietnam. Such studies constitute an important foundation and premise for the author to inherit and further develop in researching the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam today.

#### ***1.1.1.3. Research Works on the Implementation of Law***

Typical works include: textbooks on the Theory of State and Law by the University of Law – Vietnam National University, Hanoi, Hanoi Law University, the Institute of State and Law under the Ho Chi Minh National Academy of Politics, and the Institute of State and Law under the Vietnam Academy of Social Sciences; the books *Fundamental Theoretical Issues on Law* (1993) and *Our State and Law in the Cause of Renewal* (1997) by Dao Tri Uc; the book *Several Theoretical and Practical Issues on the Implementation of Law* (2009) edited by Nguyen Van Manh; the book *Implementation and Application of Law in Vietnam* (2010) by Nguyen Minh Doan, and the book *Implementation, Application and Interpretation of Law in Vietnam* (2019) by Nguyen Minh Doan and Nguyen Minh Duc. Relevant doctoral dissertations include: *Implementation of Law on Civil Servant Management in Ministries and Ministerial-Level Agencies in Vietnam Today* (2019) by Dang Thi Mai Huong; and *Implementation of the Law on Emulation and Commendation in Vietnam Today*. In addition, a number of journal articles may be noted, such as: *Sociology of Law Implementation – Fundamental Cognitive Aspects* (2005) by Dao Tri Uc; *Ho Chi Minh Thought on Inspection and Supervision of Law Implementation and Lessons for Application in the Context of Building a Socialist Rule-of-Law State in Vietnam Today* (2006) by Truong Thi Hong Ha; *The Relationship between Law-Making and Law Implementation: Practical Significance* (2007) by Vu Viet Thieu; *On the Concept of Law Enforcement* (2009) by Nguyen Thi Hoi; *Factors Affecting Citizens' Implementation of Law in Vietnam Today* (2015) by Hoang Thi Kim Que; *Implementation of Law on the Responsibility of Heads of State Agencies, Organizations and Units in Cadre Work and Management of Cadres and Civil Servants under Their Authority, and Several Recommendations* (2016) by Hoang Minh Hoi; and *Improving the Mechanism for Organizing Law Implementation in the Socialist Rule-of-Law State of Vietnam* (2023) by Vu Hoai Phuong. The aforementioned studies not only provide analyses and theoretical explanations concerning the implementation of law in general, but also clarify fundamental theoretical issues relating to the implementation of law in specific fields, including concepts, contents, roles, forms, and methods of organization and implementation. At the same time, these studies identify influencing factors, guaranteeing conditions, and organizational mechanisms for law implementation in contemporary Vietnamese practice. These research findings provide the doctoral candidate with important viewpoints, theoretical foundations, and methodological approaches applicable to the dissertation entitled



Implementation of Law on the Evaluation of Civil Servants in Specialized Agencies under Provincial-Level People's Committees in Vietnam. They thereby contribute to establishing a solid scientific foundation for clarifying the current situation, identifying shortcomings, and proposing viewpoints and solutions aimed at improving the effectiveness of the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in the context of building the socialist rule-of-law State of Vietnam in the new period.

#### ***1.1.1.4. Research Works on the Implementation of Law on Civil Servant Evaluation***

Through a systematic review and study of domestic materials, including monographs, textbooks, scientific research projects, doctoral dissertations/master's theses, and scholarly articles published in journals specializing in legal studies, administrative science, public management, and state management, the doctoral candidate has not identified any work that directly and comprehensively examines the implementation of law on civil servant evaluation as an independent research subject within the discipline of Theory and History of State and Law with a fully developed theoretical framework.

#### **1.1.2. Foreign Research Situation**

##### ***1.1.2.1. Research Works on the Evaluation of Civil Servants***

Typical works include: the book *Research on the Performance Evaluation System of Civil Servants* (2012) by Mei Jixia; the book *International Practices of the Positions Classification and Grading in the Civil Service* (2021) by N. Aliushyna; the article *Does Civic Engagement Resolve Accountability Dilemmas in Local Governance* (2013) by Kim J.W. and K. Jung; the article *Empirical Research on the Performance Evaluation of Chinese Civil Servants: A Case Study in Jiangsu Province* (2015) by Kang Zhao; the article *Reflections on Improving the Performance Evaluation of Civil Servants in China* (2025) by Li Liqin of Xi'an International University, Shaanxi, China; and the article *Implementation of Merit System in China's Bureaucratic and Public Administration Sectors* (2025) by Hu Caihua. These foreign studies have provided important theoretical and practical foundations regarding civil servant evaluation, particularly in relation to performance-based evaluation, quantification of criteria, linkage with job positions, accountability, and institutional conditions ensuring effective implementation. These works constitute a basis for the dissertation to inherit in developing its theoretical framework and comparative approach. However, most of these studies approach the issue from the perspective of public management and have not clarified the implementation of law on civil servant evaluation as an independent legal process, nor have they addressed the specific characteristics of implementation at the provincial level. This is precisely the research gap that the dissertation seeks to address.

##### ***1.1.2.2. Research Works on the Law on Civil Servant Evaluation***

Typical works include: the article *Merit-Based Civil Service Management in Law and Practice* (2017) by Schuster, C.; and the article *The System of Certification and Performance Evaluation of Civil Servants in the Republic of Belarus* (2020) by Henadzi Palchyk. These foreign studies have clarified the contents and structure of the law on civil servant evaluation in the form of institutional frameworks and operational mechanisms. They therefore provide important theoretical arguments that the dissertation selectively inherits and further develops in studying the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam.

### ***1.1.2.3. Research Works on the Implementation of Law***

Typical works include: the book *Theory of State and Law* (1984) published by the Ministry of Higher and Specialized Secondary Education of the Soviet Union; the book *Implementation and Public Policy* (1983) by Daniel A. Mazmanian and Paul A. Sabatier; and the article *Legal Support for Assessing the Civil Servants' Professionalism in the Context of Modern Socio-Economic Development* (2020) by Ryabova M.V., Koroleva S.V., Tutinas E.V., Zavgorodnyaya L.V., Millerov E.V., and Kavelina O.G. These works constitute valuable reference materials for the doctoral candidate in researching the implementation of law on civil servant evaluation and applying the findings to propose solutions for improving the legal framework in Vietnam.

### ***1.1.2.4. Research Works on the Implementation of Law on Civil Servant Evaluation***

On the basis of a systematic review of foreign research materials, including monographs, scientific articles published in prestigious journals, research reports, and policy recommendations issued by international organizations and competent authorities of various countries, the doctoral candidate finds that there has not yet been any study directly, comprehensively, and systematically approaching the implementation of law on civil servant evaluation, particularly the evaluation of civil servants in specialized agencies under provincial-level People's Committees, from the perspective of the Theory and History of State and Law. Thus, the domestic and foreign studies analyzed above provide an important scientific foundation enabling the doctoral candidate to gain a profound understanding of the core theoretical issues relating to civil servant evaluation, the law on civil servant evaluation, and especially the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in the context of building the socialist rule-of-law State of Vietnam, establishing and operating the two-tier local government model, and reforming the processes of law-making and law implementation to meet the requirements of national development in the new era - the era of the Vietnamese nation's rise and development. These studies thereby assist the doctoral candidate in effectively conducting the dissertation entitled *Implementation of Law on the Evaluation of Civil Servants in Specialized Agencies under Provincial-Level People's Committees in Vietnam*.

## **1.2. ASSESSMENT OF PREVIOUS STUDIES AND ISSUES REQUIRING FURTHER RESEARCH**

### **1.2.1. Remarks and Assessment of the Research Situation**

Scientific studies on civil servant law, the law on civil servant evaluation, and the implementation of law on civil servant evaluation have been conducted from various perspectives and at different periods, thereby contributing to clarifying fundamental issues relating to the implementation of law in this field. Through synthesis and review, the doctoral candidate finds that, in addition to inheriting and further developing theoretical contents from previous scientific works, the dissertation also applies the findings of those studies to construct a more profound, logical, and comprehensive analytical framework. At the same time, the dissertation focuses on clarifying the current situation, viewpoints, and specific solutions concerning the implementation of law on civil servant evaluation in general, and particularly the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam.

### **1.2.2. Issues Requiring Further Research**

First, in theoretical terms, existing studies mainly approach civil servant evaluation from a managerial perspective and have not yet established a comprehensive theoretical framework on the implementation of law in this field. Core issues such as the concept, legal nature, forms, and conditions ensuring the implementation of law on civil servant evaluation have not been consistently clarified. In particular, there remains a lack of in-depth research at the provincial level, where management bears distinctive characteristics associated with both sectoral and territorial administration.

Second, in practical terms, most studies primarily assess cadre work in general and have not directly approached the implementation of law as a specific legal process. Consequently, there is still a lack of in-depth analysis of the forms of legal implementation as well as a shortage of empirical data, resulting in an incomplete identification of limitations and “bottlenecks” in practice.

Third, regarding solutions, existing proposals are mainly managerial in nature and have not approached the issue within the overall framework of ensuring the implementation of law, including such elements as legal improvement, organization of implementation, and control of power. Moreover, these solutions lack specificity for specialized agencies under provincial-level People’s Committees in the context of administrative reform and the building of a socialist rule-of-law State.

With such an approach, scope, and research content, it can be affirmed that the dissertation is an independent research work that both inherits and further develops previous studies, without duplication of already published scientific works.

### **1.2.3. Research Hypothesis and Research Questions**

#### ***1.2.3.1. Research Hypothesis***

The implementation of the law on the evaluation of civil servants working in specialized agencies under provincial-level People’s Committees is an objective requirement to ensure that civil servant evaluation is conducted in accordance with the law, in a substantive and fair manner, and closely linked to civil service performance, thereby contributing to improving the quality of the civil servant workforce and the effectiveness of the civil service. In recent years, the implementation of the law on the evaluation of civil servants working in specialized agencies under provincial-level People’s Committees in Vietnam has achieved certain positive results; however, limitations remain and the requirements of a modern public administration have not yet been fully met. These limitations may stem from inadequacies in the legal framework, shortcomings in the organization of implementation, and insufficient conditions for effective law implementation. To enhance the substantive quality and effectiveness of the implementation of the law on civil servant evaluation, it is necessary to adopt a comprehensive and coordinated set of solutions for improving the legal framework and its implementation, with particular emphasis on linking evaluation to job positions and civil service performance; strengthening the responsibilities of relevant actors; and improving the conditions necessary for effective law implementation, thereby meeting the requirements for building a professional, accountable, dynamic, and effective civil service.

#### ***1.2.3.2. Research Questions***

In order to achieve the objectives of the dissertation, the following research questions are raised:

1. How have domestic and foreign studies on the implementation of law concerning the

evaluation of civil servants in specialized agencies under provincial-level People's Committees approached this issue, what achievements have they attained, and what scientific gaps remain to be further studied?

2. From the perspective of the Theory and History of State and Law, how should the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees be understood, and what contents, forms, and guaranteeing conditions does it include?

3. What are the strengths and limitations of the law on civil servant evaluation and the current practice of implementing law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees, and what are the causes of such limitations?

4. In order to improve the effectiveness of the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees, what viewpoints should be identified and what principal solutions should be proposed to ensure consistency, feasibility, and effectiveness in implementation?

### **Chapter 1 Conclusion**

Chapter 1 has reviewed domestic and foreign studies relating to civil servant evaluation, the implementation of law, and the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees. On the basis of selectively inheriting theoretical and practical values from previous studies, the dissertation has initially established the theoretical foundation for the implementation of law in this field, while also identifying research gaps, scientific hypotheses, research questions, and the key tasks of the dissertation. The findings of Chapter 1 contribute to clarifying the theoretical and practical foundations for proposing solutions to ensure the effective implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam today.

## **Chapter 2**

### **THEORETICAL FOUNDATIONS OF THE IMPLEMENTATION OF LAW ON THE EVALUATION OF CIVIL SERVANTS IN SPECIALIZED AGENCIES UNDER PROVINCIAL-LEVEL PEOPLE'S COMMITTEES**

#### **2.1. CONCEPTS, CHARACTERISTICS, AND ROLES OF THE IMPLEMENTATION OF LAW ON THE EVALUATION OF CIVIL SERVANTS IN SPECIALIZED AGENCIES UNDER PROVINCIAL-LEVEL PEOPLE'S COMMITTEES**

##### **2.1.1. Concept of the Implementation of Law on the Evaluation of Civil Servants in Specialized Agencies under Provincial-Level People's Committees**

##### ***2.1.1.1. Concept of Civil Servants in Specialized Agencies under Provincial-Level People's Committees***

##### ***- Concept of Civil Servants***

Civil servants are Vietnamese citizens recruited into job positions within agencies of the political system, included in the official payroll, salaried from the state budget, and assigned to perform duties and powers associated with the exercise of state authority or the provision of state management activities.

*- Concept of Civil Servants in Specialized Agencies under Provincial-Level People's Committees*

Civil servants in specialized agencies under provincial-level People's Committees are Vietnamese citizens recruited into job positions in departments and department-equivalent agencies, included in the official payroll, salaried from the state budget, and performing duties and powers in advising and assisting provincial-level People's Committees in exercising state management by sectors and fields at the local level, in accordance with law and under the decentralization or authorization of competent authorities.

Civil servants in specialized agencies under provincial-level People's Committees constitute a specific legal subject that not only bears the general characteristics of state civil servants, but also possesses distinctive features associated with the position and functions of specialized agencies at the provincial level.

***2.1.1.2. Concept of the Law on Civil Servant Evaluation***

*- Civil Servant Evaluation*

Civil servant evaluation is an important institution within the law on public service and civil servants, directly reflecting the effectiveness of state management over the civil service corps. Civil servant evaluation may be understood as an activity conducted by competent authorities through the application of legal criteria and standards in order to examine, assess, and classify civil servants.

The evaluation of civil servants aims to clarify their political qualities, ethics, professional competence, expertise, and performance results in carrying out assigned duties. Evaluation results serve as a basis for the arrangement, utilization, appointment, training, retraining, commendation, discipline, and implementation of policies applicable to civil servants.

*- Law on Civil Servant Evaluation*

The law on civil servant evaluation is the system of legal norms promulgated or recognized by the State to regulate social relations arising in the evaluation of civil servants, establishing the legal framework for assessing their task performance, qualities, competencies, and public duty performance outcomes. It governs the principles, subjects, contents, criteria, methods, procedures, and legal consequences of evaluation, and provides the legal basis for the management, utilization, development, and supervision of civil servants within the state administrative apparatus.

***2.1.1.3. Concept of the Implementation of Law on the Evaluation of Civil Servants in Specialized Agencies under Provincial-Level People's Committees***

The implementation of the law on the evaluation of civil servants working in specialized agencies under provincial-level People's Committees is the process by which competent actors put legal provisions on civil servant evaluation into practice through various forms of law implementation in order to determine the degree of task completion and civil service performance of civil servants in specialized agencies under provincial-level People's Committees, thereby ensuring that legal provisions on civil servant evaluation are effectively applied in the practice of civil servant management.

This concept constitutes an important theoretical basis for further studying the forms, contents, and guaranteeing conditions of legal implementation in civil servant evaluation,

particularly in the context of building the socialist rule-of-law State, promoting decentralization and delegation of powers, and advancing digital transformation in state administrative management today.

### **2.1.2. Characteristics and Roles of the Implementation of Law on the Evaluation of Civil Servants in Specialized Agencies under Provincial-Level People's Committees**

#### **2.1.2.1. Characteristics**

First, the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees is carried out through the coordination of multiple subjects.

Second, the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees is closely associated with the operational activities of each specialized agency under the provincial-level People's Committee.

Third, the implementation of law on civil servant evaluation requires the assurance of principles governing civil servant management within state agencies.

#### **2.1.2.2. Roles**

*First*, it serves as a direct means of translating the Party's guidelines and the State's laws on civil servant evaluation into the practice of civil service management at the provincial level; *Second*, it serves as a mechanism for ensuring legality, consistency, and legal discipline in civil servant evaluation; *Third*, it serves as a mechanism for establishing and ensuring the exercise of the rights, obligations, powers, and legal responsibilities of actors involved in civil servant evaluation; *Fourth*, it contributes to identifying the qualities, competencies, and task performance of civil servants, thereby providing a basis for their management and utilization; *Fifth*, it serves as a legal instrument contributing to the control of power, the screening of the civil servant workforce, and the enhancement of the effectiveness of civil servant management and utilization; *Sixth*, it provides a practical basis for reviewing and further improving the law on civil servant evaluation.

## **2.2. CONTENTS OF THE LAW AND FORMS OF IMPLEMENTATION OF LAW ON THE EVALUATION OF CIVIL SERVANTS IN SPECIALIZED AGENCIES UNDER PROVINCIAL-LEVEL PEOPLE'S COMMITTEES**

### **2.2.1. Contents of the Law on the Evaluation of Civil Servants in Specialized Agencies under Provincial-Level People's Committees**

The contents of the law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees are structured into three fundamental groups of provisions, reflecting the three pillars of the legal mechanism: principles, criteria, and procedures, competence, and legal consequences, specifically as follows:

First, the group of legal provisions on principles governing the evaluation of civil servants in specialized agencies under provincial-level People's Committees;

Second, the group of legal provisions on criteria for evaluating civil servants in specialized agencies under provincial-level People's Committees;

Third, the group of legal provisions on competence, sequence, procedures, timing, and settlement of recommendations and complaints in the evaluation of civil servants in specialized agencies under provincial-level People's Committees.

### **2.2.3. Forms of the Implementation of Law on the Evaluation of Civil Servants in Specialized Agencies under Provincial-Level People's Committees**

The implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees is carried out through four fundamental forms: compliance with law, execution of law, exercise of legal rights, and application of law. Each form reflects a distinct method of realizing legal norms in practice.

The clear identification of these forms of legal implementation contributes to clarifying the operational mechanism of the law on civil servant evaluation in practice and simultaneously serves as a basis for assessing the current situation and proposing solutions to improve the effectiveness and efficiency of the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam.

## **2.3. CONDITIONS ENSURING THE IMPLEMENTATION OF LAW ON THE EVALUATION OF CIVIL SERVANTS IN SPECIALIZED AGENCIES UNDER PROVINCIAL-LEVEL PEOPLE'S COMMITTEES**

The implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees is ensured by the following conditions: political conditions constitute the foundational factor, playing a guiding and decisive role throughout the process of formulating and implementing the law on civil servant evaluation; legal conditions constitute the direct basis and are of decisive significance for the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees; human resource conditions are the central factor directly determining the effectiveness of legal implementation in civil servant evaluation; and material resource conditions serve as supporting guarantees, but increasingly play an important role in the implementation of law on civil servant evaluation.

## **2.4. IMPLEMENTATION OF LAW ON CIVIL SERVANT EVALUATION IN CERTAIN COUNTRIES AND REFERENCE VALUES FOR VIETNAM**

### **2.4.1. Implementation of Law on Civil Servant Evaluation in Certain Countries**

The dissertation selects China, the Russian Federation, Japan, and Singapore as case studies. The selection of these countries is not intended to encompass all civil service models worldwide, but rather to establish a selective spectrum of reference cases that exhibit certain differences in institutional arrangements, civil service models, and approaches to civil servant evaluation, while also containing relevant elements for comparison with the ongoing reform of civil servant management in Vietnam.

To ensure consistency in the comparative approach, the dissertation focuses on five dimensions directly related to the implementation of the law on civil servant evaluation, namely: (1) actors, authority, and responsibilities in evaluation; (2) evaluation contents, criteria, and bases; (3) methods and procedures for implementation; (4) mechanisms for control, feedback, and accountability; and (5) the use of evaluation results in civil servant management and development.

### **2.4.2. Reference Values for Vietnam**

The study of the experiences of China, the Russian Federation, Japan, and Singapore yields the following lessons. *First*, evaluation criteria should be further specified in accordance

with job positions, competencies, performance results, and task outputs, with an appropriate combination of qualitative criteria and indicators that can be quantified and verified. *Second*, the focus should gradually shift from evaluation concentrated at the end of the year to regular monitoring and evaluation throughout the performance of assigned duties, linking task assignment with the determination of objectives, expected results, and individual responsibilities. *Third*, the authority and responsibilities of evaluation actors, particularly heads of agencies and units, should be more clearly defined, while accountability and control mechanisms should be strengthened to minimize subjectivity, favoritism, avoidance of responsibility, or arbitrariness in evaluation. *Fourth*, mechanisms for communication and feedback should be strengthened throughout the evaluation process, enabling civil servants to be informed of the bases and results of their evaluation, to provide explanations, and to exercise their rights in accordance with the law. *Fifth*, greater value should be attached to the use of evaluation results in the placement, utilization, training, professional development, career development, commendation, discipline, and screening of civil servants, thereby enhancing the substantive nature of evaluation. *Sixth*, the use of technology and data on task performance should be strengthened to support evaluation; however, such data must be appropriately used and verifiable and must not replace the responsibilities of competent evaluation actors.

Thus, the value of studying international experience does not lie in identifying any particular country's model as optimal for application in Vietnam. Rather, it lies in using comparative analysis to identify converging trends, explain differences arising from institutional conditions and administrative traditions, and determine both the possibilities and limitations of adopting relevant elements. With regard to civil servants working in specialized agencies under provincial-level People's Committees, the adoption of international experience should be particularly aligned with the specific characteristics of job positions, the diversity of advisory and state management outputs, the responsibilities of heads of agencies and units, and the requirement to enhance the effectiveness and efficiency of civil service performance at the provincial level.

## **Chapter 2 Conclusion**

Chapter 2 has clarified the theoretical issues relating to the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees, including concepts, characteristics, roles, forms, and guaranteeing conditions for implementation. Through the analysis of the four forms of legal implementation, the dissertation affirms that this process constitutes the realization of legal provisions on civil servant evaluation in the practical management of public service activities, thereby contributing to improving the quality of the civil service corps and the operational effectiveness of the state administrative system. At the same time, Chapter 2 has established the theoretical foundation and drawn upon international experience as the basis for analyzing the current situation and proposing solutions in the subsequent chapters of the dissertation.



### Chapter 3

## LAW ON CIVIL SERVANT EVALUATION AND THE CURRENT SITUATION OF THE IMPLEMENTATION OF LAW ON THE EVALUATION OF CIVIL SERVANTS IN SPECIALIZED AGENCIES UNDER PROVINCIAL-LEVEL PEOPLE'S COMMITTEES IN VIETNAM

### 3.1. LAW ON CIVIL SERVANT EVALUATION IN VIETNAM

#### 3.1.1. Law on Civil Servant Evaluation Prior to the 2008 Law on Cadres and Civil Servants

Before 2008, the law on civil servant evaluation in Vietnam had not yet been developed into an independent and comprehensive legal institution. The period prior to the promulgation of the 2008 Law on Cadres and Civil Servants constituted the formative stage of the legal framework on civil servant evaluation. The fundamental characteristics of this period included: the existence of a legal framework that remained incomplete; evaluation contents that had been identified but were still largely qualitative; evaluation methods that followed certain procedures but remained heavily dependent on administrative remarks; and the recognition of the use of evaluation results without sufficiently strong legal mechanisms to ensure binding effects in the management and utilization of civil servants. This constituted the direct premise leading to the enactment of the 2008 Law on Cadres and Civil Servants.

#### 3.1.2. Law on Civil Servant Evaluation from the Promulgation of the Law on Cadres and Civil Servants up to the Present

The period from 2008 to the present demonstrates that the law on civil servant evaluation in Vietnam has undergone three stages of development.

The first stage was the codification of the foundational framework through the 2008 Law.

The second stage was the concretization and technical refinement through Decrees No. 56/2015, No. 88/2017, No. 90/2020, and No. 48/2023.

The third stage was the innovation of the evaluation model through the 2025 Law and Decree No. 335/2025/ND-CP, marking a strong shift toward quantitative, regular, digitized evaluation closely associated with job positions and public service outputs.

#### 3.1.3. Strengths and Limitations of the Law on Civil Servant Evaluation in Vietnam

- **Strengths:** *First*, it can be affirmed that the legal framework governing civil servant evaluation in Vietnam has developed toward greater comprehensiveness, consistency, and modernization; *Second*, the current legal framework reflects a clear advancement in the approach to civil servant evaluation; *Third*, the new legal framework has significantly strengthened the continuity of evaluation; *Fourth*, the legally binding effect of evaluation results has been strengthened.

- **Limitations:** *First*, despite significant progress toward quantitative evaluation, the practical quantification of evaluation criteria remains a major challenge; *Second*, consistency across sectors, fields, and administrative levels has not yet been fully achieved; *Third*, although greater emphasis has been placed on the legal responsibility of evaluation actors, particularly heads of agencies and units, further improvement is still required; *Fourth*, although the linkage between civil servant evaluation results and personnel decisions has been more clearly established, the operational standards governing this linkage still need to be further specified.

### **3.2. CURRENT SITUATION OF THE IMPLEMENTATION OF LAW ON THE EVALUATION OF CIVIL SERVANTS IN SPECIALIZED AGENCIES UNDER PROVINCIAL-LEVEL PEOPLE’S COMMITTEES**

On the basis of the established theoretical framework, the current situation of the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People’s Committees is examined according to each group of legal contents and corresponding forms of legal implementation, namely compliance with law, execution of law, exercise of legal rights, and application of law.

#### **3.2.1. Results of the Implementation of Law on the Evaluation of Civil Servants in Specialized Agencies under Provincial-Level People’s Committees**

##### ***3.2.1.1. Results of the Implementation of Law on Principles Governing the Evaluation of Civil Servants in Specialized Agencies under Provincial-Level People’s Committees***

Compliance with legal provisions on principles governing the evaluation of civil servants in specialized agencies under provincial-level People’s Committees has initially contributed to establishing a relatively stable legal order in civil servant evaluation activities. On the one hand, the legal normative system, particularly with the supplementation of the 2025 Law on Cadres and Civil Servants and Decree No. 335/2025/ND-CP, has increasingly established clearer legal standards and limitations guiding the conduct of subjects toward lawful compliance. On the other hand, through the implementation process, legal awareness and legal culture among civil servants and competent evaluation authorities have gradually been strengthened, as reflected in the increasing level of voluntary compliance with legal principles. This represents a manifestation of the process of “internalization of law” in public service activities, thereby contributing to maintaining legal order and enhancing transparency and fairness in the state administrative system under the conditions of building the socialist rule-of-law State of Vietnam today.

Execution of law regarding principles governing civil servant evaluation in specialized agencies under provincial-level People’s Committees has shifted from a state of “formalistic and minimum compliance” toward “proactive and substantive implementation,” reflected in the incorporation of legal principles into internal regulations, their synchronized implementation, and their gradual linkage with public duty performance outcomes. This demonstrates the enhancement of the effectiveness of legal implementation and simultaneously reflects changes in legal awareness and organizational capacity among subjects within the state administrative system.

The exercise of legal rights relating to principles governing the evaluation of civil servants in specialized agencies under provincial-level People’s Committees has gradually moved beyond a merely “procedural implementation” toward an “instrumental implementation.” In this context, law serves not only as a standard regulating conduct but also as a means enabling competent authorities to perform managerial functions, allocate public service values, and orient the conduct of civil servants in accordance with the requirements of a modern state administration.

The application of law regarding principles governing the evaluation of civil servants in specialized agencies under provincial-level People’s Committees has gradually been implemented in a more standardized and substantive manner. Evaluation decisions not only ensure legality but also increasingly reflect the requirement of linking law with public duty performance effectiveness. This demonstrates the improvement of the quality of legal application in civil servant management

and contributes to strengthening the legal foundation of the state administrative system in the context of building the socialist rule-of-law State of Vietnam.

***3.2.1.2. Results of the Implementation of Law on Criteria for Evaluating Civil Servants in Specialized Agencies under Provincial-Level People's Committees***

Compliance with legal provisions on evaluation criteria for civil servants in specialized agencies under provincial-level People's Committees has achieved positive results, reflected in the prevention of legally prohibited acts, the enhancement of legal awareness among relevant subjects, and the establishment of an important foundation for implementing other forms of legal implementation in civil servant evaluation.

Execution of law relating to evaluation criteria for civil servants in specialized agencies under provincial-level People's Committees has been carried out relatively comprehensively and seriously. Competent subjects have not only complied with existing legal provisions but have also proactively concretized evaluation criteria through the promulgation of internal regulations suited to organizational characteristics, ensuring linkage between criteria, job positions, outputs, and public duty performance results. The implementation of evaluation criteria has been conducted consistently with a high degree of consensus among civil servants, thereby contributing to transforming legal standards into concrete legal conduct within evaluation activities. This reflects a transition from "formal compliance" to "substantive execution," demonstrating the increasing degree of internalization of law in public service activities.

The exercise of legal rights concerning evaluation criteria for civil servants in specialized agencies under provincial-level People's Committees has been implemented relatively flexibly and appropriately in accordance with organizational characteristics and job positions. Criteria, especially those associated with work results and outputs, have been concretized and effectively applied in practice. Through this process, law has been utilized as a tool for orienting and organizing evaluation activities, thereby contributing to enhancing the substantive and comprehensive nature of civil servant evaluation while standardizing and strengthening consistency in the exercise of legal rights for improving implementation effectiveness.

The application of law regarding evaluation criteria for civil servants in specialized agencies under provincial-level People's Committees has achieved positive results, reflected in the concretization of legal criteria into component criteria with quantitative characteristics linked to job positions and public duty performance results. Consequently, evaluation activities have gradually overcome subjectivity and improved objectivity, transparency, and differentiation in evaluation outcomes. Evaluation criteria have effectively performed their role in orienting conduct and enhancing the awareness and responsibility of civil servants.

***3.2.1.3. Results of the Implementation of Law on Competence, Procedures, Timing, Use of Results, and Settlement of Recommendations in Civil Servant Evaluation***

Compliance with legal provisions concerning competence, procedures, timing, and the use of evaluation results for civil servants in specialized agencies under provincial-level People's Committees has generally been implemented seriously and consistently. Competent subjects, particularly heads of agencies and organizations, have properly performed their roles, ensuring that evaluation activities are conducted in accordance with legal regulations; procedures and timing have been uniformly observed, thereby contributing to enhancing openness and transparency.

At the same time, evaluation results have been utilized for appropriate legal purposes in civil servant management and have gradually been linked with decisions concerning assignment, utilization, planning, commendation, and discipline. Through this process, legal compliance has not only ensured legal order in evaluation activities but also contributed to strengthening administrative discipline and the effectiveness of state management.

Execution of law on civil servant evaluation in specialized agencies under provincial-level People's Committees has generally satisfied requirements relating to competence, procedures, and timing, thereby contributing to ensuring openness, transparency, and relative fairness in evaluation activities, although there remains room for further improvement in the effective utilization of evaluation results.

The exercise of legal rights concerning civil servant evaluation in specialized agencies under provincial-level People's Committees has relatively effectively promoted the role of evaluation results in personnel management, thereby contributing to improving the quality of the civil service corps while ensuring fairness, transparency, and legality in civil servant management decisions.

The application of law concerning civil servant evaluation in specialized agencies under provincial-level People's Committees has been implemented relatively consistently and in accordance with legal regulations, clearly reflected through the issuance of evaluation, classification, and personnel decisions. Such legal application activities contribute to enhancing the effectiveness of civil servant management and ensuring fairness, transparency, and legal accountability in cadre work at the provincial level.

#### ***3.2.2.4. Causes of the Achievements in the Implementation of Law on the Evaluation of Civil Servants in Specialized Agencies under Provincial-Level People's Committees***

First, the consistent leadership and direction of Party committees play a role in providing political and legal orientation for the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees.

Second, the relatively comprehensive improvement of the legal system governing civil servant evaluation has established an increasingly clear legal framework for the implementation process.

Third, improvements in legal awareness and implementation capacity among civil servants, particularly heads of agencies and organizations, constitute a direct factor enhancing the quality of legal implementation.

Fourth, advisory capacity and guaranteeing conditions for legal implementation have gradually improved, thereby effectively supporting civil servant evaluation activities in specialized agencies under provincial-level People's Committees.

#### **3.2.3. Limitations in the Implementation of Law on the Evaluation of Civil Servants in Specialized Agencies under Provincial-Level People's Committees**

##### ***3.2.3.1. Limitations in the Implementation of Law on Principles Governing Civil Servant Evaluation***

Limitations in the implementation of law on principles governing civil servant evaluation in specialized agencies under provincial-level People's Committees, although not absolutely widespread, demonstrate interconnections among the forms of legal implementation, reflecting

a lack of synchronization between legal design and implementation organization. This constitutes an important practical basis for identifying groups of causes and proposing solutions aimed at improving institutions, enhancing subject responsibility, and strengthening conditions ensuring legal implementation in the subsequent period.

#### ***3.2.3.2. Limitations in the Implementation of Law on Evaluation Criteria***

Limitations in the implementation of law on evaluation criteria for civil servants in specialized agencies under provincial-level People's Committees may be summarized into three essential issues: the legal criteria system remains insufficiently specific and measurable; mechanisms for organization and control remain unsynchronized; and the roles of subjects and legal instruments have not yet been fully promoted. These constitute important practical and theoretical bases for proposing solutions toward improving evaluation criteria, standardizing measurement tools, and strengthening power control in civil servant evaluation activities in the next stage.

#### ***3.2.3.3. Limitations in the Implementation of Law on Competence, Procedures, Timing, Use of Results, and Settlement of Recommendations in Civil Servant Evaluation***

The above-mentioned limitations demonstrate that the core issue in the implementation of law in this field lies not only in the contents of legal norms but also in the operational mechanism of the implementation process itself, particularly the lack of compatibility among legal norms, acts of legal implementation, and legal outcomes achieved in practice. This “disconnection” within the transformation chain has reduced the regulatory effectiveness of law and limited the role of civil servant evaluation as an instrument of state management. This situation requires comprehensive improvement in legal design, organizational mechanisms for implementation, guaranteeing conditions, and mechanisms for power control in civil servant evaluation, thereby ensuring consistency between the normative values of law and practical implementation effectiveness.

#### ***3.2.3.4. Causes of the Limitations in the Implementation of Law on the Evaluation of Civil Servants in Specialized Agencies under Provincial-Level People's Committees***

First, the causes stem from limitations in the design of legal norms governing civil servant evaluation.

Second, shortcomings exist in the mechanisms for organizing legal implementation, which have not yet ensured substantive effectiveness.

Third, limitations arise from insufficient guaranteeing conditions for legal implementation, such as resources, information, technology, and supporting organizational structures.

Fourth, causes derive from the subjects implementing the law themselves.

Fifth, evaluation results have not yet been closely linked with mechanisms for civil servant utilization and legal accountability. These constitute the direct theoretical and practical foundations for the dissertation to propose solutions aimed at improving the legal framework and enhancing the effectiveness of the implementation of law on civil servant evaluation in the forthcoming period.

### **Chapter 3 Conclusion**

Chapter 3 has analyzed and assessed the current situation of the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam today. The findings indicate that legal implementation activities in this field have experienced many positive developments in terms of awareness, principles, criteria,

procedures, and openness and transparency in civil servant evaluation. However, the implementation process still reveals several limitations and inadequacies arising from both legal and organizational causes, including an insufficiently synchronized legal system, certain formalistic provisions, and the inadequate compliance with and application of law in certain localities and agencies. These research findings constitute an important practical basis for the dissertation to propose viewpoints and solutions aimed at ensuring the effective implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in the current period.

## **Chapter 4**

### **VIEWPOINTS AND SOLUTIONS FOR ENSURING THE IMPLEMENTATION OF LAW ON THE EVALUATION OF CIVIL SERVANTS IN SPECIALIZED AGENCIES UNDER PROVINCIAL-LEVEL PEOPLE'S COMMITTEES IN VIETNAM**

#### **4.1. VIEWPOINTS ON THE IMPLEMENTATION OF LAW ON THE EVALUATION OF CIVIL SERVANTS IN SPECIALIZED AGENCIES UNDER PROVINCIAL-LEVEL PEOPLE'S COMMITTEES IN VIETNAM**

The implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees must ensure the following viewpoints: thoroughly adhering to the viewpoints and guidelines of the Communist Party of Vietnam; ensuring the principles of legality and meeting the requirements of building the socialist rule-of-law State of Vietnam; ensuring democracy, objectivity, and fairness; and ensuring consistency and synchronization while meeting the requirements of serving the People, international integration, and national digital transformation in the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam today.

#### **4.2. SOLUTIONS FOR ENSURING THE IMPLEMENTATION OF LAW ON THE EVALUATION OF CIVIL SERVANTS IN SPECIALIZED AGENCIES UNDER PROVINCIAL-LEVEL PEOPLE'S COMMITTEES IN VIETNAM**

To ensure the effective implementation of the law on the evaluation of civil servants working in specialized agencies under provincial-level People's Committees in Vietnam, the following seven groups of solutions should be implemented in a coordinated manner:

*First*, to further improve and ensure the feasibility of the law on the evaluation of civil servants working in specialized agencies under provincial-level People's Committees: review and systematize the relevant legal provisions and ensure consistency in their implementation; further specify and pilot evaluation tools based on job positions, performance results, and civil service outputs; substantively implement regular, continuous, and multidimensional monitoring and evaluation; ensure the necessary legal and technical conditions for using digital data as a basis for civil servant evaluation; monitor and assess the impact of the new legal framework and establish a roadmap for its further improvement based on practical experience; improve local regulations and rules on civil servant evaluation under a two-tier approach consisting of a national framework and local specification; and reform and improve evaluation methods for civil servants working in specialized agencies under provincial-level People's Committees toward results-based management, with Key Performance Indicators (KPIs) serving as a key evaluation method.

*Second*, to improve the organizational mechanism for implementation and the control of power in the evaluation of civil servants working in specialized agencies under provincial-level People's Committees: establish a mechanism linking the authority of heads of specialized agencies under provincial-level People's Committees with their individual legal responsibility for civil servant evaluation; establish a mechanism for controlling the exercise of power in civil servant evaluation so as to ensure that evaluation results can be objectively reviewed, cross-checked, and verified; improve the civil servant evaluation process by requiring the use of data and evidence as the basis for evaluation; establish mechanisms for transparency, disclosure, and critical feedback in civil servant evaluation, with evaluation results being disclosed within the relevant agency or unit; and reform evaluation methods toward continuous evaluation closely linked to the process of civil service performance.

*Third*, to reform and enhance the awareness and capacity of actors involved in the implementation of the law on the evaluation of civil servants working in specialized agencies under provincial-level People's Committees: reform and ensure consistency in the legal awareness of relevant actors in accordance with the specific organizational characteristics, authority, and civil service activities of specialized agencies under provincial-level People's Committees; enhance the capacity of relevant actors to implement the law in line with the specific characteristics of civil service activities within these agencies; and strengthen legal responsibility and establish appropriate accountability mechanisms corresponding to the specific characteristics of civil service performance in specialized agencies under provincial-level People's Committees.

*Fourth*, to continue developing and strengthening legal culture in the implementation of the law on the evaluation of civil servants working in specialized agencies under provincial-level People's Committees: foster a culture of substantive evaluation in which the performance of assigned functions and duties and civil service outputs constitute the principal measures of evaluation; develop a culture of candor, fairness, and responsibility in relationships among evaluation actors; and build a legal-cultural environment associated with discipline, civil service ethics, and the exemplary responsibility of heads of agencies and units.

*Fifth*, to link civil servant evaluation results with improving the quality of the civil servant workforce and streamlining staffing in specialized agencies under provincial-level People's Committees, with evaluation results serving as a principal legal basis for the placement, utilization, training, professional development, and staffing streamlining of civil servants. Job positions, competency frameworks, and job descriptions should be further improved to ensure the accurate evaluation of civil servants' competencies, qualities, and degree of task completion. Civil servants should be classified in association with corresponding legal consequences to ensure that staffing streamlining targets the appropriate individuals and is conducted objectively and transparently. At the same time, the accountability of competent agencies and persons should be strengthened, together with legal incentives for civil servants to improve the quality of their civil service performance.

*Sixth*, to promote the application of information technology and digital transformation in the implementation of the law on the evaluation of civil servants working in specialized agencies under provincial-level People's Committees. Information technology and digital

transformation should be further promoted through the development of integrated data systems and evaluation software linked to job positions and task performance results. The digitization and interoperability of data across civil service management systems should be strengthened to ensure the objectivity, transparency, and verifiability of evaluation. Modern data-driven evaluation methods, KPIs, and multidimensional evaluation should be applied, accompanied by investment in technical infrastructure and software and the enhancement of digital skills among civil servants. These measures will contribute to improving the effectiveness and efficiency of the implementation of the law on civil servant evaluation in the context of digital transformation.

*Seventh*, to strengthen inspection, supervision, and the settlement of complaints and denunciations in the implementation of the law on the evaluation of civil servants working in specialized agencies under provincial-level People's Committees: reform inspection toward substantive verification of evaluation results; strengthen oversight of the responsibilities of heads of agencies and other actors involved in evaluation; establish multidimensional verification mechanisms appropriate to the specific management characteristics of specialized agencies under provincial-level People's Committees; and improve the effectiveness of complaint and denunciation settlement while utilizing digital data in the verification and control of evaluation results.

#### **Chapter 4 Conclusion**

Chapter 4 has clarified the requirement to continue reforming and improving the effectiveness of the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in the context of building the socialist rule-of-law State, reforming the state administrative system, and operating the two-tier local government model. On the basis of practical requirements and the limitations identified in Chapter 3, the dissertation has proposed viewpoints and seven groups of solutions aimed at ensuring the implementation of law on civil servant evaluation in an objective, substantive, open, transparent manner closely associated with public duty performance effectiveness. The proposed solutions contribute to building a professional civil service corps capable of meeting the requirements of national development in the new period.



## CONCLUSION

Vietnam is currently facing new opportunities for development, entering an era of national rise associated with breakthroughs in science and technology development, innovation, and national digital transformation. In this context, the requirement to continue building and improving the socialist rule-of-law State of Vietnam has become increasingly demanding, requiring the state administrative apparatus to continuously innovate toward greater streamlining, effectiveness, efficiency, and better service to the People.

In order to realize the aspiration for a prosperous and happy nation and to build a modern, integrity-based, and professional public service capable of meeting the requirements of organizing the two-tier local government model, it is particularly important to build a contingent of civil servants possessing firm political qualities, sound moral character, professional competence, and a high sense of responsibility. In this regard, civil servant evaluation and the implementation of law on civil servant evaluation, especially for civil servants in specialized agencies under provincial-level People's Committees, constitute a key stage of decisive significance for the quality of cadre work and the operational effectiveness of the state administrative apparatus.

Proceeding from these theoretical and practical requirements, the dissertation has systematically studied the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in Vietnam, thereby proposing viewpoints and solutions aimed at improving the effectiveness of legal implementation in this field. The research findings demonstrate that only when these viewpoints and solutions are implemented synchronously, comprehensively, and consistently can the implementation of law on civil servant evaluation truly become substantive, ensuring objectivity, fairness, and transparency, and thereby contributing to improving the quality of cadre work and the effectiveness of local state management.

From the research findings, the dissertation draws the following principal conclusions:

First, on the basis of the theory of State and law, the dissertation has systematized and clarified fundamental theoretical issues relating to civil servant evaluation and the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees, including concepts, roles, contents, forms of legal implementation, influencing factors, and guaranteeing conditions for implementation. These contributions supplement and further deepen the theoretical foundations for researching and improving the law on civil servant evaluation in Vietnam.

Second, on that theoretical basis, the dissertation has analyzed the current legal framework and the current situation of the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees through studying the existing system of legal normative documents, evaluation results in several localities, and combining sociological surveys with in-depth interviews. Through this analysis, the dissertation identifies the advantages, limitations, and causes of such advantages and limitations in the implementation process, demonstrating that despite positive achievements, this activity still contains inadequacies and has not yet fully met the practical requirements of civil servant management and administrative reform.

Third, on the basis of clearly identifying these limitations and their causes, the dissertation has proposed a system of viewpoints and solutions aimed at improving the effectiveness of the

implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees in a comprehensive and feasible manner, ensuring coherence between legal improvement and organizational implementation; between enhancing awareness and capacity of subjects and reforming evaluation methods and procedures; and between civil servant evaluation and utilization, training, retraining, staff downsizing, and digital transformation in civil servant management.

It may be affirmed that the research findings of the dissertation possess not only theoretical significance but also practical value for improving the law and enhancing the effectiveness of the implementation of law on the evaluation of civil servants in specialized agencies under provincial-level People's Committees. Through these contributions, the dissertation helps build a contingent of civil servants possessing qualities, competence, and prestige capable of meeting the requirements for the effective operation of the two-tier local government model and contributing to the process of building the socialist rule-of-law State of Vietnam in the new era./.

**LIST OF THE AUTHOR’S SCIENTIFIC WORKS RELATED TO THE  
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