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NGUYEN HUONG QUE

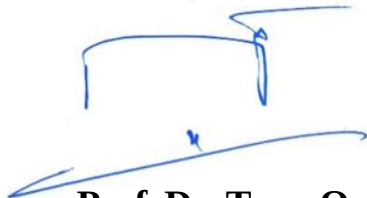
**IMPLEMENTATION OF THE LAW ON ATTRACTING AND
UTILIZING TALENTED PERSONS IN CIVIL SERVICE
ACTIVITIES IN THE PROVINCES OF THE SOUTHEAST
REGION, VIETNAM**

**SUMMARY OF DOCTORAL DISSERTATION
DISCIPLINE: THEORY AND HISTORY OF STATE AND LAW
Code: 9380106**

HANOI - 2026

**The work was completed at
Ho Chi Minh National Academy of Politics**

Chairman of the Council



Assoc. Prof. Dr. Tran Quang Hien

Supervisors



1. Assoc. Prof. Dr. Nguyen Thi Tuyet Mai



2. Assoc. Prof. Dr. Tran Thi Dieu Oanh

Reviewer 1: Assoc. Prof. Dr. Trinh Tien Viet
Vietnam National University, Hanoi

Reviewer 2: Assoc. Prof. Dr. Pham Minh Tuan
Communist Review

Reviewer 3: Assoc. Prof. Dr. Tao Thi Quyen
Ho Chi Minh National Academy of Politics

**The dissertation was defended before the Academy-level Dissertation
Evaluation Council at Ho Chi Minh National Academy of Politics**

At 8:30 a.m., August 16, 2026

**The dissertation is available at: the National Library and the Library
of Ho Chi Minh National Academy of Politics**

INTRODUCTION

1. Rationale for the Research

In the context of building a socialist rule-of-law State, improving the quality of the contingent of cadres, civil servants and public employees is a constant requirement, not only in terms of sufficient quantity and appropriate structure, but also in terms of identifying, attracting and utilizing genuinely talented persons (TPs) in civil service activities. Attracting and utilizing talented persons (AUTP) is therefore not merely a matter of human resource management, but is of profound theoretical and practical significance for the organization and operation of the state apparatus and for the effectiveness and efficiency of state management.

International experience shows that the effectiveness of talent policies depends decisively not on whether legal provisions exist, but on the quality of law implementation (LI) in practice, namely, the combination of an adequate legal framework with strict, transparent and accountable enforcement mechanisms. In Vietnam, AUTP is a major policy to which the Party and the State have continuously devoted leadership and direction; however, the gap between the law and its practical implementation remains considerable.

For the Southeast Region (SER), the country's most dynamic economic region with the highest levels of urbanization and international integration, the demand for talented persons in urban governance, digital transformation, science and technology, finance and logistics is increasingly urgent, while the public sector faces intense competition for human resources from the private and FDI sectors. Therefore, in-depth research on LI regarding AUTP in civil service activities in the SER is necessary both to supplement the theoretical foundation and to provide arguments for institutional improvement and implementation organization.

2. Research Objectives and Tasks

2.1. Research Objective

To clarify the theoretical and practical issues of LI regarding AUTP in civil service activities in the provinces of the SER; on that basis, to propose viewpoints and solutions to ensure LI in this field in conformity

with the requirements of building a socialist rule-of-law State and developing the SER in the new period.

2.2. Research Tasks

The dissertation performs four tasks: (i) reviewing the research situation, identifying research gaps and issues requiring further study; (ii) analyzing the theoretical basis of LI regarding AUTP in civil service activities, developing a theoretical framework and examining international experience; (iii) assessing the current state of the law and LI regarding AUTP in civil service activities in the provinces of the SER, clearly identifying strengths, limitations and causes; and (iv) formulating viewpoints and proposing solutions to ensure LI.

3. Research Subject and Scope

3.1. Research Subject

The theoretical and practical issues of LI regarding AUTP in civil service activities in the provinces of the Southeast Region, Vietnam, from the perspective of the discipline of Theory and History of State and Law.

3.2. Research Scope

In terms of content: The dissertation analyzes LI along two dimensions: (i) four forms of LI (compliance with law, execution of law, exercise of legal rights, and application of law); and (ii) six groups of normative content: identification of subjects and criteria; attraction mechanisms; utilization mechanisms; rights, obligations and responsibilities of actors; organization of implementation and coordination; and assurance, inspection, supervision and handling of violations.

In terms of space: Six provinces and cities, namely Ho Chi Minh City, Binh Duong, Dong Nai, Ba Ria - Vung Tau, Binh Phuoc and Tay Ninh.

In terms of time: From 2015 to June 2025.

4. Theoretical Basis and Research Methods

4.1. Theoretical Basis

Marxism-Leninism, Ho Chi Minh Thought on utilizing talented persons; and the viewpoints of the Communist Party of Vietnam on building a socialist rule-of-law State, administrative reform and development of high-quality human resources.

4.2. Research Methods

In terms of methodology, the dissertation is conducted on the basis of the methodology of dialectical materialism and historical materialism of Marxist-Leninist philosophy. On that foundation, the dissertation employs the following specific research methods: analysis and synthesis; historical method; logical method; comparison; statistics; and sociological investigation. The dissertation combines secondary and primary data, conducting a survey of 450 questionnaires and in-depth interviews with three groups of subjects (cadres and civil servant leaders working in organization and home affairs; heads of agencies and units; and talented persons who have been attracted, together with relevant actors) in six provinces and cities of the SER.

5. New Contributions of the Dissertation

First, the dissertation develops a scientific concept of “law implementation regarding the attraction and utilization of talented persons in civil service activities” with four distinctive indicators (actors, normative content, forms of implementation, and conditions of assurance); clearly distinguishes it from “policy implementation” regarding AOTP, thereby laying the theoretical foundation for assessing the current situation from the proper disciplinary perspective.

Second, the dissertation operationalizes three traditional criteria of legal science (comprehensiveness, consistency and feasibility) into a measurable set of criteria applicable to the field of AOTP; and links these with the four forms of LI to create an integrated analytical framework.

Third, the dissertation provides the first primary dataset on LI regarding AOTP in the SER: 450 survey questionnaires from three groups of subjects in six provinces and cities, assessing the current situation by each form of LI and identifying causes in three groups (law, implementation organization, and conditions of assurance).

Fourth, the dissertation identifies and explains the conditions assuring LI regarding AOTP, namely economic, socio-cultural and technological conditions (digital infrastructure, data, and data-driven governance methods), in addition to the traditional groups of assurance

conditions (political conditions; the degree of legal completeness; and the law implementation capacity of competent actors).

Fifth, the dissertation proposes a system of solutions specific to the SER, with two groups that are clearly novel: (i) a regional linkage mechanism to share talent resources and avoid wasteful intra-regional competition among the six provinces and cities; and (ii) a pilot mechanism for specific policies associated with quantitative evaluation and a controlled scaling-up process.

6. Theoretical and Practical Significance of the Dissertation

6.1. Theoretical Significance

The dissertation contributes to supplementing and deepening the general theory of LI in a specific field, namely AUTP in civil service activities; and develops a theoretical framework regarding the concept, characteristics, roles, forms and conditions assuring LI in this field.

6.2. Practical Significance

The dissertation provides scientific arguments for competent authorities in policy formulation, promulgation of legal instruments and organization of LI regarding talent in the civil service; and also serves as a reference for research and teaching on the State, law, public administration and civil service management.

7. Structure of the Dissertation

In addition to the Introduction, Conclusion, List of Scientific Works, References and Appendices, the dissertation consists of four chapters:

Chapter 1: Overview of Research Related to the Topic

Chapter 2: Theoretical Basis of Law Implementation regarding the Attraction and Utilization of Talented Persons in Civil Service Activities

Chapter 3: Current State of the Law and Law Implementation regarding the Attraction and Utilization of Talented Persons in Civil Service Activities in the Provinces of the Southeast Region, Vietnam

Chapter 4: Viewpoints and Solutions to Ensure Law Implementation regarding the Attraction and Utilization of Talented Persons in Civil Service Activities in the Provinces of the Southeast Region, Vietnam

Chapter 1

OVERVIEW OF RESEARCH RELATED TO THE TOPIC

1.1. RESEARCH RELATED TO THE DISSERTATION TOPIC

1.1.1. Research Works in Vietnam

1.1.1.1. Research works on the attraction and utilization of talented persons and the law on the attraction and utilization of talented persons in civil service activities

Domestic studies adopt diverse approaches, ranging from theoretical perspectives on talent and the civil service regime to policies on identifying, attracting, employing and remunerating talented persons. Many studies have clarified the concept of talented persons, the role of talent, the content of the law on AOTP, together with arguments concerning identification criteria, recruitment mechanisms, utilization and retention of talented persons in the public sector.

1.1.1.2. Research works on law implementation regarding the attraction and utilization of talented persons in civil service activities

The studies have initially analyzed the organization of implementation of talent policies and law in the civil service; and identified difficulties relating to awareness, institutions, resources and the working environment. However, there has been no in-depth study from the theoretical perspective of LI for a specific research region such as the SER.

1.1.2. Research Works Abroad

1.1.2.1. Research works on the attraction and utilization of talented persons and the law on the attraction and utilization of talented persons in civil service activities

Foreign studies approach the issue from the perspectives of public-sector talent management, civil service reform, employer branding and performance management; emphasizing the linkage among competitive recruitment, merit-based utilization, flexible remuneration, an environment conducive to contribution, and career development.

1.1.2.2. Scientific works on law implementation and law implementation regarding the attraction and utilization of talented persons in civil service activities abroad

The studies show that implementation effectiveness depends greatly on the coherence of institutions, clear delineation of authority, results-based management, a merit-oriented culture, and effective inspection and supervision mechanisms.

1.2. GENERAL ASSESSMENT OF THE RESEARCH SITUATION AND ISSUES REQUIRING FURTHER STUDY

1.2.1. Issues that have been researched and clarified and may be inherited

Published works provide a basis for inheriting fundamental propositions on talented persons, the law on AOTP, the role of talent in the public sector, certain assurance conditions and international policy experience.

1.2.2. Research Gaps

The review identifies four gaps: (i) a lack of in-depth research on LI regarding AOTP from the perspective of Theory and History of State and Law; (ii) a lack of in-depth surveys of the SER; (iii) a lack of a set of criteria for measuring LI effectiveness; and (iv) a lack of analysis in the context of new legislation (the 2025 Law on Cadres and Civil Servants; Resolution No. 24-NQ/TW; and Resolution No. 57-NQ/TW).

1.2.3. Issues Requiring Further Research

First, theoretically: it is necessary to develop a comprehensive theoretical framework regarding the concept, characteristics, roles, content, forms and conditions assuring LI regarding AOTP.

Second, practically: it is necessary to clarify the results, limitations and causes of LI in the SER, with its characteristics of high urbanization and intense competition for human resources.

Third, regarding viewpoints and solutions: to propose viewpoints and three groups of solutions - general solutions, solutions by form of LI, and solutions specific to the SER.

1.3. RESEARCH HYPOTHESIS AND RESEARCH QUESTIONS

1.3.1. Research Hypothesis

LI regarding AUTP in civil service activities is a specific field of LI; its effectiveness depends on the quality of law, the capacity of implementing actors, the institutional environment and the development characteristics of the SER. If a comprehensive system of solutions is available, LI will become more substantive and contribute to improving the quality of the civil service.

1.3.2. Research Questions

(1) How should law implementation regarding the attraction and utilization of talented persons in civil service activities be understood; and what are the fundamental elements of the legal content, forms of implementation and conditions assuring law implementation in this field?

(2) What results have the law and the organization of law implementation regarding the attraction and utilization of talented persons in civil service activities in the provinces of the Southeast Region achieved in recent years, and what limitations remain?

(3) Why does the organization of law implementation regarding the attraction and utilization of talented persons in civil service activities in the provinces of the Southeast Region remain limited; and what causes and barriers make it difficult for talented persons to access and benefit from attraction and utilization policies?

(4) What viewpoints and solutions need to be established to ensure law implementation regarding the attraction and utilization of talented persons in civil service activities in the provinces of the Southeast Region, Vietnam, thereby contributing to building a professional, modern civil service that values genuine merit?

Chapter 2

THEORETICAL BASIS OF LAW IMPLEMENTATION REGARDING THE ATTRACTION AND UTILIZATION OF TALENTED PERSONS IN CIVIL SERVICE ACTIVITIES

2.1. CONCEPT, CHARACTERISTICS AND ROLES OF LAW IMPLEMENTATION REGARDING THE ATTRACTION AND UTILIZATION OF TALENTED PERSONS IN CIVIL SERVICE ACTIVITIES

2.1.1. Concept of law implementation regarding the attraction and utilization of talented persons in civil service activities

The dissertation establishes the following foundational concepts:

A talented person in civil service activities is a cadre, civil servant, public employee or other individual recruited and employed in accordance with law to perform civil service activities, who possesses outstanding capacity, development potential and innovative thinking, has good ethical qualities and a spirit of serving the People, and makes contributions that bring high value and effectiveness to the activities of agencies and organizations in the public sector.

The law on the attraction and utilization of talented persons in civil service activities is the entirety of legal norms promulgated by the State that regulate social relations arising in the process of identifying, attracting, recruiting, employing, remunerating and developing talented persons in civil service activities, while also prescribing the authority, responsibilities and mechanisms assuring implementation of the relevant actors.

Law implementation regarding the attraction and utilization of talented persons in civil service activities is the process whereby competent actors use appropriate forms of law implementation to put legal provisions in this field into practice through the organization of recruitment, employment, evaluation, remuneration and development of talented persons in civil service activities.

2.1.2. Characteristics of law implementation regarding the attraction and utilization of talented persons in civil service activities

LI regarding AUTP has five distinctive characteristics:

(i) Complexity of subjects and content: the law establishes criteria and evaluation procedures for identifying TPs rather than a fixed list; the LI process covers the entire cycle from identification to career development.

(ii) Interconnectedness and multiplicity of actors: the stages of the LI cycle are sequentially related, requiring close coordination among human resource management, finance, training, and inspection and supervision agencies.

(iii) Diverse combination of forms of LI: all four forms (compliance with law, execution of law, exercise of legal rights, and application of law) occur concurrently and are interwoven; application of law occupies the central position.

(iv) High dependence on assurance conditions: economic and financial conditions; organizational culture and a merit-oriented institutional environment; and implementation organization capacity.

(v) Linkage between LI effectiveness and the quality of the civil service workforce and civil service performance outcomes: evaluation must take into account both the legality of conduct and the effectiveness of outputs.

2.1.3. Roles of law implementation regarding the attraction and utilization of talented persons in civil service activities

LI regarding AUTP performs four roles: (i) contributing to bringing legal provisions on AUTP into practice and improving the quality of the contingent of cadres, civil servants and public employees; (ii) contributing to ensuring the effectiveness and efficiency of law and providing a practical basis for institutional improvement in the field of civil service; (iii) improving the quality of civil service activities and the effectiveness of state management; and (iv) ensuring and realizing the lawful rights and interests of TPs in civil service activities.

2.2. CONTENT OF THE LAW AND FORMS OF LAW IMPLEMENTATION REGARDING THE ATTRACTION AND UTILIZATION OF TALENTED PERSONS IN CIVIL SERVICE ACTIVITIES

2.2.1. Content of the law on the attraction and utilization of talented persons in civil service activities

The dissertation identifies six principal groups of regulatory content:

(i) Provisions on scope of regulation, applicable subjects and criteria for identifying TPs: defining the boundaries of legal application, classifying subjects, and establishing a set of criteria combining three groups (qualities, capacity and results) - the foundation for designing the entire talent policy cycle.

(ii) Provisions on attraction mechanisms and policies: flexible recruitment methods (competitive examinations, special recruitment, admission without examination, position-based contracts), initial incentive policies, and special mechanisms for external talent.

(iii) Provisions on utilization mechanisms and policies: four principal mechanisms, including proper placement and employment, empowerment and results-based evaluation; training and development; commensurate remuneration combining financial and non-financial elements; and honoring and protecting TPs when performing innovative and creative tasks.

(iv) Provisions on the rights, obligations and responsibilities of actors: establishing the legal status of TPs (the right to fair evaluation, commensurate remuneration, and protection when innovating) and of competent agencies (accountability and control of power).

(v) Provisions on organization of implementation and coordination mechanisms: delineating central-local authority, inter-agency coordination mechanisms, resource assurance, and development of a talent database.

(vi) Provisions on assurance of LI, inspection, supervision, evaluation and handling of violations: state and social inspection and supervision; evaluation at two levels; handling violations according to

their nature and seriousness; information disclosure and talent database management.

2.2.2. Forms of law implementation regarding the attraction and utilization of talented persons in civil service activities

Four forms of LI are analyzed in the field of AOTP:

Compliance with law: actors restrain themselves from committing prohibited acts (discrimination, favoritism and abuse of power in the recruitment, employment and remuneration of TPs).

Execution of law: fully performing legal obligations such as issuing plans, allocating resources, implementing policies, making nominations, conducting evaluations and reporting results.

Exercise of legal rights: actors proactively exercise rights permitted by law to participate, make proposals, protect lawful interests and make use of preferential mechanisms.

Application of law (central position): decisions of competent agencies and persons on recruitment, admission, recognition, appointment, commendation, discipline and remuneration of TPs.

2.3. CONDITIONS ASSURING LAW IMPLEMENTATION REGARDING THE ATTRACTION AND UTILIZATION OF TALENTED PERSONS IN CIVIL SERVICE ACTIVITIES

2.3.1. Political Assurance Conditions

The leadership of the Party, unity of political awareness, determination of the political system, and consistency in talent development orientation are foundational conditions for effective law implementation.

2.3.2. Condition Relating to the Degree of Legal Completeness

LI effectiveness depends directly on the clarity, coherence, feasibility and stability of the legal system, especially provisions on criteria for

identifying TPs, authority, procedures, remuneration regimes and mechanisms for controlling power.

2.3.3. Condition Relating to the Law Implementation Capacity of Competent Actors

The capacity of competent agencies and persons to identify, select, place, evaluate and employ TPs is a factor that directly determines the quality of LI organization.

2.3.4. Economic, Technological, Cultural and Social Assurance Conditions

Financial resources, the working environment, civil service culture, social traditions, the level of economic development and competition for human resources all strongly affect the effectiveness of LI regarding AUTP. In addition, in the context of digital transformation and the development of Digital Government, information technology infrastructure, a talent database and data-driven governance capacity are indispensable conditions for ensuring the transparency, objectivity and effectiveness of the civil service talent policy system.

2.4. LAW IMPLEMENTATION REGARDING THE ATTRACTION AND UTILIZATION OF TALENTED PERSONS IN CIVIL SERVICE ACTIVITIES IN SELECTED COUNTRIES AND REFERENCE VALUES FOR VIETNAM

2.4.1. Experience of Selected Countries (Japan, Singapore, China and France)

Japan emphasizes competitive examinations, a discipline-oriented civil service culture, and long-term career development linked to substantive performance. Singapore is distinguished by the principle of merit-based utilization, competitive salaries, scholarships tied to service obligations, and rigorous talent succession planning. China implements large-scale talent attraction programs linked to national strategies. France

has a career civil service tradition that emphasizes systematic training and competitive examinations through elite training institutions.

2.4.2. Reference Values for Vietnam

The principal reference values include: improving criteria and mechanisms for identifying TPs; enhancing the competitiveness, openness and transparency of recruitment; improving the environment for contribution and career development; improving remuneration and strengthening results-based management.

Chapter 3

CURRENT STATE OF THE LAW AND LAW IMPLEMENTATION REGARDING THE ATTRACTION AND UTILIZATION OF TALENTED PERSONS IN CIVIL SERVICE ACTIVITIES IN THE PROVINCES OF THE SOUTHEAST REGION, VIETNAM

3.1. FACTORS AFFECTING LAW IMPLEMENTATION REGARDING AUTP IN CIVIL SERVICE ACTIVITIES IN THE PROVINCES OF THE SOUTHEAST REGION

3.1.1. Economic, Urbanization, Integration and Socio-Cultural Factors

The SER has the highest levels of economic development, urbanization, integration and digital transformation in the country; its GRDP per capita substantially exceeds the national average. This creates very high demand for high-quality human resources in the public sector, while also increasing competitive pressure in attracting talent vis-à-vis the private and FDI sectors.

3.1.2. Organizational Structure and Operation of Local Governments in the Provinces of the Southeast Region

Organizational structure, the degree of decentralization, population size and local governance capacity directly affect needs identification, job-position design, resource allocation and organization of LI regarding

AUTP. The two-tier local government model from 2025 creates additional pressure on human resources for grassroots governance.

3.1.3. Characteristics and Needs of Regional Human Resources

There is strong demand for talent in key fields: planning, public finance, science and technology, digital transformation, logistics, environment and administrative reform; meanwhile, the quality of public-sector human resources, retention capacity and sectoral structure still face many limitations.

3.2. CURRENT STATE OF THE LAW ON THE ATTRACTION AND UTILIZATION OF TALENTED PERSONS IN CIVIL SERVICE ACTIVITIES

3.2.1. Strengths of the Law and Their Causes

3.2.1.1. Scope of Regulation, Applicable Subjects and Criteria for Identifying Talented Persons

The law has initially broadened its scope of regulation, identified categories of subjects and quantified certain criteria for identifying TPs, thereby creating an initial legal basis for policy implementation.

3.2.1.2. Mechanisms and Policies for Attracting Talented Persons

There are provisions on special recruitment, admission, payroll priority, initial support regimes, training and the facilitation of working conditions for certain groups of talented persons.

3.2.1.3. Mechanisms and Policies for Utilizing Talented Persons

The law has gradually recognized mechanisms for employment, task assignment, appointment, commendation, remuneration and honoring of TPs in order to promote the effectiveness of their contributions in the civil service.

3.2.1.4. Rights, Obligations and Responsibilities of Actors

Certain fundamental rights and obligations of state agencies, heads of agencies and TPs have been established, creating a legal basis for implementation organization and protection of lawful rights and interests.

3.2.1.5. Organization of Implementation and Coordination Mechanisms

The law has initially institutionalized the requirement to organize implementation through multi-actor coordination, creating a basis for assignment, decentralization and coordination in LI.

3.2.1.6. Assurance of Law Implementation, Inspection, Supervision, Evaluation and Handling of Violations

The law has initially established requirements for openness, transparency, periodic evaluation, reporting and accountability of heads, thereby creating an initial basis for the LI assurance mechanism.

3.2.1.7. Causes of the Strengths

Strong political orientations of the Party; broad legal institutionalization of talent policies; a “beyond-the-framework” mindset compared with conventional administrative mechanisms; pressure from competition for human resources in the context of digital transformation and international integration; and the trend of decentralization and delegation of powers linked to the accountability of heads.

3.2.2. Limitations of the Law and Their Causes

3.2.2.1. Subjects, Scope and Criteria for Talented Persons

The concept, scope and criteria for TPs still tend to emphasize qualifications and formal achievements or are difficult to quantify; they do not fully reflect the distinctive nature of talent in civil service activities.

3.2.2.2. Attraction and Recruitment of Talented Persons

Certain provisions on recruitment, special recruitment, admission and source development are not sufficiently flexible and are not sufficiently attractive in circumstances where the public sector competes with the private sector in terms of income, development opportunities and the working environment.

3.2.2.3. Utilization of Talented Persons

Mechanisms for employment, evaluation, empowerment, career development, protection and remuneration of TPs are not coherent; the linkage between actual performance and remuneration and promotion opportunities remains insufficiently close.

3.2.2.4. Rights, Obligations, Responsibilities and Authority of Actors

Certain rights and obligations of relevant actors have not been fully or specifically prescribed, or lack effective mechanisms to assure their implementation.

3.2.2.5. Organization of Implementation and Coordination Mechanisms

There remain overlaps in authority, a lack of coordination mechanisms, insufficient accountability constraints and a lack of specialized inspection and supervision tools.

3.2.2.6. Assurance of Law Implementation, Inspection, Supervision and Handling of Violations

Provisions on assuring LI remain more oriented toward guidance and encouragement than toward establishing specific sanctions; specialized inspection and supervision mechanisms and provisions on handling violations in the organization of talent-policy implementation are lacking.

3.2.2.7. Causes of the Limitations

Four groups of causes are identified: a legislative mindset that emphasizes policy orientation more than legally sanctionable norms; fragmented and insufficiently coherent legislative drafting; rapid changes in talent realities in the digital era; and local administrative capacity that is not yet sufficient to concretize and assure the enforcement of law.

3.3. CURRENT STATE OF LAW IMPLEMENTATION REGARDING AUTP IN CIVIL SERVICE ACTIVITIES IN THE PROVINCES OF THE SOUTHEAST REGION

3.3.1. Strengths in Law Implementation and Their Causes

3.3.1.1. Strengths in Law Implementation

Regarding compliance with law: positive changes have been recorded, and compliance has increasingly become regularized in most agencies and units in the region.

Regarding execution of law: the provinces and cities have promulgated documents implementing LI regarding AUTP; strengthened legal communication and dissemination; complied with provisions on standards and levels of initial attraction support; and implemented provisions on entry-level recruitment and utilization of TPs. Ho Chi Minh City attracted 1,527 persons into its talent-source program during 2001-2020; and recruited 17 international experts during 2014-2018. Dong Nai Province attracted 105 persons with university qualifications or higher during 2019-2022 (27 PhDs, 77 Specialist Level-I doctors and 1 engineer).

Regarding the exercise of legal rights: TPs actively request agencies and units to create conditions for improving their professional capacity.

Regarding application of law: state agencies have issued and implemented many specific decisions on recruitment, appointment, training, remuneration, commendation of TPs and handling of related violations.

3.3.1.2. Causes of the Strengths

The leadership and direction of the Party and the State; the region's strong development requirements; the initiative of certain localities; the impact of administrative reform and digital transformation; and the need to improve the quality of public governance.

3.3.2. Limitations in Law Implementation and Their Causes

3.3.2.1. Limitations in Law Implementation

Regarding compliance with law: incomplete compliance remains in key stages, including recruitment (failure to ensure disclosure in

accordance with prescribed procedures, imposition of local conditions such as household registration); remuneration regimes and post-training commitments; personnel planning and appointment; formalistic and overly accommodating evaluation; and commendation and emulation lacking substantive quality.

Regarding execution of law: many agencies promulgate formalistic and general documents; legal communication and dissemination are not coordinated (awareness of Decree No. 179/2024/ND-CP reached only 3.74/5); many agencies lack initiative in implementation and regular coordination (initiative and coordination were rated only at an average level in the survey). After five years of implementing Decree No. 140/2017/ND-CP in Ho Chi Minh City, attracted talented public employees accounted for only 0.22% of the total 1,385 public employees recruited; talented civil servants during 2018-2023 accounted for only 2.61% of 498 civil servants recruited. Ba Ria - Vung Tau Province had not attracted any outstanding graduates or young scientists.

Regarding the exercise of legal rights: a segment of TPs has not paid adequate attention to the right to participate in special recruitment programs, the right to training and retraining, the right to preferential regimes, or the right to be considered in personnel planning and appointment; a segment has breached service obligations under their commitments.

Regarding application of law: specialized inspection, examination and supervision of LI regarding AUTP remain limited and irregular; handling violations by both employing agencies and attracted individuals remains problematic; and there is no effective mechanism for handling cases where agencies fail to fulfill commitments concerning job placement, remuneration and development conditions.

3.3.2.2. Causes of the Limitations

Objective causes: the law is not yet coherent, comprehensive and specific; the labor market is highly competitive; the civil service remains

influenced by seniority-based management mechanisms and staffing quotas; organizational culture is heavily seniority-oriented and egalitarian; financial, human, data and infrastructure conditions remain limited; and the legal system has been undergoing transition in recent years.

Subjective causes: awareness in certain agencies and units is insufficient; the implementation organization capacity of heads and advisory staff remains limited; responsibility for policy implementation is not high; legal communication and dissemination lack sufficient depth; TPs are not proactive in exercising legal rights; and mechanisms for inspection, supervision and handling of violations have not been implemented regularly and rigorously.

Chapter 4

VIEWPOINTS AND SOLUTIONS TO ENSURE LAW IMPLEMENTATION REGARDING THE ATTRACTION AND UTILIZATION OF TALENTED PERSONS IN CIVIL SERVICE ACTIVITIES IN THE PROVINCES OF THE SOUTHEAST REGION, VIETNAM

4.1. VIEWPOINTS ON ENSURING LAW IMPLEMENTATION REGARDING AUTP IN CIVIL SERVICE ACTIVITIES IN THE PROVINCES OF THE SOUTHEAST REGION

4.1.1. Linking Law Implementation with the Regional Socio- Economic Development Strategy and the Requirement of Building a Socialist Rule-of-Law State

Ensuring LI must be linked with the region's strategy for rapid and sustainable development, the requirement to improve the effectiveness and efficiency of local governance, and the building of a professional and modern civil service serving the People.

4.1.2. Ensuring Coherence, Continuity and Responsiveness to Regional Specificities

Solutions must simultaneously affect the stages of the civil service cycle, from identification to career development, while taking into account the very intense competition for human resources that is distinctive to the SER.

4.1.3. Making Improved Implementation Organization Capacity and Heads' Responsibility the Breakthrough

Heads play a pivotal role in identifying needs, selecting, placing and assigning work, and creating an enabling environment for TPs; authority must be linked with responsibility and mechanisms for controlling power.

4.1.4. Ensuring Openness, Transparency and Control of Power Linked with Appropriate Decentralization and Delegation of Powers

This is a condition for preventing arbitrariness, favoritism and formalism in law enforcement, while creating space for localities to proactively design policies appropriate to their conditions and resources.

4.1.5. Building a Merit-Based Civil Service Culture Linked with Improvement of the Institutional Environment

Create a civil service environment that encourages innovation, values substantive performance, protects those who dare to assume responsibility, and eliminates egalitarian and leveling mentalities.

4.1.6. Strengthening the Application of Technology, Data and Modern Governance Methods

Develop a regional talent database interconnected with the National Talent Database of Vietnam; develop a digital recruitment platform; apply artificial intelligence in candidate screening and evaluation; and establish online monitoring and reporting mechanisms for LI results.

4.2. SOLUTIONS TO ENSURE LAW IMPLEMENTATION REGARDING AUTP IN CIVIL SERVICE ACTIVITIES IN THE PROVINCES OF THE SOUTHEAST REGION

4.2.1. Group of General Solutions

4.2.1.1. Improving the Law on the Attraction and Utilization of Talented Persons in Civil Service Activities

Continue improving the legal system toward coherence, clarity and feasibility; specify criteria for identifying TPs; improve mechanisms for recruitment, employment, evaluation, remuneration and protection; add provisions on prohibited acts and sanctions for violations; and expand institutional space for localities to proactively promulgate specific talent policies.

4.2.1.2. Renewing Mindsets and Methods of Legal Dissemination and Communication

Shift from a mindset emphasizing qualifications and personal background to one that values genuine merit and contribution outcomes. Strongly renew methods of legal dissemination and communication through the application of digital technology, proper targeting of relevant groups and establishment of two-way information mechanisms.

4.2.1.3. Improving Organization and Enhancing the Capacity of Law-Implementing Actors

Review and clearly define the functions and tasks of relevant agencies; develop binding inter-agency coordination regulations; improve the capacity of staff engaged in the selection, evaluation and management of TPs; and link talent-policy implementation results with the responsibility for evaluating and classifying agencies and heads.

4.2.1.4. Controlling and Evaluating the Effectiveness of Law Implementation

Establish mechanisms for regular specialized inspection and examination; improve mechanisms for handling violations by employing

agencies, heads and attracted individuals; strengthen accountability in every policy-application decision; and develop an interconnected talent database and a set of quantitative evaluation standards linked to accountability.

4.2.1.5. Improving Legal Awareness and the Capacity of Talented Persons to Exercise Their Rights

Develop guidance materials on rights, obligations and procedures for policy participation; improve mechanisms protecting the rights to complain and denounce; simplify and digitalize procedures for accessing policies; and promote the proactive role of TPs in the civil service.

4.2.1.6. Ensuring Financial Resources, Physical Facilities and Working Conditions

Include expenditures on talent policies in annual budget estimates as a mandatory and stable expenditure item; make use of mechanisms for mobilizing off-budget resources; design comprehensive remuneration combining financial and non-financial elements; and link resource allocation with results and the effectiveness of TP utilization.

4.2.2. Group of Solutions Specific to the Southeast Region

4.2.2.1. Advancing Decentralization and Delegation of Powers Linked with Control of Power

Increase local autonomy in designing and organizing the implementation of talent policies, while establishing clear supervision and accountability mechanisms to prevent abuse of power and arbitrariness.

4.2.2.2. Building a Merit-Based Civil Service Culture

Build a working environment that values capacity, substantive performance, responsibility and innovation; link the legal responsibility of heads with outcomes in building a merit-based civil service culture; and create a foundation for TPs to remain committed to the public sector over the long term.

4.2.2.3. Establishing Procedures, Replicating Effective Models and Controlling Key Stages

Standardize procedures for selecting, recognizing and employing TPs; identify exemplary local models for replication; and establish a pilot mechanism for specific policies linked to a set of quantitative evaluation criteria (number of TPs attracted, retention rate, work results and satisfaction level).

4.2.2.4. Drawing on International Experience and Strengthening Regional Linkages

Learn from countries with advanced civil service systems; develop mechanisms for coordination, data sharing, exchange of experience and regional linkage among the six provinces and cities in identifying, attracting and employing TPs, thereby avoiding wasteful intra-regional competition.

4.2.2.5. Developing Specific Talent Mechanisms and Policies for Each Province in the Region

Each locality should base its talent policies on its comparative advantages, development needs, sectoral structure and budget capacity, while ensuring consistency with the general legal framework and regional development objectives.

CONCLUSION

The Southeast Region is a development space of particularly important strategic significance, characterized by a high rate of urbanization, great demand for modern governance and intense competition for high-quality human resources. In this context, AUTP in civil service activities is no longer a campaign-style choice but a substantive requirement for improving local governance capacity and ensuring that the apparatus operates effectively and efficiently.

From the theoretical perspective, the dissertation has systematized and clarified the fundamental theoretical issues of LI regarding AUTP, including the concept, characteristics, roles, legal content, forms and five assurance conditions - including identification of the fifth condition concerning digital infrastructure and data-driven governance; and has drawn lessons from Japan, Singapore, China and France.

From the practical perspective, despite positive developments, LI effectiveness remains uneven among localities and does not yet correspond to practical requirements. Limitations occur in all four forms of LI, most notably in execution of law: there are provisions but insufficient enforcement capacity; there are mechanisms but insufficient civil service discipline. The principal causes arise from the law, implementation organization and assurance conditions.

Regarding viewpoints and solutions, the dissertation establishes six guiding viewpoints and proposes two interconnected and mutually reinforcing groups of solutions, together with assignment of responsible actors: the group of general solutions (six solutions) and the group of solutions specific to the SER (five solutions).

The dissertation's research findings not only contribute to clarifying the theoretical and practical issues of LI in this field, but also provide scientific arguments for competent state agencies to consult in policy formulation and organization of LI, thereby contributing to building a professional, accountable, dynamic and effective Vietnamese civil service.

**LIST OF PUBLISHED SCIENTIFIC WORKS
BY THE AUTHOR RELATED TO THE DISSERTATION**

1. Nguyen Huong Que (2019), “Initial Study of the Policy on Attracting and Utilizing Talented Persons in Vietnam”, Teaching and Learning Today Journal, Issue 2, pp. 73-75.
2. Nguyen Huong Que (2024), “Implementation of the Policy on Attracting and Utilizing Talented Persons in the Public Sector in Ho Chi Minh City”, State Management Review, No. 342, pp. 88-91.
3. Nguyen Huong Que (2024), “Attracting Talented Persons in Binh Duong Province - Current Situation and Solutions”, State Management Review, No. 344, pp. 109-112.
4. Nguyen Huong Que (2025), “Improving the Effectiveness of Attracting Talented Persons in Ba Ria - Vung Tau Province”, State Management Review, No. 348, pp. 109-112.
5. Nguyen Huong Que (2025), “Improving the Law on the Attraction and Utilization of Talented Persons in Civil Service Activities”, State Management Review, No. 355, pp. 35-39.