

ANTI-CORRUPTION IN VIET NAM NOWADAYS

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I. ACTUAL SITUATION OF CORRUPTION IN VIET NAM

The situation of embezzlement, waste and corruption in Viet Nam has been going on for many decades, occurring in all areas of social life and at all branches and levels. Corruption has greatly affected socio-economic development and reduced people's trust in the Communist Party and the State of Viet Nam. According to Transparency International (TI), Viet Nam's CPI ranking in 2021 is 39/100 points, up 3 points from 36/100 points in 2020, ranking 87/180 countries and territories. This is also the highest CPI of Viet Nam in the period 2012-2021. In the last 10 years, in general, Viet Nam's CPI has improved from a low of 30 points in 2012 to 39 points in 2021. However, it is still lower than the regional average (42 points), and is among the two-thirds (2/3) of countries in the world with serious corruption (under 50 points). This shows that corruption in the public sector is still considered very serious in Viet Nam.

The Summary Report on Communist Party Building and Charter Amendment at the 13th Party Congress stated: "Corruption in a number of areas is still serious and complicated, with increasingly sophisticated manifestations; The state of harassment of people and businesses is still quite common, causing frustration in society. Corruption is still one of the threats menacing the survival of the Party and the regime". Every time people and businesses go to apply for a certificate of ownership of houses or land, go to a doctor, send their children to school, or transfer schools, apply for investment capital, or build a construction project etc., they must give some money as "lubrication" so that everything will run smoothly. This form of corruption is "petty corruption", causing frustration and discomfort for people and the whole society. Corruption identification: From the current situation of the fight against corruption in our country, the main types of corruption can be identified as follows:

A. Economic Corruption

This is a very common form of corruption that occurs in every corner of social life, from high-ranking officials to low-level officials. But it's easy to see that they use their assigned positions and powers to harass and make it difficult to get money and material things. This form can range from petty corruption, such as receiving envelopes filled with modest amounts of money, to large-scale corruption, such as taking bribes with the value of tens of billions of dong, villas, land, cars etc.

B. Corruption in Power

This is a form of corruption in which people holding positions and powers take advantage of their positions to bring close friends, relatives and bribe-takers into holding important positions in the apparatus of the Party, the State and socio-political organizations for self-seeking purposes. This type of corruption is very dangerous and difficult to detect. When they place people without ethics and professional competence into important positions, it affects not

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only the immediate but also the long-term development, affecting the whole generation, and it is difficult to overcome the consequences.

C. Political Corruption

This is a form of corruption of powerful people who influence decisions on mechanisms, policies, and major decisions of the Party and State in order to benefit themselves, their families, or a group of people. They may collude with people with the same power to change guidelines and policies of the Party and State in order to seek benefits for their sector, locality, unit or group of people with the same interests, such as making regulations on tax policy, salary, appointment criteria, retirement or making investment decisions in big projects: building airports, seaports, urban areas, etc.

II. POLICY OF THE COMMUNIST PARTY AND STATE OF VIET NAM IN THE FIGHT AGAINST CORRUPTION

Anti-corruption in Viet Nam is identified as the responsibility of the whole political system and an important, urgent and long-term task throughout the process of socio-economic development and promoting the rule of law in Viet Nam. The Party's viewpoints on anti-corruption are clearly reflected in the Party's Resolutions, Directives and Conclusions over time, specifically: Resolution No. 04-NQ/TW, dated 21 August 2006, of the third meeting of the 10th Party Central Committee on strengthening the Party's leadership in the fight against corruption and waste (Resolution No. 04), determined to continue to improve the state institution and strengthen the inspection, examination, audit, investigation, prosecution and adjudication of corruption cases to improve the effectiveness of the fight against corruption and waste; Enhance publicity and transparency in operations and ensure integrity among officials of inspection, examination, audit, investigation, prosecution and adjudication agencies; Resolutely and promptly handle corrupt acts in anti-corruption agencies and units and those who cover up corrupt acts and prevent the fight against corruption.

In recent years, the Communist Party of Viet Nam has continued to set out guidelines and viewpoints to further improve the quality and effectiveness of anti-corruption work, especially the detection and handling of corruption cases in the current period, specifically: Conclusion No. 21-KL/TW, dated 25 May 2012, of the 5th Plenum of the XI Central Committee on continuing to implement the Resolution No. 04 on strengthening the Party's leadership for the prevention and fight against corruption and waste, Directive No. 33-CT/TW, dated 3 January 2014, of the Politburo on strengthening the Party's leadership in the declaration and control of the declaration of assets; Directive No. 50-CT/TW, dated 7 December 2015, of the Politburo on strengthening the Party leadership in detecting and handling corruption cases, which requires the implementation of many solutions to prevent and fight against corruption, Directive No. 27-CT/TW, dated 10 January 2019, of the Politburo on strengthening the Party leadership in the protection of whistle-blowers and those fighting against corruption.

At the Resolution of the 13th Party Congress, anti-corruption continued to receive the Party's attention and drastic action. Accordingly, the fight against corruption must be persistent and continuous, considered as a particularly important task and carried out with the motto "no forbidden zones, no exceptions", implementing synchronous measures in "political, ideological, organizational, administrative, economic and criminal" fields in the fight against corruption; promote "control of power" to prevent corruption; promptly handle, transfer and replace leading and managerial cadres when having negative manifestations, corruption, low

reputation; strictly handle officials who are corrupt, extortionate, causing trouble to people and businesses; and gradually expand the scope of anti-corruption to the non-state sector to prevent collusion between degenerate state officials, civil servants and those operating in the non-state sector.

As the leading force of the state and society, the Communist Party of Viet Nam is also the leading and most resolute force in the fight against corruption. In February 2013, the Party established the Central Steering Committee on anti-corruption under the Politburo, led by the General Secretary of the Steering Committee. In 2014, the first National Conference on anti-corruption was held. After that, the Party has had many policies and carried out a series of actions to strengthen the detection and handling of corruption cases.

As a result, from 2014 up to now, the National Assembly of Viet Nam has developed, supplemented, amended and passed about 100 laws and ordinances, including laws aimed at building and perfecting the state institution on socio-economic and anti-corruption, step-by-step perfection of the mechanism of prevention such as: the Law on management and use of public property; Law on property auction; Law on Denunciation (amended); Enterprise Law; Law on Bidding; Law on management and use of state capital invested in production and business in enterprises etc., or laws to strengthen the fight against violations and crimes related to corruption such as: the 2015 Law amending and supplementing a number of articles of the Penal Code; the 2015 Criminal Procedure Code; the 2018 Law on Anti-corruption etc. Recently, law enforcement agencies have detected a series of violations and crimes, and strictly handle them according to the provisions of the law.

Up to now, anti-corruption efforts have made a strong step forward, achieving many comprehensive, positive and clear results. Corruption is gradually being curbed, prevented, repelled and is tending to decrease, contributing to maintaining political stability, strengthening people's confidence, creating a healthy business environment, becoming an important factor promoting socio-economic development in Viet Nam in recent years.

III. REGULATIONS OF VIETNAMESE LAW ON ANTI-CORRUPTION

A. The Penal Code 2015

Corruption and position-related crimes are specified in Chapter XXIII of the Penal Code 2015, from Articles 352 to Article 366. In general, the provisions on crimes related to position in the Penal Code 2015 inherit the previous provisions of the Penal Code 1999. In addition, the following new content has been added:

- Expanding the scope of crimes related to positions and persons holding positions. According to Article 352 of the Penal Code 2015, crimes related to position are not only committed while performing “public duties”, a person holding a position is not only a person who has certain powers while performing “public duty” (as stipulated in the old Penal Code 1999), but also when performing “duty”. By that provision, the Penal Code 2015 has expanded the scope of crimes related to positions not only in the public sector, but also in the private sector; acts of corruption arising in state agencies and organizations as well as in non-state organizations, units and enterprises. (For example, the responsibility of managing assets of a limited liability company with capital contributions from individuals, of a 100 per cent foreign-owned enterprise may be considered and handled.)

- The concept of “bribery” and benefits given or received in some position-related crimes has been extended to non-material benefits. Specifically, the crime of receiving bribes (Article 354), Abuse of power or position to influence another person for personal gain (Article 358), giving bribes (Article 364), brokering bribes (Article 365), Abuse of influence over an office holder for personal gain (Article 366), “bribery” or benefits given or received include not only material benefits such as money, property, other material benefits but also include non-material benefits, meaning the benefits that are not tangible or have a monetary value but have the ability to bring satisfaction to the recipient.
- Provisions on third party beneficiaries in bribery crimes. Specifically, Article 354 on the crime of receiving bribes and Article 364 on the crime of giving bribes both stipulate that “bribery” can be enjoyed by the person holding a position or power or for another person or organization. The specific regulation of the above-mentioned signs creates a full and direct legal basis for dealing with bribery in cases where the bribe is not enjoyed by the person holding the position or power but by the other person or organization with the approval of the person holding the position and power.
- Additional regulations on bribery of foreign civil servants. Specifically, the act of bribing foreign civil servants has been officially recognized as a case of bribery under Article 364, paragraph 6.

B. Law on Anti-Corruption 2018

Institutionalizing the Party's Resolution on anti-corruption and the 2013 Constitution, the Law on Anti-corruption 2018, which was approved by the 14th National Assembly at its 6th session on 20 November 2018 on the basis of revising the Law on Anti-corruption 2005, amended and supplemented in 2007 and 2012, includes 10 chapters with 96 articles. This is one of the important steps in the process of perfecting the law on anti-corruption, not only overcoming the limitations and shortcomings of the Law on Anti-corruption 2005, but also playing an important role in synchronizing with new provisions of relevant legal documents, contributing to improving compatibility with the United Nations Convention against Corruption. In that spirit, the Anti-Corruption Law 2018 supplements and provides new regulations on corrupt acts; objects and types of assets to be declared; on disclosure of assets and income; regulations on what cadres and leaders are not allowed to do, and responsibilities of leaders and related persons.

C. Criminal Procedure Code 2015

In order to enhance the effectiveness of detecting and handling crimes in general and corruption in particular, the Criminal Procedure Code 2015 has some new regulations as follows:

1. Electronic Data

For crimes in the fields of economy, corruption and positions, the very important source of evidence and documents to prove and clarify criminal acts is electronic data. This is a new source of evidence specified in the Criminal Procedure Code, as provided in Article 99 of the Code: (1) Electronic data is a symbol, writing, numeral, image, sound or similar form generated, stored, transmitted or received by electronic means. (2) Electronic data is collected from electronic means, computer networks, telecommunications networks, transmission lines and other electronic sources. (3) The evidential value of electronic data is determined based on the way in which the electronic data is generated, stored or transmitted; measured to ensure and

maintain the integrity of electronic data; and how the originator and other relevant factors are determined.

Regulations on the collection of electronic media and electronic data (Articles 107, 196 of the Criminal Procedure Code 2015) are as follows: Electronic means must be seized in a timely and complete manner, accurately describing the actual situation and sealed immediately after seizing. The seizure of electronic means and electronic data as evidence shall be carried out by competent criminal justice officials and may invite persons with relevant expertise to participate. When seizing electronic media, authorities may collect attached peripherals and related documents. In case the electronic data storage medium cannot be seized, the competent criminal justice agency shall back up such electronic data to the electronic medium and preserve it as evidence, and at the same time request the related agencies, organizations and individuals to store and preserve the integrity of electronic data backed up by competent criminal justice agencies, and these agencies, organizations and individuals must be held responsible before the law. The recovery, search and assessment of electronic data can only be done on the copies, and the results of recovery, search and assessment must be converted into a form that can be read, heard or seen.

2. Special Investigative Measures

In order to meet the need to legislate special investigative measures for corruption, the Penal Code 2015 provides for the first time these measures in Chapter XVI, from Articles 223 to 228. Accordingly, only after cases are instituted may competent persons apply special investigative measures, including: (1) secret audio and video recording; (2) wiretapping; and (3) confidential collection of electronic data. These measures can also only be applied to certain types of crimes: (1) Crimes infringing upon national security, drug-related crimes, corruption-related crimes, terrorism crimes, and money-laundering crimes; and (2) other particularly serious crimes.

Along with that, in order to ensure that the application of these measures is prudent, avoiding violations of human rights and ensuring the evidence-based value of the data obtained, the Penal Code 2015 also strictly stipulates the jurisdiction, order, procedure, as well as control mechanism. Regarding the jurisdiction to decide on application, only heads of provincial-level investigating bodies, heads of military investigating agencies of military zones or higher, by themselves or at the request of the Chief Prosecutor of the provincial-level People's Procuracies, and the Chief Prosecutor of the Military procuracies of military zones have the power to issue decisions to apply special investigation measures. The decision to apply special investigation measures must be approved by the Chief Prosecutor of the same level before being executed. The time limit for application of special investigation measures shall not exceed two months from the date of approval by the Chief Prosecutor; complicated cases may be extended but not beyond the investigation time limit. Information and documents collected by special investigation measures shall only be used for the institution, investigation, prosecution and adjudication of criminal cases, and information and documents not related to the case must be promptly destroyed.

IV. INTERNATIONAL COOPERATION IN ANTI-CORRUPTION EFFORTS OF THE PEOPLE'S PROCURACY

Globalization and international integration have had a great impact on the economic, cultural and social development of countries including Viet Nam. In parallel with development, globalization and international integration also require cooperation between countries to

prevent, detect and handle violations of the law including corruption beyond the borders of each country.

Strengthening international cooperation has been a major policy in anti-corruption of Viet Nam in recent years. Resolution No. 04 of the Third Conference of the 10th Party Central Committee on strengthening the Party's leadership in anti-corruption has specifically identified tasks on international cooperation on anti-corruption with the orientation: Actively participate in anti-corruption international programmes, initiatives and forums suitable to Viet Nam's conditions; implementing international commitments on anti-corruption, focusing on commitments on building a transparent business and investment environment. Over the past years, international cooperation in anti-corruption has brought Viet Nam many benefits, and Viet Nam has gained a lot of experience and good practices from foreign countries on anti-corruption, from which to research and apply appropriately into Viet Nam's anti-corruption regime.

A. Implementing the United Nations Convention against Corruption (UNCAC)

Viet Nam, which officially became a member of UNCAC on 19 August 2009, is a country that has been and is being evaluated in both assessment cycles of the Convention. Viet Nam was recognized by the Convention Secretariat and foreign experts for its strict, straightforward and responsible implementation, especially the preparation of self-assessment reports and organization of field-assessment activities. In the first cycle, Viet Nam was one of the countries that actively conducted the assessment of the implementation of the Convention early and completed the requirements set for the evaluation process on time. The second cycle focuses on assessing the provisions of the Convention in Chapter II (Preventive Measures) and Chapter V (Recovery of Assets).

To fulfil its membership obligations after ratifying the Convention, the Prime Minister has issued a Plan on the Implementation of the United Nations Convention against Corruption. Accordingly, the Government Inspectorate is assigned to be the Permanent Agency to implement the Convention. Other relevant ministries and sectors are assigned to assume the prime responsibility for, and coordinate in the implementation of the contents belonging to their functions and tasks as prescribed by law. The Supreme People's Procuracy (1) assumes the prime responsibility for expanding bilateral and multilateral signing of the Agreement on mutual legal assistance in criminal matters between Viet Nam and the Member States of the Convention, (2) receiving and implementing requests for mutual legal assistance in criminal matters and requesting other Member States to provide legal assistance in accordance with the Law on Mutual Legal Assistance 2007 and (3) coordinates with relevant agencies in implementing contents related to the functions and tasks of the People's Procuracy.

The Supreme People's Procuracy has actively coordinated with the Government Inspectorate and other relevant ministries, sectors to implement the Convention such as: Joining the Inter-sectoral Working Group to implement the Convention and the Evaluation Group on the implementation of the Convention; participate in the development and defence of the National Report on implementation of UNCAC cycle 1 and cycle 2; participate in the evaluation of the country report on UNCAC implementation of China, Congo, Solomon Islands and Austria as assigned by the Secretariat of the Convention.

B. Signing Treaties on Mutual Legal Assistance in Criminal Matters with Foreign Countries

According to Article 64 of the Law on Mutual Legal Assistance 2007 and the provisions of the Law on International Treaties, the Supreme People's Procuracy is responsible for proposing the signing of treaties on mutual legal assistance in criminal matters between Viet Nam and foreign countries. Since joining the Convention, the Supreme People's Procuracy has presided, coordinated with relevant ministries and sectors to successfully sign 12 treaties on mutual legal assistance in criminal matters with other countries. including Algeria (2010), Indonesia (2013), Australia (2014), Spain (2015), Hungary (2016), France (2016), Cambodia (2016), Kazakhstan (2017), Cuba (2018), Mozambique (2019), Laos (2020) and Japan (2021).

The signing of criminal legal assistance agreements with foreign countries contributes to perfecting the legal framework and promoting bilateral cooperation to improve the effectiveness of mutual legal assistance in criminal matters in general as well as in corruption, recovering corrupt assets, in particular affirming Viet Nam's strict implementation of international commitments in the prevention and fight of all kinds of crimes, including corruption.

C. Mutual Legal Assistance on Corruption

1. Outgoing Requests for Mutual Legal Assistance

The Supreme People's Procuracy has received 53¹ requests for legal assistance related to corruption, positions from domestic proceeding-conducting agencies to send to the foreign competent authorities. Requests for assistance have included the following crimes: Embezzlement of property; Deliberately violating the State's regulations on economic management, causing serious consequences; Abusing positions and powers while performing public duties; Lack of responsibility, causing serious consequences; Abuse of positions and powers to appropriate property; Money-laundering; Violation of regulations on management and use of State assets, causing loss and waste; Fraud at work. Among the above requests, there are eight requests relating to the recovery and return of assets to the State of Viet Nam. In general, the implementation of mutual assistance requests of foreign countries has achieved positive results. The countries have given support in terms of collecting documents and evidence, contributing to support the domestic criminal justice agencies to handle corruption cases. Notably, the results of mutual assistance have successfully solved large and complicated corruption cases involving people holding high positions in the State apparatus such as: The case involving the East-West Highway Project Management Board (CPI Department); The case involving the Vietnam Shipbuilding Industry Group (VinaShin case); The case involving the Vietnam Maritime Corporation (Vinalines case); The case involving the Vietnam Railway Corporation (JTC case); The case of property embezzlement and money-laundering by Giang Kim Dat and his accomplices; The case of abusing positions and powers while performing public duties, violating regulations on management and use of State property, causing loss and waste, and violating regulations on land management committed by Phan Van Anh Vu and his accomplices; The case of gambling and money-laundering by Phan Sao Nam and his accomplices; The case of money-laundering and violations of regulations on banking activities that was carried out by Tran Bac Ha and his accomplices, etc.

2. Incoming Requests for Mutual Legal Assistance

In the same period, the Supreme People's Procuracy received and implemented 24 requests for mutual legal assistance in criminal matters related to corruption from other countries.

¹ Statistics over the past 10 years.

Crimes related to requests for mutual assistance are embezzlement of property, taking bribes, giving bribes, money-laundering, abuse of position and power, abuse of power, etc. The Supreme People's Procuracy has paid close attention to the exercise of public prosecution and supervision of mutual legal assistance in criminal matters during the process of domestic criminal justice agencies in fulfilling foreign requests for assistance. Therefore, the implementation of the request basically meets the deadlines and procedures at the request of foreign parties, contributing to affirming Viet Nam's efforts in international cooperation in fighting corruption.

D. International Cooperation on Recovery of Corrupt Assets

According to the provisions of the Law on Anti-Corruption 2018 (Article 91), the distraint, freeze, confiscation and return of corrupt assets are international cooperation activities. The Supreme People's Procuracy is the Central Agency for international cooperation in recovering corrupt assets in criminal proceedings; receiving and processing foreign requests for criminal legal assistance in recovery of corrupt assets and requesting foreign countries to comply with Vietnamese requests for criminal legal assistance in recovery of corrupt assets. Accordingly, the Supreme People's Procuracy has submitted 12 requests for mutual legal assistance to Singapore, Laos and Cambodia for recovery and return of corrupt assets for the State of Viet Nam.

E. Bilateral, Multilateral and Technical Cooperation

The Supreme People's Procuracy has participated in many bilateral, multilateral cooperation efforts on anti-corruption, including the International Association of Anti-Corruption Agencies (IAACA), the International Association of Prosecutors (IAP), the Asia-Pacific Regional Asset Recovery Interagency Network (ARIN-AP), the Southeast Asia Network of Judiciary Agencies (SEAJust); bilateral cooperation with the Prosecutor's Office and law enforcement agencies of other countries with strong prosecutorial bases and developed judicial systems, especially South Korea, Japan, Australia, Hungary, Russia, China, the United States and Germany; and technical assistance cooperation with international agencies and organizations, including the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI).

V. SOME BREAKTHROUGHS IN THE RESULTS OF THE FIGHT AGAINST CORRUPTION IN RECENT YEARS

Along with the development of the law, the determination to fight against corruption within the Communist Party and State of Viet Nam is clearly demonstrated through the breakthrough results in the fight against corruption in recent years. The Procuracy, according to Vietnamese law, is the agency that exercises public prosecution and supervises judicial activities during the process of institution for criminal proceedings, arrest, custody, detention, investigation and prosecution, adjudication of criminal cases; taking many measures to improve the quality and efficiency of work, making an important contribution to the following results:

A. Decisive Direction to Accelerate the Investigation, Prosecution and Adjudication of Corruption Cases in a Timely Manner with the Direction of "No Forbidden Zone, No Exceptions, No Privileges, Whoever That Person Is"

In recent years, the Vietnamese State has shown a resolute attitude in detecting, investigating, prosecuting and adjudicating corruption cases. With the guiding viewpoint of the Communist Party, the State of Viet Nam is "no restricted zone, no exception, no privilege, whoever that person is". Accordingly, some particularly serious cases which have long been

considered a “sensitive and forbidden zone”, and many cases which have lasted from previous years, have been directed to be dealt with decisively and strictly. This is a bright spot in the anti-corruption struggle, showing the determination of the Communist Party and State of Viet Nam. Corruption cases which were assessed as particularly serious were monitored and directed by the Central Steering Committee for Anti-corruption and were tried by the Court with strict sentences, thereby creating a breakthrough in anti-corruption.

The Communist Party and State of Viet Nam have resolutely and strictly handled a number of senior incumbent and retired officials who were involved in particularly serious and complicated corruption and economic cases. These can be mentioned as the handling of Mr. Dinh La Thang, former member of the Politburo, in two big cases: first, the case of embezzlement of property and the intentional violation of state regulations on economic management, causing serious consequences that occurred at Thai Binh 2 Thermal Power Plant and Quang Trach Vung Ang Thermal Power Plant; and, second, the case of deliberately violating state regulations on economic management, causing serious consequences and abuse of position and power to appropriate assets related to the capital contribution of 800 billion VND (35 million USD) at Oceanbank. Through two court cases, Mr. Dinh La Thang was sentenced to 30 years in prison and was forced to pay more than 600 billion VND (27 million USD) in compensation. In the above cases, in addition to Mr. Dinh La Thang, there are many defendants who have held high positions, such as three accused persons who were members of the National Assembly, four accused persons who held the position of Chairman of PVN, Vice President of the province;

Corruption develops more sophisticatedly, not only in economic sectors but also in law enforcement sectors; not only among low-level officials but also high-ranking officials. Resolution of the 4th Central Committee (term XI) assessed: A large number of cadres and party members, including those holding leadership and managerial positions, including some senior cadres, have experienced recession of politics, ethics, lifestyle..., partial, corrupt, wasteful, arbitrary, unprincipled. Therefore, the Party and State have directed the improvement of the efficiency of inspection, examination, audit, investigation, prosecution, adjudication and strict handling of violators of corruption and waste. Especially since 2016, after the 12th Party Congress, General Secretary Nguyen Phu Trong, Head of the Central Steering Committee for Anti-corruption, launched a broad, comprehensive and drastic anti-corruption campaign with the motto: “Whoever that person is, in any position, there is no forbidden zone, no exception in fighting and dealing with corruption.” Since then, anti-corruption efforts have achieved very positive results, and many corruption cases from the central to local levels have been strictly adjudicated, including members of the Central Committee and members of the Politburo. As a result, in the recent five years, the entire Party disciplined nearly 1,400 party organizations and more than 74,000 party members at all levels.

Among the disciplined, there are 82 provincial commissioners and equivalent; more than 1,500 district commissioners and equivalent; nearly 3,000 party members were disciplined in the form of dismissal; more than 8,700 were expelled from the Party and more than 4,300 cadres and party members had to be handled by law. Major General Nguyen Van Tin, General Department of Politics of the People’s Army said that from 2013 to 2020, the whole country had more than 1,900 corruption cases investigated and adjudicated, and 131,000 Party members were disciplined, including more than 110 cadres under the management of the Central Committee (27 members of the Party Central Committee, former members of the Party Central Committee, 4 members of the Politburo and 30 general-level officers of the armed forces). Particularly in the first 6 months of 2021, related to corruption, there were 266 cases / 646

defendants prosecuted, 250 cases with 643 defendants prosecuted. The Central Steering Committee on Anti-corruption has inspected and disciplined 12 party organizations and 20 party members under the management of the Politburo and the Secretariat (including 3 members, former member of the Central Committee, 2 deputy ministers, 1 former provincial president, 1 former deputy secretary of the provincial Party Committee, 13 general-level officers in the armed forces). A series of large corruption cases with high-ranking officials were brought to trial. The Party and State have determined that it must continue to resolutely and persistently fight against corruption both in state agencies, organizations and enterprises inside and outside the State.

B. Enhancing the Efficiency of Asset Recovery

In the process of solving corruption and economic cases, in addition to ensuring the institution, investigation, prosecution and adjudication in accordance with the law, in recent years, Viet Nam's criminal justice agencies in general and the People's Procuracy of Viet Nam in particular have been active, proactive and aggressive in the recovery of assets lost and appropriated in cases. In addition to ensuring that prosecution, investigation and adjudication are performed in a prompt, strict, accurate, fair and lawful manner, the Procuracy has proactively set out requirements for investigation, requests for inspection and verification of assets; closely coordinated with the investigating agencies to apply measures to seize distrained assets, frozen bank accounts of related persons right from the stage of dealing with denunciations, information on crimes and petitions for charge; promptly applied measures to prevent them from transferring, dispersing, concealing or legalizing assets; encouraged offenders to voluntarily hand over the appropriated property, and voluntarily remedy the damage caused in order to thoroughly recover the property to the State. The results of asset recovery in recent years has changed in both quantity and quality, clearly showing the role and responsibilities of the Procuracy in asset recovery.

As a result, criminal justice agencies recovered an amount of 66,747,243 million VND/149,616,130 million VND (30 billion USD/68 billion USD), reaching 44.6 per cent of the amount (in which, the amount of assets recovered in corruption cases were 4,623,981 million VND/66,747,243 million VND (2.1 billion USD/30 billion USD), accounting for 8 per cent of the total recovered assets; for corruption cases in judicial activities alone, 22,063 million VND (100 million USD) were recovered, reaching 58 per cent appropriated assets recovered in corruption cases in judicial activities. In addition to the recovered amount, criminal justice agencies have seized, distrained, blocked and requested to suspend transactions of many valuable assets such as: distraint of 108 parcels of real estate; 159,565 shares; 175 taels of SJC gold, cars; recovery of 68 parcels of real estate; 393,115 square metres of land; 1,336,690 cubic metres of timber; USD 50,000; frozen 32,110.71 USD; suspended transaction of 5 land use ownership certificates; seizing 8 land use ownership certificates and 433,770 kg of copper sulfide ore.

According to statistics, the recovery rate of corrupt assets has reached over 31 per cent, in which the recovery of assets in a number of serious corruption and economic cases is quite high.