

# Balancing public interest and private property regarding land acquisition process: an examination of the land law in Vietnam<sup>1</sup>

## El equilibrio entre el interés público y la propiedad privada en el proceso de adquisición de tierras: un examen de la ley del suelo en Vietnam

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Artículos

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### Abstract

This research paper evaluates the 2013 Land Law and the most recent 2024 Land Law in Vietnam, focusing on key provisions, compensation, public purpose, and the challenges and failures faced by these laws. The discussion also provides a critical analysis of the laws based on various theories, including New Institutional Economics, the Human Rights approach, public interest theory, and property rights theory. The current Land Law in Vietnam has faced various

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challenges, including inadequate compensation, lack of transparency and accountability, protection of human rights, and the rule of law. To address these challenges, the government can implement policy suggestions such as ensuring adequate compensation, promoting transparency and accountability, protecting human rights, encouraging public-private partnerships, and strengthening the rule of law. By addressing these issues, the Land Law in Vietnam can become more effective and consistent with international human rights standards, contributing to stability, development, and economic growth in the country. Finally, the research paper has provided policy suggestions for the future improvement of land acquisition regulations in Vietnam.

**Keywords:** land acquisition, property rights, public purpose, human rights, new institutional economics.

## Resumen

Este trabajo de investigación evalúa la Ley del Suelo de 2013 en Vietnam, centrándose en las disposiciones clave, la compensación, el propósito público y los retos y fracasos a los que se enfrenta la ley. La discusión también ha proporcionado un análisis crítico de la ley basado en diversas teorías, incluyendo la Nueva Economía Institucional, el enfoque de los Derechos Humanos, la teoría del interés público y la teoría de los derechos de propiedad. La actual Ley del Suelo de Vietnam se ha enfrentado a varios retos, como la compensación inadecuada, la falta de transparencia y responsabilidad, la protección de los derechos humanos y el Estado de Derecho. Para hacer frente a estos retos, el gobierno puede poner en práctica sugerencias políticas como garantizar una compensación adecuada, promover la transparencia y la rendición de cuentas, proteger los derechos humanos, fomentar las asociaciones público-privadas y fortalecer el Estado de Derecho. Al abordar estas cuestiones, la Ley del Suelo de Vietnam puede ser más eficaz y coherente con las normas internacionales de derechos humanos, contribuyendo a la estabilidad, el desarrollo y el crecimiento económico del país. Por último, el trabajo de investigación ha aportado sugerencias políticas para la futura mejora de la normativa sobre adquisición de tierras en Vietnam.

**Palabras clave:** adquisición de tierras, derechos de propiedad, finalidad pública, derechos humanos, nueva economía institucional.

## Introduction

The land is a vital resource for the development and growth of any country. In Vietnam, the acquisition of land for public use is governed by the Land Law. This law plays a crucial role in regulating the process by which the government can acquire land from individuals and organizations for various public purposes, such as building infrastructure, roads, bridges, and public buildings. The law has undergone several revisions over the years, reflecting changes in the country's political and economic landscape and the growing demand for land for development purposes (Nguyen, 2016). The Land Law sets out the procedures for acquiring land for public use, including the calculation of compensation for displaced persons and the determination of the public purpose for which the land is being acquired. The law requires that compensation be paid to those who are displaced by land acquisition for public use and that the

compensation be determined in accordance with the market value of the land and relevant compensation regulations. The public purpose for which land can be acquired must be specified in the Land Acquisition Law, and it must be in the public interest and related to the construction of infrastructure (Nguyen, 2018).

In recent years, there have been concerns about the fairness and transparency of the land acquisition process in Vietnam, leading to calls for reform of the 2013 Land Law. The new 2024 Land Law was issued in January 2024 and will come into effect on August 1, 2024. The proposed amendments to the 2024 Land Law include increased involvement of affected communities in the decision-making process and improved compensation mechanisms. The Land Law in Vietnam is a crucial piece of legislation that governs the acquisition of land for public use. While the law has undergone several revisions over the years, there is an ongoing debate regarding the fairness and transparency of the land acquisition process and the need for further reforms to ensure that the rights of affected communities are protected.

## **The research problem**

The Land Law is an important mechanism for promoting economic development and stability in Vietnam; however, it has faced numerous challenges and criticisms, including inadequate compensation, a lack of transparency and accountability, protection of human rights, and the rule of law. The research problem highlights the need for a comprehensive and critical analysis of the Land Law in Vietnam, focusing on identifying the challenges and failures faced by the law and providing policy suggestions for its future improvement. By addressing these issues, the Land Law in Vietnam can become more effective and consistent with international human rights standards, contributing to stability, development, and economic growth in the country.

## **Research Questions**

What are the key provisions of the 2013 and 2024 Land Law in Vietnam regarding land acquisition, and how are they implemented in practice?

What are the challenges and failures of the land acquisition in Vietnam, particularly in relation to compensation, public purpose, and the protection of human rights?

How can the land acquisition law in Vietnam be improved to protect the rights of affected communities better and advance public purpose?

## **Hypothesis**

The provisions of the 2013 and 2024 Land Laws in Vietnam are insufficient to adequately protect the rights of affected communities and ensure fair compensation in cases of land acquisition for public purposes.

The implementation of the 2013 and 2024 Land Laws in Vietnam is characterized by a lack of transparency, accountability, and consistency, leading to challenges and failures in the laws' ability to advance the public purpose and protect human rights.

Adopting best practices and international human rights standards in land acquisition in Vietnam would result in improved outcomes for affected communities and better alignment with public purposes.

## **Objectives**

To critically examine the provisions of the Land Law in Vietnam and assess its effectiveness in protecting the rights of affected communities.

To analyze the challenges and failures faced by the land acquisition process in Vietnam, with a focus on compensation, public purpose, and the protection of human rights.

To provide policy suggestions for the future improvement of the land acquisition procedure in Vietnam, taking into account the experiences of other countries and international human rights standards.

## **Methodology**

The research paper examines the 2013 and 2024 Land Laws in Vietnam by reviewing existing literature and resources on the land acquisition procedure in Vietnam, including academic journals, government reports, and news articles. The research bases its theoretical framework on New Institutional Economics, the Human Rights approach, public interest theory, and property rights theory to understand and analyze the regulations on land acquisition in Vietnam. Drawing conclusions based on the analysis and theoretical framework, the paper also provides policy suggestions for the future improvement of the regulations regarding the land acquisition process in Vietnam.

## **Historical background**

The historical background of the Land Acquisition regulation in Vietnam is marked by significant political and economic changes that have taken place in the country over the past several decades. The evolution of the law reflects these changes and the increasing demand for land for development purposes.

1987: The first Land Law was enacted in 1987, following the implementation of the Doi Moi (Renovation) reforms, which marked a shift towards a market-oriented economy in Vietnam. This law provided a framework for the acquisition of land for public use, including the calculation of compensation for displaced persons.

1993: The Land Law was revised in 1993 to reflect changes in the country's economic policies and to address the increasing demand for land for development purposes. The revision aimed to improve the efficiency of the land acquisition process and to provide more detailed provisions regarding the calculation of compensation for displaced persons.

2003: The Land Law was revised again in 2003 to address concerns about the fairness and transparency of the land acquisition process. The revision included provisions to increase the involvement of local authorities and the participation of affected communities in the decision-making process, as well as to improve the compensation mechanisms for displaced persons (Vu, 2017). Since the 2003 revision, the Land Acquisition Law has continued to play a critical role in regulating the acquisition of land for public use in Vietnam. The law has undergone several changes and revisions to address ongoing concerns about the fairness and transparency of the land acquisition process and to ensure that the rights of affected communities are protected.

2013: To overcome the limitations of the 2003 Land Law regarding land acquisition, the 2013 Land Law removed the provision for compulsory land acquisition for economic development purposes and changed it to land acquisition for socio-economic development purposes in the interest of national and public welfare. Accordingly, the 2023 Land Law has dedicated a separate article to regulate projects that will be compulsorily acquired for socio-economic development purposes in the interest of national and public welfare. At the same time, the 2013 Land Law also adds provisions for support and resettlement when the State compulsorily acquires land.

2024: The 2024 Land Law is considered to have made many advances, as it stipulates more details on cases of compulsory land recovery; however, it still maintains the provisions on land recovery for socio-economic development purposes for national and public interests, in addition to the provisions on land recovery for national defense and security purposes. The 2024 Land Law has supplemented very detailed provisions on compensation for land use rights and assets attached to the land, as well as specified the support and resettlement policies when the State compulsorily recovers land. Consequently, the legitimate rights and interests of people whose land is compulsorily recovered have been better cared for and protected than in previous Land Laws.

The historical background of the Land Law in Vietnam reflects the country's political and economic changes, as well as the increasing demand for land for development purposes. The evolution of the law demonstrates the efforts of the Vietnamese government to improve the

fairness and transparency of the land acquisition process and to ensure that the rights of affected communities are protected.

## **Key provisions of the Land Acquisition Law in Vietnam**

The Land Law in Vietnam contains several key provisions that regulate the process of acquiring land for public use. These provisions are designed to ensure that the rights of affected communities are protected and that the compensation paid to displaced persons is fair and equitable. Here are some of the key provisions in detail:

**Public Purpose:** The law specifies that land can only be acquired for the purposes of national defense or security and socio-economic development in the national or public interest (Articles 15, 61, and 62 of the 2013 Land Law; Articles 78 and 79 of the 2024 Land Law), such as the construction of infrastructure, roads, bridges, and public buildings. However, there is no official interpretation of what “public interest” entails in Vietnam; each project will be examined by the authority in charge to determine whether it falls within the scope of the term “public interest” (Vang-Phu and Tran, 2019).

**Compensation:** The law requires that compensation be paid to those who are displaced by land acquisition for public use. The compensation must be determined in accordance with the market value of the land and relevant compensation regulations. It must be sufficient to cover the costs of relocation and to provide an adequate standard of living for the displaced persons (from Article 74 to Article 94 of the 2013 Land Law; from Article 91 to Article 111 of the 2024 Land Law).

**Decision-Making Process:** The law requires the involvement of local authorities and the participation of affected communities in the decision-making process. It also mandates that the decision to acquire land be made through a public consultation process and that affected communities are provided with adequate information and opportunities to express their views (Article 69 of the Land Law; Article 87 of the 2024 Land Law).

**Dispute Resolution:** Although the law does not have any specific regulations on this issue, based on its basic rules and other relevant laws (as Vietnam has a specific law that governs complaints and appeals procedures), disputes can be resolved through negotiation and mediation. In the event that these methods are unsuccessful, the disputes may be referred to the courts for resolution.

**Review and Appeal:** The law provides for the right of affected communities to review and appeal the decision to acquire land. It requires that the decision be reviewed by the relevant authorities and that affected communities have the right to appeal the decision if they believe it is unjust or violates their rights (Article 204 of the 2013 Land Law; Article 237 of the 2024 Land Law).

The key provisions of the Land Laws in Vietnam are designed to ensure that the rights of affected communities are protected and that the compensation paid to displaced persons is fair and equitable. These provisions reflect the efforts of the Vietnamese government to improve the fairness and transparency of the land acquisition process and to ensure that land is acquired for public purposes in the public interest.

## **Critical analysis of compensation**

Compensation is a critical aspect of the land acquisition regulations in Vietnam and is closely tied to the rights of affected communities. The compensation provisions in the law are designed to ensure that displaced persons receive fair and equitable compensation for the loss of their land. However, the implementation of these provisions has faced several challenges, and a critical analysis of the compensation provisions in the law is necessary to fully understand their impact.

**Adequacy:** One of the main challenges with the compensation provisions in the law is the adequacy of the compensation paid to displaced persons. In many cases, the compensation provided has been found to be insufficient to cover the costs of relocation and to ensure an adequate standard of living for the displaced persons. This has resulted in widespread complaints from affected communities and has raised concerns about the fairness of the land acquisition process (Nguyen and Dang, 2019).

**Transparency:** Another challenge with the compensation provisions in the law is the transparency of the compensation calculation process. The law requires that the compensation be determined in accordance with the market value of the land and relevant compensation regulations. However, the implementation of these provisions has been found to be inconsistent, and there have been cases where the compensation paid has been significantly lower than the market value of the land. This has raised concerns about the fairness and transparency of the compensation calculation process (Vang-Phu, 2018).

**Participation:** A third challenge with the compensation provisions in the law is the participation of affected communities in the compensation calculation process. The law requires that the affected communities be provided with adequate information and opportunities to express their views. However, in practice, the participation of affected communities in the compensation calculation process has been limited, and there have been cases where their views have been ignored (Tran, 2017).

The compensation provisions in the 2013 and 2024 Land Laws in Vietnam are critical to ensuring that the rights of affected communities are protected. However, the implementation of these provisions has faced several challenges, including the adequacy of the compensation paid, the transparency of the compensation calculation process, and the participation of affected

communities in this process. A critical analysis of the compensation provisions in the laws is necessary to fully understand their impact and to identify areas for improvement.

## **Critical analysis on public interest**

The concept of “public interest” is central to the land acquisition regulations in Vietnam, as it specifies that land can only be acquired for public interest, such as the construction of infrastructure, roads, bridges, and public buildings. The provision of “public interest” is important in ensuring that the acquisition of land is conducted for public use and is not abused for private interests. However, a critical analysis of the “public interest” provision is necessary to fully understand its impact and identify areas for improvement (Vang-Phu and Tran, 2019).

**Clarity:** One of the main challenges with the “public interest” provision in the law is clarity. The law requires that the public interest for which land is being acquired must be specified and must serve a public purpose. However, in practice, the definition of “public interest” is often vague, and there have been cases where the acquisition of land has been carried out for purposes that are not clearly in the public interest. This has raised concerns about the fairness and transparency of the land acquisition process (Le, 2018).

**Transparency:** Another challenge with the “public interest” provision in the law is the transparency of the decision-making process. The law requires that the decision to acquire land be made through a public consultation process and that the affected communities be provided with adequate information and opportunities to express their views. However, in practice, the public consultation process has been found to be inadequate, and there have been cases in which the affected communities have not been given adequate information or opportunities to express their views.

**Accountability:** A third challenge with the “public interest” provision in the law is accountability. The law requires that the public purpose for which land is being acquired must be specified and must be in the public interest. However, there is no mechanism for holding those responsible for the acquisition of land accountable if the land is not used for the specified public purpose. This has raised concerns about the misuse of land acquired for public purposes.

The “public interest” provision in the 2013 and 2024 Land Law in Vietnam is important for ensuring that the acquisition of land is conducted for public purposes. However, a critical analysis of the provision reveals several challenges, including clarity, transparency, and accountability. A more comprehensive approach is needed to address these challenges and ensure that the land acquisition process is fair and transparent.



## The New Institutional Economics (NIE) approach to Land Acquisition Law

Framework can be used to analyze the land acquisition law in Vietnam, as it focuses on the role of institutions and rules in shaping economic behavior and outcomes. The following is a detailed analysis of the land acquisition law in Vietnam based on NIE principles:

**Institutions and rules:** The land acquisition law in Vietnam lays out the rules and procedures for acquiring land for public purposes, including the public consultation process, compensation, and dispute resolution mechanisms. NIE theory argues that these institutions and rules play a critical role in shaping the behavior of both the state and affected communities and in determining the outcomes of the land acquisition process (Nguyen, 2019).

**Economic incentives:** The land acquisition law in Vietnam creates economic incentives for the state to acquire land for public purposes, as well as for affected communities to cooperate with the acquisition process. NIE theory highlights the importance of these incentives in determining the outcomes of the land acquisition process. For example, the law provides compensation to affected communities, which can serve as an incentive for them to cooperate with the acquisition process.

**Transaction costs:** The land acquisition law in Vietnam also addresses the issue of transaction costs, which can impact the efficiency and fairness of the land acquisition process. NIE theory argues that reducing transaction costs can improve the efficiency and fairness of the process. For example, the law provides for a public consultation process and dispute resolution mechanisms, which can reduce the transaction costs associated with negotiating and resolving disputes between the state and affected communities.

**Information asymmetry:** NIE theory highlights the importance of addressing information asymmetries in shaping economic outcomes. The land acquisition law in Vietnam requires that the state provide adequate information to affected communities and that they be given opportunities to express their views. However, in practice, there have been cases where the information provided to affected communities has been inadequate and where they have not been given sufficient opportunities to express their views. This highlights the need for improvement in addressing information asymmetries in the land acquisition process (Pham, 2017).

The NIE framework can be used to analyze the land acquisition law in Vietnam and to identify areas for improvement. The law provides for institutions and rules, economic incentives, and addresses transaction costs and information asymmetries, all of which are critical factors in shaping the outcomes of the land acquisition process. However, the implementation of the law in practice has faced challenges, and there is a need for improvement in addressing these challenges to ensure that the land acquisition process is fair, transparent, and in the public interest.

## The human rights approach to land acquisition law

A human rights approach can be used to analyze the land acquisition law in Vietnam, as it focuses on the impact of the law on the rights of affected communities. The following is a detailed analysis of the land acquisition law in Vietnam from a human rights perspective:

**Right to Property:** The right to property is a fundamental human right that is protected under international law, including the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). The Land Acquisition Law in Vietnam recognizes this right, but it also allows the state to acquire land for public purposes under certain circumstances. This raises questions about the balance between the right to property and the needs of the state (Pham, 2019).

**Right to Participation:** The right to participate in decision-making processes is a fundamental human right protected under international law, including the ICCPR. The land acquisition law in Vietnam provides for a public consultation process, which is an important mechanism for ensuring that affected communities have a voice in the decision-making process. However, in practice, there have been cases where affected communities have not been adequately consulted or provided with the opportunity to express their views.

**Right to compensation:** The right to adequate compensation is also a fundamental human right protected under international law, including the ICESCR. The land acquisition law in Vietnam provides for compensation to affected communities; however, in practice, there have been cases where the compensation provided has been inadequate. This raises questions about the fairness and transparency of the compensation process.

Transparency and accountability are important principles of human rights, as they promote fairness and ensure that the state is accountable for its actions. The land acquisition law in Vietnam provides for a public consultation process and dispute resolution mechanisms; however, in practice, these mechanisms have not always been effective in ensuring transparency and accountability (Le, 2018).

The human rights approach can be used to analyze the Land Acquisition Law in Vietnam and to identify areas for improvement. The law recognizes important human rights, including the right to property, the right to participation, the right to compensation, and the principles of transparency and accountability. However, the implementation of the law in practice has faced challenges, and there is a need for improvement in ensuring that the land acquisition process is fair, transparent, and respectful of the human rights of affected communities.

## The public interest theoretical framework to land acquisition law

The public interest theory is a theoretical framework that can be used to analyze land acquisition law in Vietnam. The following is a detailed analysis of land acquisition law in Vietnam based on public interest theory:

**Definition of public interest:** The public interest theory is based on the idea that the state has a duty to promote the well-being of society as a whole. The land acquisition law in Vietnam provides for the acquisition of land for public purposes, which are defined as activities that serve the interests of the state and society, such as infrastructure development, urbanization, and economic development.

**Balancing Competing Interests:** The public interest theory emphasizes the importance of balancing competing interests, including the interests of affected communities, the state, and society as a whole. The land acquisition law in Vietnam provides for compensation to affected communities and a public consultation process, which are mechanisms for balancing the interests of different stakeholders (Nguyen, 2017).

**Transparency and accountability:** The public interest theory also emphasizes the importance of transparency and accountability in decision-making processes. The land acquisition law in Vietnam provides for a public consultation process, which is an important mechanism for ensuring transparency and accountability in the decision-making process. However, in practice, there have been cases where the consultation process has been inadequate, and the compensation process has not been transparent or fair.

**Flexibility:** The public interest theory also recognizes the importance of flexibility in decision-making processes. The land acquisition law in Vietnam provides for the acquisition of land for public purposes, but it also allows for the negotiation of compensation and other conditions with affected communities. This flexibility enables the balancing of competing interests and promotes the public interest (Vu, 2018).

The public interest theory can be used to analyze the land acquisition law in Vietnam and to identify areas for improvement. The law provides for the acquisition of land for public purposes and the balancing of competing interests, including those of affected communities, the state, and society as a whole. However, the implementation of the law in practice has faced challenges, and there is a need for improvement in ensuring that the decision-making process is transparent, accountable, and flexible, and that the public interest is effectively promoted.

## The property rights theoretical framework to land acquisition law

The property rights theory is a theoretical framework that can be used to analyze land acquisition law in Vietnam. The following is a detailed analysis of land acquisition law in Vietnam based on property rights theory:

**Definition of property rights:** The property rights theory defines property rights as the exclusive rights of individuals or organizations to use, possess, and transfer property. The land acquisition law in Vietnam recognizes the right to property, but it also allows the state to acquire land for public purposes under certain circumstances (Vu, 2019).

**Balancing Property Rights:** The property rights theory emphasizes the importance of balancing the property rights of individuals and organizations with the needs of the state and society. The land acquisition law in Vietnam provides compensation to affected communities, serving as a mechanism for balancing the property rights of these communities with the needs of the state.

**Fair compensation:** The property rights theory also emphasizes the importance of fair compensation in situations where property rights are taken or limited. The land acquisition law in Vietnam provides for compensation to affected communities, but in practice, there have been cases where the compensation provided has been inadequate. This raises questions about the fairness of the compensation process.

**Transparency and accountability:** The property rights theory also emphasizes the importance of transparency and accountability in decision-making processes. The land acquisition law in Vietnam provides for a public consultation process, which is an important mechanism for ensuring transparency and accountability in the decision-making process. However, in practice, there have been cases where the consultation process has been inadequate, and the compensation process has not been transparent or fair.

The property rights theory can be used to analyze the land acquisition law in Vietnam and to identify areas for improvement. The law recognizes the right to property and provides for compensation to affected communities, which are important mechanisms for balancing the property rights of these communities with the needs of the state. However, the implementation of the law in practice has faced challenges, and there is a need for improvement in ensuring that the compensation process is fair, transparent, and accountable.

## Challenges to the land acquisition law in Vietnam

The land acquisition law in Vietnam has faced several challenges, which can be analyzed in detail as follows:

**Inadequate compensation:** One of the main challenges faced by the land acquisition law in Vietnam is the inadequate compensation provided to affected communities. In many cases, the compensation offered has been lower than the market value of the land, and affected communities have been left without sufficient resources to rebuild their lives. This has led to widespread dissatisfaction and protests among affected communities and has undermined the legitimacy of the law (Vang-Phu, 2018).

**Lack of transparency and accountability:** Another challenge faced by the land acquisition law in Vietnam is the lack of transparency and accountability in the decision-making process. There have been instances where the public consultation process has not been conducted adequately and where the compensation process has not been transparent or fair. This has led to widespread dissatisfaction among affected communities and has undermined the legitimacy of the law.

**Violations of human rights:** The land acquisition law in Vietnam has also been criticized for violating the human rights of affected communities, including the right to property, the right to adequate housing, and the right to a fair trial. In many cases, affected communities have been forcibly evicted from their homes and denied adequate compensation and other forms of support (Le, 2017).

**Resistance and protest:** The inadequacy of compensation, along with a lack of transparency and accountability, has led to widespread resistance and protests among affected communities. This has resulted in conflicts between these communities and the state, creating social tensions that undermine stability and development.

**Corruption and Abuse of Power:** There have also been instances of corruption and abuse of power in the implementation of the land acquisition law in Vietnam. Officials and developers have been accused of using their positions of power to acquire land for their own benefit and of exploiting loopholes in the law to secure favorable outcomes.

**Inefficient and slow implementation:** The land acquisition law in Vietnam has been criticized for being inefficient and slow to implement. This has resulted in delays in the development of infrastructure and public facilities and has contributed to a lack of investment and economic growth (Tran, 2018).

The land acquisition law in Vietnam has faced several challenges and failures, including inadequate compensation, a lack of transparency and accountability, violations of human rights, resistance and protest, corruption, abuse of power, and inefficient and slow implementation. Addressing these challenges and improving the implementation of the law will be essential for ensuring stability, development, and economic growth in Vietnam.

## Policy suggestions

To address the challenges and failures of the land acquisition law in Vietnam and improve its implementation, the following policy suggestions can be considered:

**Adequate compensation:** To address the issue of inadequate compensation, the government should ensure that compensation is set at a level that accurately reflects the market value of the land and that it is sufficient to meet the needs of affected communities. This could

include providing support for livelihoods and resettlement, as well as adequate housing and other forms of compensation.

**Transparency and accountability:** To address the lack of transparency and accountability, the government should ensure that the public consultation process is transparent, inclusive, and adequately conducted, and that the compensation process is fair and transparent. This could include independent evaluations and oversight of the process, as well as the development of clear and predictable rules and procedures.

**Protection of human rights:** To ensure that the land acquisition law in Vietnam is consistent with international human rights standards, the government should guarantee that the rights of affected communities are protected and that any violations of human rights are addressed. This could include measures to prevent forced evictions, provide adequate compensation and support, and ensure that affected communities have access to justice and effective remedies.

**Encouragement of public-private partnerships:** To improve the efficiency and effectiveness of land acquisition and development, the government should encourage the use of public-private partnerships in which the private sector assumes a greater role in financing, developing, and managing infrastructure and public facilities. This could include measures to reduce red tape and streamline the approval process, as well as incentives for private investment.

**Strengthening the rule of law:** To prevent corruption and abuse of power, the government should strengthen the rule of law and ensure that all actors, including developers and public officials, are held accountable for their actions. This could include measures to enhance transparency and accountability, enforce anti-corruption laws, and provide effective remedies for affected communities (Nguyen, 2017).

The future policy suggestions outlined above aim to address the challenges and failures of the land acquisition law in Vietnam and to improve its implementation. By taking these steps, the government can ensure that the law is more effective, efficient, and consistent with international human rights standards, and that it contributes to stability, development, and economic growth in Vietnam.

## Conclusion

In conclusion, the land acquisition law in Vietnam has faced various challenges and failures in its implementation. These include issues related to compensation, transparency and accountability, the protection of human rights, and the rule of law. To address these challenges and failures, the government can consider implementing policy suggestions such as ensuring adequate compensation, promoting transparency and accountability, protecting human rights, encouraging public-private partnerships, and strengthening the rule of law.

By taking these steps, the government can ensure that the land acquisition law in Vietnam is more effective, efficient, and consistent with international human rights standards, and that it contributes to stability, development, and economic growth in Vietnam. However, it is important to note that the implementation of these policy suggestions may require significant effort, resources, and political will from the government and other stakeholders. While the land acquisition law in Vietnam has faced many challenges and failures, there is potential for improvement through effective policy and implementation. By addressing the key issues and promoting good governance and human rights, the law can contribute to sustainable development and the well-being of affected communities in Vietnam.

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