



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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Vietnam: The nature and extent of police corruption, particularly the extent to which the police accept bribes (November 2002 - October 2006)

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### Overview

A 2004 World Bank (WB) report on governance in Vietnam identifies corruption as one of the country's "most serious challenges" (WB 22 Nov. 2004, 90). The joint donor report, prepared in partnership with various bilateral and multilateral agencies, was produced with the involvement of Vietnamese researchers and practitioners (ibid.).

Using a scale of one to ten (with one representing high levels of perceived corruption and ten representing the perceived absence of corruption), Transparency International's (TI) *Corruption Perceptions Index 2005* gives Vietnam a score of 2.6 (TI 18 Oct. 2005). Of 159 countries surveyed, Vietnam was ranked at 114 (ibid.).

In 2002, the government of Vietnam, with the assistance of the Swedish International Development Agency (SIDA), undertook the country's first-ever diagnostic survey on the extent and causes of corruption (ADB Nov. 2005a, 54; Fritzen 2005, 3). The study, released in 2005, surveyed citizens, certain public officials, and businesses (ADB Nov. 2005a, 54). While the Research Directorate was not able to obtain a copy of the survey within time constraints, various media and corruption monitoring organizations discuss the survey's findings (ibid.; Business Anti-Corruption Portal n.d.; *Saigon Times Weekly* 10 Dec. 2005; *Viet Nam News* 1 Dec. 2005). According to *Viet Nam News*, the survey findings indicate that corruption is "very sophisticated and blatant" and that corrupt practices are used by "individuals, collectives, [and] even syndicates" (ibid.). According to *Saigon Times Weekly*, the survey indicates that Vietnamese citizens give bribes to officials as "a habit" and in an attempt to ensure efficiency (10 Dec. 2005). Moreover, the survey also reportedly found that nearly one-third of officials and civil servants accept bribes because it is seen as "common practice" (*Saigon Times Weekly* 10 Dec. 2005; *Viet Nam News* 1 Dec. 2005; ADB Nov. 2005a, 54). Of the civil servants and officials who were surveyed, more than 50 percent said they thought their immediate superiors were involved in corruption (*Saigon Times Weekly* 10 Dec. 2005). About 21 percent stated they had not seen any indications that their superiors were corrupt (ibid.).

"Petty corruption" is reported to be "prevalent" in the Vietnamese public service (WB 22 Nov. 2004, 94; Business Anti-Corruption Portal n.d.; VUFO-NGO Centre 2004, 8). The Asian Development Bank (ADB) reports that although bribes paid to front-line civil servants do not necessarily represent large sums of money, they are nonetheless significant amounts in light of the salary earned by the average Vietnamese citizen (Nov. 2005a, 54).

### Police corruption

Information relating specifically to corruption among the police in Vietnam is limited among the sources

consulted by the Research Directorate. However, sources reporting on the SIDA survey indicate that bribery of traffic officials took place in more than half the cases of traffic violations (*VietNamNet* 29 May 2006; Business Anti-Corruption Portal n.d.). Moreover, the 2005 diagnostic survey on corruption found that traffic police were considered to be the third most corrupt institution in the country (*ibid.*; *VietNamNet* 29 May 2006). The government has reportedly set up a hot-line for citizens to confidentially report corrupt traffic police (*Thai News Service* 23 June 2006).

Without explicitly referring to the police, a report authored by the ADB's principal regional cooperation specialist (ADB n.d.) states that Vietnam has yet to develop a "respect of the law" and that "those responsible for law enforcement also often violate the law in their adjudication practices" (Wescott 2003, 263). A news report on the Vietnamese government's 10th National Party Congress states that corruption has affected "many branches and sectors, including law enforcement agencies" (*Viet Nam News* 25 Apr. 2006).

### **Government response to corruption**

The Asia Foundation reports that, in 2005 and 2006, the government of Vietnam undertook a range of public administration reforms to address corruption (The Asia Foundation 20 Sept. 2006), including passing an anti-corruption law in 2005 (*ibid.*; ADB Nov. 2005a, 57). The law defines what is meant by corruption, lays out a system of preventative measures and activities to uncover corruption, and defines punishments for corruption (*VNA* 16 Aug. 2006). The anti-corruption law replaces the existing anti-corruption legislation enacted in 1998 and reportedly meets international standards (*ibid.*), including those required for accession to the World Trade Organization (WTO 20 May 2005).

Subsequent to the law coming into force, there have been several "high-profile prosecutions" of corrupt high-level government officials (Freedom House 7 Sept. 2006; ADB Nov. 2005a, 55). Media sources indicate that allegations of bribery and gambling led to the resignation of the transport minister and the arrest of the deputy transport minister (BBC 4 Apr. 2006; See also *IHT* 31 May 2006). A lieutenant colonel in the Hanoi police force, allegedly involved in the gambling "scandal," was also arrested for accepting bribes (*Viet Nam News* 15 Sept. 2006; *ThanhNien News*. 13 Sept. 2006).

Freedom House has stated that these "few high-profile prosecutions" comprise the government's main response to corruption, adding that thousands of citizens "seek redress" for corruption every year (7 Sept. 2006). International non-governmental organizations (INGOs) involved in Vietnam have responded with "optimism" to the government's efforts to address corruption (VUFO-NGO Centre 2004). However, INGOs have also indicated that "clear and practical implementing guidelines" are lacking from the government's anti-corruption measures (*ibid.*).

An assistant professor at Princeton University who specializes in analyzing government reforms states there is a "paradox" at the centre of anti-corruption initiatives (Fritzen 2005). In a working paper on anti-corruption efforts in Vietnam, he writes: "[T]he very actors posited to be the source of the problem are those most critical to implementation success" (*ibid.*).

The Asian Development Bank states that the Vietnamese government is addressing corruption as a "systemic issue" as opposed to "a problem of individual behaviour," adding that this approach "improves the opportunity for successfully addressing the problem" (Nov. 2005b, 38). However, international donors, organizations, and INGOs have emphasized the need for "further efforts towards an effective anti-corruption strategy" given the continued perception of Vietnam as a country "with a high level of corruption" (ADB 2005, para. 10).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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[▲  
Top of Page](#)

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