

## Section 2. Law enforcement organizations

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### IMPLEMENTATION OF LAW ON FIRE PREVENTION AND FIGHTING IN VIETNAM – LEARNINGS AND RECOMMENDATIONS

**Abstract.** The article researches and evaluates the results of law enforcement on fire prevention and fighting in Vietnam; from there, drawing lessons from experience, making forecasts and recommendations, proposing to improve the effectiveness of law enforcement on fire prevention and fighting in the coming time, contributing to ensuring fire safety and meeting the requirements of sustainable development.

**Keywords:** fire; law enforcement; Vietnam.

#### 1. Make a problem

The Law on Fire Prevention and Fighting was approved by the 9<sup>th</sup> National Assembly of the Socialist Republic of Vietnam on June 29, 2001, and took effect on October 4, 2001, marking a very important development step in the field of fire prevention and fighting, which was amended and supplemented with a number of articles and passed at the 6<sup>th</sup> session, the XIII National Assembly (November 22, 2013), and some shortcomings were resolved in the implementation of the Law on Fire Prevention and Fighting, favor-

able conditions to strengthen the effectiveness of State management over fire prevention and fighting activities, protect human life and health, protect properties of the State, organizations and individuals, protect the environment, ensure political security and social order and safety.

Over the past 20 years, under the leadership of Party committees at all levels, the drastic direction of the authorities at all levels and the efforts of ministries, branches, localities and the whole people, in which the core is the People's Public Security force in general, the Fire Prevention and

Fighting Police force and the Central Committee in particular, the fire prevention and fighting work has made positive changes; the movement of all people to participate in fire prevention and fighting was promoted and developed more and more widely; The effectiveness of the state management of fire prevention and fighting has been enhanced... Thereby, it has contributed to curbing the increase in the number of fires and explosions and the damage caused by fires and explosions, effectively serving the socio-economic development of the country.

## **2. Research results discussed**

### ***2.1 Relevant situation characteristics***

According to statistics, in the past years, the country's economy has developed at a relatively high pace, on average in the period 2013–2022, GDP growth will reach about 5.87%/year (in 2020, 2021 due to the Covid-19 epidemic, the growth rate is only 2.75%); The process of industrialization and modernization is increasingly developing, in the past 10 years the industry and construction sector has grown by an average of 5.77%, the service sector has grown by an average of 6.37%. The urbanization rate is fast, taking place in most localities 15.52% (increasing 118 urban areas, 770 urban areas in 2013/888 urban areas in 2022) concentrated in big provinces and cities (such as Da Nang, Binh Duong, Ho Chi Minh City, Can Tho, Quang Ninh, Ba Ria – Vung Tau, Thua Thien – Hue, Bac Ninh, Hanoi, Hai Phong) [4]. Besides, the national urbanization rate by urban/inner city area is 41.7%;

the national urbanization rate by urban area is 53.7%. The number of industrial parks, production and business establishments has increased rapidly with large production scale, operating in many fields. According to statistics, at present, the whole country has 1.182.722 establishments under the state management of fire prevention and fighting and social engineering.

Regarding fire and explosion situation, from 2001 to 2022, there were 59.878 fires and explosions nationwide (of which 49.724 fires occurred in factories, factories, warehouses, agencies, schools, hospitals, people's houses...; 344 explosions and 9.810 forest fires), killing 1.910 people, injuring 4.434 people; on assets estimated at 26.152 billion VND and 61.138 hectares of forest with economic value. The statistics of fire and explosion data show that in the face of the country's socio-economic development and the complicated situation of climate change, the frequency of fires, explosions, incidents and accidents is increasing, specifically comparing the period 2012–2022 with the period before 2001–2011, the number of fires and explosions increased by 13.5% (31.828 cases in the period 2013–2022/2001–2013, and the loss of people in the period 2001–2021, the period of 2013–2013, the loss of people, the period of 2013–2013, and the loss of people in the period of 2013). period 2001–2011), property damage increased by 382.4% (VND21.661.3 billion in the period 2013–2022/4.490.6 billion VND in the 2001–2011 period) [2; 4].

## ***2.2 Results of the evaluation of the direction and implementation***

Regarding the consulting work with the Party Central Committee Secretariat: in recent years, closely following the leadership and direction of the Secretariat, all levels of Party committees and local authorities have focused on directing and implementing drastically many solutions on fire prevention and fighting and social reform. In particular, in 2015, the Party Central Committee of Public Security advised the Secretariat of the XI term to issue Directive No. 47-CT/TW dated June 25, 2015 on strengthening the Party's leadership in fire prevention and fighting work [1].

Regarding consultation with the National Assembly: The National Assembly has organized many delegations to supervise the implementation of the Law on Fire Prevention and Fighting for a number of ministries, branches and local People's Committees; The National Assembly Standing Committee paid attention and raised pressing issues emerging in the field of security and order, including fire prevention and fighting work, to discuss and issue resolutions. Centrally, in 2018, the 14<sup>th</sup> National Assembly issued Resolution No. 62/2018/QH14 on the establishment of the National Assembly's Oversight Team and the monitoring plan "the implementation of policies and laws on fire prevention and fighting in the period 2014–2018".

Regarding the work of advising the Government and the Prime Minister: The Government and the Prime Minister regularly direct closely

the work of fire prevention and fighting in order to effectively implement the Law on Fire Prevention and Fighting, focusing on basic issues, such as: organizing the thorough understanding and extensive implementation of the Law on Fire Prevention and Fighting; issued hundreds of guiding documents on fire prevention and fighting, issued 04 Directives on strengthening fire prevention and fighting work.

Implementing the implementation of the Law on Fire Prevention and Fighting (amended and supplemented in 2013), the ministries, ministerial-level agencies, agencies attached to the Government and the People's Committees of the provinces and centrally-run cities have also directed the departments, agencies, branches and units directly under the Government to organize the implementation and implementation according to the functions and tasks when the Law comes into force with a variety of contents, changing the awareness and actions of the units; strictly implement the tasks of fire prevention and fighting and rescue. Ministries and branches issued 268 documents directing the implementation of the Law on Fire Prevention and Fighting, strengthening the work of fire prevention and fighting.

In the past 10 years, many local People's Committees have performed well the function of state management of fire prevention and fighting. The Provincial Party Committee, City Party Committee and Provincial People's Committee have issued over 4.288 documents di-

recting the implementation of the Law on Fire Protection, many localities each year issue 4–5 directing documents, typically Hanoi, Ho Chi Minh City, Hai Phong, Da Nang, Can Tho... [4].

### ***2.3 Results of the promulgation of legal documents on fire prevention and fighting and rescue***

Over the past 20 years, the Ministry of Public Security has advised the Government to issue 12 Decrees in the field of fire prevention and fighting, and coordinated with functional units to advise the Government to issue 10 Decrees related to the field of fire prevention and fighting. Advise the Prime Minister to promulgate 05 Decisions on fire prevention and fighting and rescue, coordinate with relevant units to advise the Prime Minister to issue 02 Decisions related to the field of fire prevention and fighting. The Ministry of Public Security promulgates according to its competence 31 Circulars; coordinate with the Ministry of Finance to issue 06 Circulars, the Ministry of Industry and Rural Development to issue 01 Circular, the Ministry of Labor, War Invalids and Social Affairs to issue 01 Circular, the Ministry of Education and Training to issue 01 Circular related to the field of fire prevention and fighting and rescue; The Ministry of Public Security has coordinated with the Ministry of Construction, the Ministry of Finance, and the Ministry of National Defense, each to issue 01 Joint Circular, coordinate with the Ministry of Labor, Invalids and Social Affairs, and the Ministry of Finance to issue 01 Joint Circular. In addi-

tion, based on each field, ministries and branches have advised the Government to issue Decrees and promulgate Circulars with provisions on fire prevention and fighting.

Ministries and branches have focused on developing standards and technical regulations on fire and rescue; Up to now, there have been a total of over 250 national standards and regulations on fire prevention and fighting and fire protection in force (of which there are more than 100 national technical standards and regulations specializing in fire prevention and fighting and 130 national standards and technical regulations related to fire prevention and fighting).

In order to implement Resolution No.99/2019/QH14 on handling works and facilities that do not meet the requirements on fire prevention and fighting, which were put into use before the Law on Fire Prevention and Fighting in 2001 took effect, and the task of specifying the regular support level for the captains and vice captains of the civil defense team, the provincial People's Committees shall report to the People's Councils (People's Councils) of the same level for promulgation of 87 Resolutions.

### ***2.4 Results of organization and implementation in the field of fire prevention; fighting and rescue***

#### *Regarding fire prevention:*

The Ministry of Public Security has compiled documents to propagate, disseminate, and guide the implementation of the 2001 Law on Fire Prevention and Fighting (amended and supple-

mented in 2013) and guiding documents for its implementation for officers, soldiers and people with clear and understandable content, ensuring uniform implementation of the Law. Actively coordinated with press, radio and television agencies to widely propagate the Law on Fire Prevention and Fighting.

In order to make a drastic change in the propaganda, dissemination and education of the law, knowledge on fire and rescue, the Ministry of Public Security has coordinated with ministries, branches, localities and press agencies to strengthen propaganda and reform the form, whereby: (1) The Ministry of Public Security issued Project No.382/QD-BCA dated January 18, 2021 on “Innovating and improving the effectiveness of propaganda, dissemination and education of laws and knowledge and skills on fire and rescue to meet the requirements of the new situation”; (2) The Ministry of Public Security develops digital transformation application software in fire and rescue work so that people can inform the Fire and Rescue Police agency when there is an incident, accident, and serve the propaganda and dissemination of laws, knowledge and skills; (3) coordinate with the Ministry of Information and Communications to direct network operators to send messages to mobile subscribers to warn and advise people on the work of ensuring fire prevention and fighting; (4) cooperated with the Ministry of Education and Training to issue Circular No. 06/2022/TT-BGDT dated 11/5/2022 guiding the equipping

of students with knowledge and skills on fire and rescue for pupils and students in educational institutions [8].

The work of replicating and developing models of movements and advanced examples in fire and rescue work has been interested in directing the implementation, construction, development and replication of 40.588 point models, 31.207 typical advanced units and organizations in fire prevention and fighting, especially nationwide, 20.730 models of joint fire prevention and fighting safety groups have been built, 23.348 models of public fire fighting points to promote. Simultaneously, 134.327 training courses on fire prevention and fighting were held with 5.905.285 people participating in the training course and issued 4.764.766 certificates of professional training in fire rescue [4].

Along with that, in the past 10 years, functional agencies in charge of state management of fire prevention and fighting organized fire safety inspections for 5.762.642 establishments, made 5.762.642 minutes, and issued 408.865 written recommendations on fire prevention and fighting. The inspection has guided the head of the facility to overcome the limitations and shortcomings in fire prevention and fighting work, contributing to eliminating millions of risks of fire, explosion, incidents and accidents. In addition, the Fire Prevention and Fighting Police force and the Central High Commission organized: appraised the design and issued 136.108 Certificates of ap-

praisal and approval on fire prevention and fighting; organize the acceptance test and issue 79.630 documents approving the results of the inspection and acceptance on fire prevention and fighting for projects and works [4].

In addition, for areas and facilities with high risk of fire, explosion, incidents and accidents, the Ministry of Public Security has directed the Fire and Rescue Police force and the Central High Command to strengthen the organization of inspections on key topics such as markets, commercial centers, apartment buildings, high-rise buildings, chemical facilities, petrol, oil, forests ... The People's Committees of the provinces and centrally-run cities have set up interdisciplinary delegations to inspect the safety conditions of fire prevention and fighting for 19.825 turns of areas and establishments with high risk of fire, explosion, incidents and accidents. Some localities have the direct participation of leaders of the provincial Party Committee, Party Committee, People's Committee and People's Council of the province.

In order to handle works and facilities that fail to ensure the safety conditions for fire prevention and fighting and high-tech that were put into use before the effective fire prevention and fighting Law 2001 (referred to as establishments specified in Article 63 a), the Ministry of Public Security has coordinated with the Ministry of Construction to study options and solutions to guide the People's Committees and People's Councils of provinces to handle the

facilities specified in Article 63a of the Law on Fire Prevention and fighting. Accordingly, 35/63 localities have issued resolutions of the provincial People's Councils. Up to now, 1.487 facilities have been handled out of a total of 7.187 of 35 localities with the bases specified in Article 63 a of the Law on Fire Prevention and Fighting, which has issued a Resolution of the People's Council to handle these works and facilities. The remaining works are being handled according to the plan and schedule in the Resolution of the Provincial People's Council.

*Regarding fighting and rescue:*

Solving the demand for water supply for fighting in urban areas and industrial zones has received due attention from all levels and sectors. Up to now, 50.565 fire hydrants, 14.283 ponds, lakes, canals and ditches, 22.200 fighting water tanks (over 50 m<sup>3</sup>), 935 water intake wharves, 288 collection pits in areas without water supply systems.

Regarding traffic to ensure fighting activities, the Ministry of Public Security has directed functional agencies to organize a review of the traffic system in urban areas and old residential areas that has not yet met the requirements in fighting and rescue; traffic routes are restricted in width and height; junctions, intersections, and corners are not guaranteed for the operation of fire engines and ladder trucks; streets and alleys are small, narrow, and over 200 m deep, which cannot be accessed by fire engines; the bridge does not guarantee the load for the fire truck to move

through; There is no parking lot for fire trucks on inner-city roads and inner areas.

The construction and practice of fighting plans and ensuring fire alarm information are paid due attention by all levels, branches and grassroots units. The Oil and Gas and Petroleum industries have paid attention to directing and investing funds to organize a general rehearsal of plans to handle large fire and explosion situations with the mobilization of fire fighting forces and means of many branches and localities.

Along with that, through the survey, it was found that the fire prevention and fighting police force and the Central High Command had maintained and well organized the standing work, were ready to fight, and maintained the strict implementation of 24 hours/24 hours as prescribed; assigning commanders and standing officers for fighting; Received 188.280 fire alarms and rescue; Organized to mobilize a total of 105.946 turns of motorized fighting vehicles of all kinds and 686.986 turns of officers and soldiers (CBCS) directly participating in fighting 29.596/51.691 fires and incidents; mobilized a total of 17.150 vehicles and 115.962 turns of civil servants to organize and treat 20.857 incidents and accidents.

### **2.5 Discuss the shortcomings, limitations and causes**

#### *About existence, limitations*

The direction and guidance of a number of ministries, branches and local People's Committees are still formal, have not been implemented

drastically and thoroughly; The system of legal documents in the field of fire prevention and fighting is still lacking in synchronization and has not fully dealt with arising problems and problems in management practice.

In some places, the effectiveness of propaganda work has certain limitations, such as: only focusing on propaganda in cities and towns, while remote areas have not yet received attention; In many places, there is a lack of funds and budgets for propaganda and training.

The implementation of responsibilities by relevant agencies and organizations has not paid regular attention to the work of fire and rescue, especially the People's Committees at all levels, the heads of establishments, and the heads of households, there are still many limitations.

The assignment of responsibilities among different levels, agencies, departments and branches in the state management of fire prevention and fighting is not clear, specific, and overlapping; The state management of fire prevention and fighting in construction investment is still limited and inadequate; The investment in fire prevention and fighting activities has not met the actual needs.

#### *About the cause*

The system of legal documents on fire and rescue is still lacking in synchronization, many fire prevention and fighting problems arise from practice and the field has not been amended and supplemented in a timely manner. The interest in the field of fire and rescue engineering has

not been paid much attention and importance compared to the socio-economic development situation of the locality, especially at the district and commune levels.

Awareness and responsibility of some agencies, units, heads of facilities and many people about fire and rescue work are still limited, still negligent, subjective, have not fully fulfilled their roles and responsibilities in fire prevention and fighting work; the coordination and cooperation between agencies, units and localities in performing the tasks of fire prevention and fighting and rescue is still not close.

Although the investment capital for fire prevention and fighting work has been paid attention to, in many localities, it is still very difficult. The speed of urbanization is fast, while infrastructure and traffic are still inadequate, many old and degraded works still exist, leading to many risks of incidents and accidents; The inner city road network is narrow, obstructed, many deep alleys affect the mobility of vehicles participating in fire fighting and rescue when an incident occurs.

### ***2.6 These lessons learned***

It is necessary to promote the synergy of both the political system and the entire people, in which the core role is the fire prevention and fighting police force and the Central Committee with the active participation of ministries, branches, units, establishments, households and all classes of people in performing fire prevention and fighting work [6].

Appreciate and always innovate the forms of propaganda and stick to the grassroots to build the mass movement of fire prevention and fighting.

Raise the sense of responsibility of heads of units and establishments in fire prevention and fighting work in accordance with the provisions of the Law on Fire prevention and fighting.

Special attention must be paid to fire prevention, making prevention the main thing, ensuring and maintaining safety conditions on fire prevention and fighting in each residential area, facility, and household, in order to eliminate and minimize the risk of fire, explosion.

The implementation of fire prevention and fighting work must ensure synchronization in the socio-economic development program of each branch, each locality and each unit.

Focusing on building a network of fire prevention and fighting police units, in sufficient numbers, ensuring regularity, elites and step by step modernity to meet the country's socio-economic development requirements.

Increase investment in equipping fire and rescue equipment for the fire prevention and fighting force in general and especially for the fire prevention and fighting police force in particular, which is strong enough to ensure that the main force completes the assigned tasks.

## **3. Forecasts and recommendations**

### ***3.1 About forecast***

In the coming years, the socio-economic situation will continue to develop, the speed of industrialization, modernization and urbanization



will increase rapidly, the number of projects, construction works, means of transport, the demand for energy, gas and chemicals will continue to increase; The increase in population and population density in urban areas and big cities will continue to be the factors that directly affect the situation of fire and rescue.

The unsafe situation in using electricity in households, production and business establishments, especially petrol, gas, chemical trading establishments, etc ... will be the cause of high fires if there are no drastic solutions. Inadequacies and limitations in the current planning of traffic infrastructure and water sources will continue to affect fire and rescue in the coming time.

People's awareness of fire and rescue in the coming years will continue to be raised; However, there will still be a part that is not fully aware of the meaning and importance of fire prevention and fighting, especially in rural, mountainous, remote and isolated areas.

In addition, the situation of political security and social order and safety also has complicated developments, causing riots in the form of causing fires and explosions by protestors and extremists, posing very heavy tasks for fire prevention, fighting and rescue. Climate change will continue to affect many regions and regions across the country.

### ***3.2 Suggestions and suggestions***

Continue to focus on effectively implementing the tasks and solutions stated in Directive No. 47-CT/TW, Conclusion No.02-KL/TW of the

Secretariat, Resolution No.99/2019/QH14 of the National Assembly, Decision No. 630/QD-TTg and Decision No.1492/QD-TTg of the Prime Minister and legal documents on current fire prevention and fighting work, in order to overcome, prevent and fight fires.

Completing policies and laws on fire prevention and fighting, focusing on perfecting the legal system on rescue work according to decentralization for fire prevention and fighting forces. Research, develop, amend and supplement legal documents and technical regulations related to fire prevention and fighting within the responsibilities and domains of ministries and branches in line with the socio-economic development situation [7].

Strengthen the propaganda, dissemination and education of legal knowledge on fire and rescue reform in order to raise the sense of self-discipline in complying with the law on fire and rescue reform. Renovate contents, forms and measures to further improve the quality and effectiveness of propaganda.

Strengthen the responsibility of the heads of ministries, branches, localities, agencies and organizations for fire prevention and fighting work. Strengthen the inspection and examination of fire prevention and fighting, especially the self-inspection of conditions for ensuring fire prevention and fighting safety by heads of agencies and organizations.

Improve the efficiency of state management of fire and rescue: strictly implement regulations

on appraisal, approval and acceptance of fire prevention and fighting, inspect and inspect fire prevention and fighting safety, and completely handle works that violate the provisions of the law on fire prevention and fighting, and establishments that fail to ensure fire prevention and fighting safety and are put into use before the effective date of the 2001 Law on Fire Prevention and Fighting; there is no situation that the works are put into use without being tested and accepted for fire prevention and fighting.

Completing the planning of fire prevention and fighting infrastructure for the period of 2021–2030, with a vision to 2050, in sync with the planning of sectors, fields and localities. Amending and supplementing regulations on water supply for fire fighting in industrial parks and urban areas to solve the current inadequacies in water supply for fire fighting and rescue.

Focusing on building a really clean, strong, regular, elite and modern People's Police force [5] in the Project on building a really clean, strong, regular, elite and modern People's Public Security force, meeting the requirements and

tasks in the new situation under the direction of the Politburo in Resolution No. 12-NQ/TW [3]. Organizing training courses, fostering professional skills in fire prevention and fighting for civil servants of the Fire and Rescue Police force.

Consolidate and re-consolidate the forces on the spot to ensure security and order, fire and rescue in residential areas and establishments; shortening the focal point to ensure compactness and practicality in combination with appropriate policies and regimes in order to promote and improve the efficiency of local forces in ensuring security and order in general and fire and rescue in particular.

Promote administrative reform in the field of fire prevention and fighting. Strengthen the socialization of the field of fire and rescue, such as: developing standards and technical regulations on fire prevention and fighting, inspecting fire prevention and fighting safety, evaluating and approving designs on fire prevention and fighting, inspecting fire prevention and fighting equipment, and providing professional training on fire prevention and fighting...

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