# European Journal of Law and Political Sciences

Nº 1-2 2023



### **European Journal of Law and Political Sciences**

Scientific journal № 1 – 2 2023

ISSN 2310-5712

**Editor-in-chief** Orzechowska Kamila, Poland Doctor of Law

International editorial board

Arabaev Cholponkul Isaevich, Kyrgyzstan, Doctor of Law
Balabiev Kairat Rahimovich, Kazakhstan, Doctor of Law
Chiladze George Bidzinovich, Georgia, Doctor of Law,
Doctor of Economics
Gromov Vladimir Gennadievich, Russia, Doctor of Law
Isaeva Klara Asangazievna, Kyrgyzstan, Doctor of Law
Ibraeva Alua Salamatovna, Kazakhstan, Doctor of Law
Ivannikov Ivan Andreevich, Russia, Doctor of Law,
Doctor of Political Sciences
Gromov Vladimir Gennadievich, Russia, Doctor of Law
Jansarayeva Rima, Kazakhstan, Doctor of Law
Jovanović Lidija, Croatia, Doctor of Political Sciences
Kartunov Alexey Vasilevich, Ukraine, Doctor of Political Sciences
Khurtsidze Tamila Shalvovna, Georgia, Doctor of Law

Kiseleva Anna Alexandrovna, Russia, Ph.D. of Political Sciences
Mohammad Abu Taher, Bangladesh, Doctor of Law
Olteanu Oana, Romania, Doctor of Political Sciences
Ospanova Dzhamilya Azizkhanovna, Kazakhstan, Ph.D. of Law
Spasennikov Boris Aristarkhovich, Russia, Doctor of Law
Yashkova Tatiana Alexeevna, Russia, Doctor of Political Sciences
Yurova Kseniya Igorevna, Russia, Ph.D. of History
Zaika Yuriy Alexandrovich, Ukraine, Doctor of Law

ProofreadingKristin TheissenCover designAndreas VogelAdditional designStephan FriedmanEditorial officePremier Publishing

Praha 8 – Karlín, Lyčkovo nám. 508/7, PSČ 18600

Email:pub@ppublishing.orgHomepage:ppublishing.org

**European Journal of Law and Political Sciences** is an international, German/English/Russian language, peer-reviewed journal. The journal is published in electronic form.

The decisive criterion for accepting a manuscript for publication is scientific quality. All research articles published in this journal have undergone a rigorous peer review. Based on initial screening by the editors, each paper is anonymized and reviewed by at least two anonymous referees. Recommending the articles for publishing, the reviewers confirm that in their opinion the submitted article contains important or new scientific results.

Premier Publishing is not responsible for the stylistic content of the article. The responsibility for the stylistic content lies on an author of an article.

#### Instructions for authors

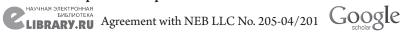
Full instructions for manuscript preparation and submission can be found through the Premier Publishing home page at: https://ppublishing.org

#### Material disclaimer

The opinions expressed in the conference proceedings do not necessarily reflect those of the Premier Publishing, the editor, the editorial board, or the organization to which the authors are affiliated.

Premier Publishing is not responsible for the stylistic content of the article. The responsibility for the stylistic content lies on an author of an article.

#### Included to the open access repositories:





TOGETHER WE REACH THE GOAL Scientific Journal Impact Factor Value for 2023 – 6.628

#### © Premier Publishing

All rights reserved; no part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without prior written permission of the Publisher.

Typeset in Berling by Ziegler Buchdruckerei, Linz, Austria.

Printed by Premier Publishing, Vienna, Austria on acid-free paper.

### Section 1. International law

https://doi.org/10.29013/EJLPS-23-1.2-3-9

Tursunova Malikakhon Ulugbekovna,
Associate professor,
Tashkent State University of Law

# OF DIPLOMATIC STAFF IN THE REPUBLIC OF UZBEKISTAN

**Abstract.** This article discusses foreign experience and national legislation on recruitment to diplomatic service, rotation of diplomats. Opinions on the procedure and conditions of the selection process for the appointment of diplomatic staff are analyzed. The author presents his suggestions and recommendations for solving problems in this area.

**Keywords:** Ministry of foreign affairs, diplomatic service, diplomatic staff, recruitment, rotation, regulation, vacancy, regulation, competition, selection.

The process of selection and appointment to a position is a set of legal and organizational measures that ensure the staffing of the diplomatic service with specialists whose professional and personal qualities correspond to the goals, tasks and characteristics of a particular unit and a particular position in the Ministry of Foreign Affairs (MFA) system [1]. However, the selection of personnel for the diplomatic service of Uzbekistan practically remains unregulated.

Pursuant to the clause of 6 of the Decree No. 5400 of the President of Uzbekistan dated

April 5, 2018, the head of a diplomatic mission can be a citizen of the Republic of Uzbekistan who has a higher education, is fluent in state and foreign languages, has relevant job, moral and professional qualities, has deep knowledge in the field of history, culture, national traditions and customs, seeking to promote socio-economic and socio-political transformations in the Republic of Uzbekistan.

The requirements for other diplomatic workers and the procedure for selecting candidates for members of a diplomatic mission, and holding

a competition for these positions are not normatively established, which creates grounds for corruption, nepotism and protectionism in solving personnel issues. In order to ensure transparency in the procedure for appointment to other positions in the diplomatic mission, it is necessary to clearly enshrine the requirements for candidates in the law.

Undoubtedly, the analysis of foreign practice of recruiting diplomatic workers is of great interest. The training of highly qualified diplomats is carried out in many countries, since such personnel must protect and promote national interests in the international arena. At the same time, there is no universal and generally recognized system for training diplomats; each state trains diplomats based on its own priorities and resources [2].

In France, the conditions for admission to the diplomatic service are the following: a) French citizenship, b) possession of political rights, c) law-abiding and observance of laws, d) loyalty to the laws on military service; e) physical fitness for public office [3]. Recruitment for the diplomatic service and positions of secretaries and advisers is made on the basis of competitive examinations or after graduation from the School of National Administration, the duration of which is 2 years. Students of this school, who successfully passed the entrance exams, are enrolled in the personnel reserve of officials.

In Kazakhstan, a citizen of the Republic of Kazakhstan who has a higher education, is fluent in the state and Russian languages, has the necessary job, moral, professional qualities and health state to perform the duties assigned to him (Art. 9 of the Law of the Republic of Kazakhstan 'On the diplomatic service of the Republic of Kazakhstan').

In Ukraine, citizens of Ukraine who have a special higher education, the necessary professional and job qualities, know the state and foreign languages and, meet health requirements, can be sent on a long-term official journey (Art. 9 of the Law of Ukraine 'On the diplomatic service'). Usually, graduates of all universities without exception, holders of diplomas in various fields, can participate in the competition. But taking into account the specifics of work in the foreign policy department, as a rule, candidates who have received higher education in such specialties as political science, international relations, world politics, foreign regional studies, and linguistics have an advantage.

In Italy, only those with a university degree in such specialties as political science, law, finance, banking, statistics, demography, and the political systems of the East can apply for such positions in the competition. An English language exam is required. Citizens wishing to participate in the competition for filling diplomatic positions in the MFA can attend one-year courses at the Diplomatic Institute.

When appointed to the positions of the diplomatic service, in the legislation of some foreign countries there is a procedure for taking an oath, which is mandatory for recognizing a person as a diplomat.

So, the system of competitive selection with passing exams for the diplomatic service is successfully used in many foreign countries, whose useful experience can be used in Uzbekistan. For most countries, the obligatory conditions for entering the diplomatic service are citizenship, higher education, professional knowledge of the national language and foreign languages, high moral and business qualities, physical fitness and health.

Competitive selection ensures the democratic nature of personnel decisions, increases the influx of professionals into the MFA system, which increases the prestige of the diplomatic service, guarantees a high objectivity in assessing professional suitability for work in the foreign affairs agency [4].

In this regard, one should agree with the proposals of specialists on the application of a competitive system with examinations in the selection of personnel for the diplomatic service of Uzbekistan [5]. This approach can also be used to advance in a diplomatic career, which will increase the qualifications and level of professional preparedness of diplomats.

Based on this, we propose to legislatively establish the following requirements for candidates for a position in the diplomatic service system: a diplomatic worker can be a citizen of the Republic of Uzbekistan who has a higher education, is fluent in the state and at least two foreign lan-

guages and has job, moral and professional qualities to perform the duties assigned to him, and does not have medical contraindications for the performance of official duties.

As requirements for administrative and technical employees of a diplomatic mission, it is necessary to provide for citizenship of the Republic of Uzbekistan, secondary specialized or higher education, necessary professional knowledge and skills, knowledge of the state and foreign (English) languages.

To ensure the objectivity and transparency of the competition, it is necessary to develop a number of documents.

Initially, a methodological instruction is needed in the form of a Regulation on holding a competition for filling a vacant position in the diplomatic service of the Republic of Uzbekistan, in which to determine the organization and procedure for conducting the exam, provide for uniform methods for assessing the professional and personal requirements of candidates (individual interview, questioning, testing, writing an abstract). These assessment methods make it possible to identify the professional level of the candidate through the presence of certain knowledge and skills, to show his professional and personal qualities. The exam should be difficult enough to determine the person most prepared to perform the official duties of a diplomatic worker and his compliance with the qualification requirements, which will allow weeding out other candidates.

The competition can be held in three stages, as provided for by the Law of the Republic of Uzbekistan 'On Public Service': the first stage is a test; the second stage is a written exam; the third stage is an oral interview. Applicants who have passed the previous stage are allowed to the next stage of the competition.

**Secondly**, it is important to provide in the guidelines for the obligation of the MFA to openly place an announcement about a competition for filling a vacant position in the diplomatic service (indicating the name of the vacant position, qualification requirements for filling this position; terms of service, a list of documents required for participation in the competition, the place, time and deadline for their acceptance, the date of the competition, the place and procedure for its holding, job regulations, information about evaluation methods, other materials), as well as post information about the results of the competition (on the Internet, on the website of the MFA, in a periodical publication, etc.).

**Thirdly**, a mechanism should be introduced for taking exams in electronic form and for automated verification of candidates' documents.

Fourthly, it is necessary to form competition commissions, which include independent, qualified and authoritative specialists in the field of diplomacy, including diplomatic workers of the MFA, teachers of the Diplomatic Academy at the UWED, representatives of public organizations. It is equally important to exclude the possibility of conflicts of interest that could affect the de-

cisions made by the competition commissions. A conflict of interest is understood as a situation in which a member of the competition commission may have or have a personal interest in choosing the winner of the competition due to family ties, friendships, various kinds of obligations and other reasons, which can lead to the adoption of a biased decision by the competition commission [6].

Exams should include a test of knowledge in the field of international relations and world politics, history, diplomacy, economics, foreign languages. Such personal qualities of the candidate as analytical skills, sociability, initiative, leadership qualities, ability to work in a stressful situation, psychological stability, etc. are evaluated.

Fifthly, it is necessary to provide for the obligatory taking of an oath by a diplomatic worker upon entering the service. Taking an oath obliges an employee to constantly control his actions, conscientiously fulfill his official duty, and comply with the laws of his country and the country of residence. An employee must have firm principles that will act as a framework, guidelines for behavior in his official activities.

When preparing applicants, it is necessary to strengthen the practical orientation of the educational process. Teaching applied disciplines forms skills for practical activities and allows taking into account modern requirements in the diplomatic sphere [7].

Long-term experience of working with the personnel reserve of the diplomatic service

shows that this is a fairly effective form of work with personnel and the most important element of the service system. Systematic work with the reserve makes it possible to impart a well-thought-out systematic character to personnel work, to prepare and bring to many responsible areas of diplomatic work the most worthy and trained specialists [8].

When appointing applicants for civil service positions from the personnel reserve, it is advisable to conduct testing and individual interviews by analogy with the competition procedure (or use other assessment methods).

One of the priorities in the formation of the diplomatic service staff is the rotation of employees. **Rotation** is the direction of diplomatic workers from the central office of the MFA or its territorial bodies to foreign missions of the MFA, taking into account their qualifications, professional training and specialization. A diplomatic worker is obliged to fulfill the decision of the representative of the MFA to send him to work in a foreign institution in the order of rotation.

The rotation is carried out in the interests of the effective use of the personnel potential of employees, the creation of favorable conditions for their service and professional growth, and the provision of equal opportunities for a diplomatic career in the MFA system. It is aimed at providing all departments of the central apparatus of the MFA with trained qualified personnel of the required professional level, and their consolidation in the system of the MFA.

Rotation should be understood as a way to fill the need for personnel in the diplomatic service, it helps to increase the motivation of employees for long-term service, conscientious performance of official duties and professional development. In addition, the personnel service, as a rule, has the most complete and reliable information about its employees. The costs associated with the selection of personnel, in this case, are minimal.

The term of work of employees of the diplomatic service in the MFA of the Republic of Uzbekistan, its subordinate organizations or its territorial divisions, in the period between long official journeys, must be at least two years. The period of continuous long official journey of employees of the diplomatic service in foreign institutions should not exceed three years. The said term may be extended by the MFA, due to official necessity and with the consent of the employee of the diplomatic service, but not more than for one year. At the end of this period, the employee must return to the central office of the MFA. Also, the requirements do not apply to persons appointed to a diplomatic post as heads of foreign institutions [9].

Considering that rotation is a necessary condition for improving the quality of personnel work to fill vacancies in diplomatic missions and ensures the high efficiency of the diplomatic service of Uzbekistan, it is important to develop and adopt the *Regulation on the procedure for the rotation of diplomatic workers of the MFA*.

According to clause 18 of the Regulations on the Embassy of the Republic of Uzbekistan, heads and employees are sent to work in the relevant representative office in the host state with the execution of an employment contract. As a rule, such contracts are drawn up for the following terms: for heads of regional representative offices, general representative offices, representative offices – for up to three years; for other full-time employees of the representative office – for a period of up to two years.

In conlusion, the sphere of personnel selection in the diplomatic service of Uzbekistan remains practically unregulated. In order to ensure transparency in the appointment procedure for these positions, it is necessary to clearly enshrine the requirements for candidates in the law.

For the selection of personnel for the diplomatic service of Uzbekistan, a competitive basis with examinations should be used. In accordance with modern conditions, we propose to legislatively establish the following requirements for candidates for a position in the diplomatic service. A diplomatic worker can be a citizen of the Republic of Uzbekistan who has a higher education, is fluent in the state language and at least two foreign languages, has the appropriate business, moral and professional qualities to perform the duties assigned to him, and does not have medical contraindications for the performance of official duties.

Considering that rotation is a necessary condition for improving the quality of personnel work to fill vacancies in diplomatic missions and ensuring the high efficiency of the diplomatic service of Uzbekistan, it is necessary to develop and adopt the Regulations on the procedure for the rotation of diplomatic workers of the MFA.

#### **References:**

- 1. Занко Т.А. Дипломатическая служба Российской Федерации: особенности и основные направления совершенствования правового регулирования: Учеб. пособие. М.: МГИМО-Университет, 2014. 96 с.
- 2. Файзуллаев A. Как готовить дипломатов. URL: https://www.gazeta.uz/ru/2018/01/23/diplomacy
- 3. Денисов А.В. Особенности поступления на государственную дипломатическую службу в РФ // Бизнес. Образование. Право. Вестник Волгоградского института бизнеса, − № 3(24). 2013. 271 с.
- 4. Саидова Л. Правовые основы дипломатической деятельности Республики Узбекистан. Ташкент, 2001.
- 5. Методический инструментарий по формированию кадрового состава государственной гражданской службы Российской Федерации. Версия 3.1. М.: СПС «Гарант».

- 6. Лазоркина О.И. Некоторые аспекты подготовки дипломатических кадров: история и современность. URL: http://elib.bsu.by/bitstream/123456789/108574/1/lazorkina Trudy 2014.pdf
- 7. Дипломатическая служба: Учеб. пособие / Под ред. А.В. Торкунова. М., 2002.
- 8. Draft law 'On the diplomatic service of the Republic of Uzbekistan'. URL: http://old.my.gov.uz/ru/getPublicService/332?action=view&item\_id=1403

## Section 2. Law enforcement organizations

https://doi.org/10.29013/EJLPS-23-1.2-10-20

Master Bui Van Hung, University of Fire Prevention and fighting, Vietnam

# 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 14th 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 addition, 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, highrise 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 m³), 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 socioeconomic 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...

#### **References:**

- 1. Secretariat of the Party Central Committee (2015). Directive 47-CT/TW dated June 25, 2015 on strengthening the Party's leadership in fire prevention and fighting work, Hanoi.
- 2. Ministry of Public Security (2011). Summary report of 10 years of implementation of the Law on Fire Protection, Hanoi.
- 3. Politburo (2022). Resolution No. 12-NQ/TW dated March 16, 2022 of the Politburo on building a truly clean, strong, regular, elite, modern People's Public Security force, meeting requirements and tasks in the new situation, Hanoi.

- 4. Fire and Rescue Police Department (2022). Report on the situation and results of fire prevention and fighting work and the direction of key tasks of the Fire and Rescue Police force from 2013 to 2022, Hanoi.
- 5. Fire and Rescue Police Department (2023). Project No. 10/DA-BCA-C07 dated March 15, 2023 on building a really clean, strong, regular, elite, modern police force, Hanoi.
- 6. Dao Huu Dan, Hoang Ngoc Hai (2020). Textbook of State management on fire prevention and fighting, People's Public Security Publishing House, Hanoi.
- 7. Hoang Ngoc Hai (2022). Improving the effectiveness of consulting work with the Party and State in promulgating guidelines and policies, directing the implementation of fire prevention and fighting work, Fire prevention and fighting magazine, Hanoi.
- 8. Hoang Ngoc Hai (2022). Perfecting the theory of advisory work of the Fire and Rescue Police force, Fire Prevention Magazine, Hanoi.
- 9. National Assembly (2013). Law on fire prevention and fighting, consolidated document, Hanoi.

### https://doi.org/10.29013/EJLPS-23-1.2-21-29

Mr. Ha Kieu Anh, University of Fire Prevention and Fighting, Vietnam

# COMPLETE LEGAL PROVISIONS ON FIRE AND RESCUE IN VIETNAM TO MEET INTERNATIONAL INTEGRAL REQUIREMENTS

**Abstract.** In order to have a legal basis in the management and safety of fire and rescue, it is necessary to have a synchronous and unified legal system on fire and rescue. The article focuses on the research results, points out the shortcomings, limitations and proposes to improve the regulations, contributing to ensuring safety and meeting the requirements of international integration.

Keywords: Law on fire and rescue; International integration; 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, 2021, takes effect from January 4, 2001 and is amended, supplementing a number of articles of the Law on Fire Prevention and Fighting 2013 [9]. With 65 Articles, shown in 09 Chapters, the Law on Fire Prevention and Fighting 2001 (amended and supplemented in 2013) has comprehensive regulations on fire prevention and fighting; organization of forces and means; investment in fire prevention and fighting activities and state management of this work, creating a solid legal basis to meet the requirements and tasks of the new situation. Along with implementing the state management of fire prevention and fighting, the Prime Minister issued Decree No. 83/2017/

ND-CP dated July 18, 2017 stipulating the rescue work of fire prevention and fighting force; in which stipulates the state management function on rescue of the fire prevention and fighting police force [7].

#### 2. Research results discussed

#### 2.1 Overview

After the 2001 Law on Fire Prevention and Fighting (amended and supplemented in 2013) was passed and took effect, many guidelines and policies of the Party and State continued to be promulgated to strengthen the work of fire and rescue: 01 Directive of the Secretariat; 02 Resolutions of the National Assembly; 05 Decision of the Prime Minister. It shows that the institutionalization of the Party's viewpoints, lines and policies on fire and rescue in particular mentioned above into law is necessary to solve

the legal and progressive implementation of the above provisions, basis for inheriting, overcoming and formulating appropriate new policies; improve the effectiveness and efficiency of the state management of fire and rescue, strengthen the responsibilities of ministries, branches and localities, promote social resources and meet the requirements of the period of integration and development [3].

After more than 20 years of implementing the Law on Fire Prevention and Fighting, 10 years of implementing the Law on fire prevention and fighting (amending and supplementing), the guidelines, policies and laws on fire and rescue have come into reality, and this is an important step, contributing to raising people's awareness, protecting human life and health, protecting property of the State, organizations and individuals, protecting the environment, ensuring political security and social order and safety [3; 5]. In addition to the achievements, along with the socio-economic development of the country, the theoretical system and problems arising in practice, some contents in the Law on Fire Prevention and Fighting have revealed limitations and inadequacies compared with practical requirements, specifically: (1) some provisions of the Law are still general principles that need to be more clearly defined; (2) a number of provisions of the Law that are not feasible or are no longer suitable to reality need to be amended, supplemented or abolished; (3) some issues arising in practice need to be added in the Law; (4) the

system of legal documents has overlapping legal documents on fire and rescue and other related documents.

#### 2.2 Research results on problems

Issue 01: A number of problems arise in practice that need to be added to the Law, such as: (1) there is no regulation in the law on the rescue; (2) there are not a number of regulations in the law on acceptance of fire prevention and fighting, safety inspection of fire and rescue, etc.; (3) a number of consulting professions on business of fire and rescue services and hi-tech are not regulated in the law; (4) the investment in fire and rescue activities has not met the actual needs; (5) equitization means have not been specified in the Law.

Issue 02: Regulations on fire and rescue are not consistent with reality, such as: (1) the assignment of responsibilities in the state management of fire and rescue among ministries, branches and localities is still overlapping, unsuitable with actual conditions; (2) the implementation of responsibilities by the subjects of state management of fire and rescue (heads of agencies, organizations, establishments, household heads) have not been paid attention regularly, continuously, sometimes public fire and rescue activities and white-collaboration for the fire prevention and fighting police force; (3) the concepts and contents of some words (agencies, organizations, types of establishments, residential areas, houses in combination with production and business...) are not specific and clear,

leading to the identification, the scope, location, and objects of management in service of the assignment and decentralization of management are still limited and inadequate [2]; (4) The Law on Fire Prevention and Fighting has not yet regulated the inspection of fire and rescue, prevention of rescue to serve as a basis for specific provisions in the documents under the Law; (5) many businesses have sufficient conditions in terms of facilities and people to carry out activities in many fields of fire prevention and fighting service business, meeting the necessary needs of agencies, organizations and establishments while not currently in the law.

Issue 03: A number of provisions of the Law have low feasibility or are no longer relevant to reality and need to be amended, supplemented or annulled, such as: (1) general provisions on fire prevention and fighting for establishments with less than enough according to current practical requirements, some of the contents overlap (the provisions on fire prevention and fighting requirements for establishments and 09 specific types of works are being arranged 10 Articles leading to the layout and one number of duplicated content); (2) there is no clear regulation on the formulation of fighting and rescue plans of the facility, fighting and rescue plans of the fire prevention and fighting police force; (3) the authority to approve the plan is regulated at many levels (Ministry; People's Committee of province, district and commune level; Public Security of province and district; Department of Fire Prevention and Fighting Police  $\dots)$  leading to many irregularities, problems and quality of the plan do not meet the requirements; (4) the regulations assigning the right to mobilize forces and means of the fire prevention and fighting force to fight fires to the fire-fighting commander of the Fire Prevention and Fighting Police force are not consistent with other regulations; (5) Some localities, many district-level administrative units do not have a team of Fire Protection and Rescue Police (there are 08 provinces with only one team located in the administrative center of the province, the protection radius is up to tens of thousands of people, hundreds of kilometers); (6) the model of the civil defense team has not been fully established at all administrative levels in accordance with the provisions of the Law on Fire Prevention and Fighting, most of the villagelevel civil defense team is only a formality, performing many tasks (firefighting, support, etc.) assisting in ensuring security and order at the facility...), members participate in many departments, teams, ...; (7) some subjects are required to set up specialized fire prevention and fighting teams, which are not specific in terms of size, the nature of operations and the subject of management lead to difficulties in establishing a specialized fire prevention and fighting team; on the other hand, it is not appropriate to stipulate that establishments are not required to be equipped with grassroots motorized fighting means but establish a specialized fighting team; (8) In some places, the quality of operation of grassroots fire

prevention and fighting forces is still very limited, activities are still formal because members of grassroots fire prevention and fighting teams are mostly part-time officers and employees, only working as part-time employees. work during office hours; (9) voluntary fire prevention and fighting forces have not been organized because there are no specific mechanisms and policies to encourage organizations and individuals to volunteer [1].

*Issue 04:* The system of legal documents has an overlap between legal documents on fire prevention and fighting and other related documents, such as the system of legal documents on forest fire prevention and fighting in the Law on Forestry and sub-law documents, while the Law on Fire Prevention and fighting also stipulates on forest fire prevention and fighting, leading to overlapping and difficult to implement; (2) The Law on Fire prevention and fighting stipulates that "National standards on fire prevention and fighting are compulsory" which is inconsistent with the Law on Standards and Technical Regulations; (3) regulations on temporary suspension and suspension of operations are specified in the system of legal documents dealing with administrative violations in the field of fire and rescue reform and related documents leading to the overlapping capacity; (4) regulations on the contents of the Fire Prevention and Fighting Inspectorate are not consistent with the provisions of the Law on Inspection in 2022.

# 2.3 Objectives and directions to propose suggestions for improvement

About the goal:

Adding regulations on rescue to the Law on fire prevention and fighting to ensure the appropriateness, synchronization and consistency in the state management of fire and rescue; Supplementing some relevant regulations on fire and rescue (such as planning of fire and rescue infrastructure, acceptance of fire prevention and fighting, inspection of fire prevention and fighting safety, ...) in accordance with practice; Amending, supplementing and perfecting regulations on fire and rescue and high-tech industry to overcome the limitations and inadequacies of the law on fire and rescue; perfecting the legal framework on fire and rescue and unifying among legal documents on fire and rescue, and other relevant legal documents.

Regarding proposals:

1. Adding the rescue sector to the scope of regulation and fire prevention and fighting principles of the Law; Supplementing terms and definitions in the law to clarify the requirements, determine the content of regulations on fire and rescue, such as: joint groups of fire and rescue; Investor; appraisal of fire prevention and fighting; inspection on fire prevention and fighting; fire protection equipment; basic design, technical design, budget for fire prevention and fighting; consulting activities on fire prevention and fighting; construction investment projects; basis; residential areas; the head of the establishment;

household head; rescue; Rescue; incidents, accidents...; Amending and supplementing the responsibilities for and rescue in order to adjust the scope of responsibility of the people, the head of the establishment, and supplement the regulations on the members of the fire prevention and fighting safety team to participate in the Civil Defense Team; Amending and supplementing responsibilities for propaganda, dissemination and education on fire and rescue reform in order to adjust the scope of responsibilities of People's Committees at all levels; agencies, organizations, enterprises, state agencies; the state management agency in charge of education; press agencies; Vietnam Trade Union, Ho Chi Minh Communist Youth Union, Vietnam Women's Union and other organizations...; Supplementing the field of socialization to the responsibilities of the Vietnam Fatherland Front and its member organizations; Amending and supplementing regulations on promulgation and application of standards and technical regulations on fire prevention and fighting to synchronize with the Law on promulgation of standards and regulations; Amending and supplementing regulations on fire prevention and fighting service business: supplementing the profession of consulting on fire safety inspection, appraisal and approval of fire prevention and fighting, construction, maintenance of fire protection systems in order to raise the responsibility of fire prevention and fighting. responsibilities of the establishment; Supplementing regimes and policies for the participants of rescue; Supplementing regulations on rescue on the National Day of Fire Prevention and Fighting; Supplement the rescue in cooperation and help and support from countries and international organizations; It is strictly prohibited to amend and supplement regulations on construction acts without being appraised and approved and put into use without being tested and accepted.

2. Amending and supplementing regulations on fire prevention in the following direction: Supplementing a number of contents in basic measures on fire prevention and fighting, such as measures to prevent fire in construction investment, propaganda and vocational training activities, fire prevention and fighting services in construction investment and propaganda and training on fire prevention and fighting to be consistent with practical requirements and consistent in current regulatory documents; Supplementing regulations on planning of fire prevention and fighting infrastructure (such as ensuring regulations and conditions for fire prevention and fighting safety; arranging fighting and rescue teams; fighting water supply; fighting communication, traffic in service of fighting and rescue vehicles, etc.) in urban and rural planning. Regarding the appraisal, approval and acceptance of fire prevention and fighting: the law stipulates that the police agency only conducts design appraisal for fire prevention and fighting systems (fire alarm system, fighting system, incident lighting and emergency exit instructions, etc.), equip with initial fire fighting means, equip

with motorized fire fighting means); supplementing regulations on verification of designs on fire prevention and fighting; for contents related to structure, escape, fire prevention and other related systems (not fire protection system) clearly specifying responsibility for specialized appraisal of relevant units; supplementing regulations on acceptance of fire prevention and fighting. Amending and supplementing responsibilities of agencies, organizations and individuals in investment, construction and use of works in order to raise the responsibilities of heads of agencies, organizations and individuals in the process of projects and related contents on fire prevention and fighting; increasing responsibilities of state management agencies specialized in construction, electricity, water supply and drainage and local authorities; clearly define responsibilities in fire prevention and fighting work between the police agency and the specialized management agencies; supplement regulations on responsibilities for units, design, construction and supervision of works on fire prevention and fighting. Supplementing regulations on inspection of fire prevention and fighting technology (objects, contents, competence, inspection responsibilities). Amending and supplementing regulations on fire prevention and safety: supplementing regulations that household houses must have an escape plan when a fire occurs; houses in combination with production and business, in addition to the requirements of household houses, must have solutions to prevent fire between living ar-

eas and business areas, and have a second emergency exit; supplement regulations on the scope of residential areas; amend and supplement requirements for fire prevention in residential areas to suit reality; amend and supplement regulations on forest fire prevention and fighting in accordance with the Law on Forestry; amending and supplementing a number of requirements on fire prevention and fighting for establishments and types of establishments in accordance with the actual situation in the current fire prevention and fighting work; amending and supplementing fire prevention requirements for industrial parks and hi-tech parks in line with the current situation, such as: abolishing the regulation "Export processing zones", adding regulations on each industrial park (including many investment subdivisions at different stages and assigned to business units exploiting different infrastructure) only establish 01 grassroots or specialized fighting team; norm of common facilities for the whole industrial park (not separate for each subdivision). Amend and supplement regulations on temporary suspension and suspension in accordance with the law on handling of administrative violations.

**3.** To amend and supplement regulations on fire and rescue in the direction of: supplementing and specifying clearly the competence to approve fighting plans of the Ministry of Public Security and chairpersons of People's Committees at all levels; Remove regulations on responsibilities of People's Committees of neighboring

localities to develop plans for coordination and organize forces to participate in fighting upon request; amending and supplementing regulations that the fire and rescue commander is the person with the highest position in command of the fire prevention and fighting police unit present at the scene of a fire, accident or incident, who is the only person to coat of arms; stipulates that fire, rescue and rescue commanders of the police force are only entitled to mobilize forces and means of the People's Public Security units under their management for fire and rescue, in case of excess, request competent persons to mobilize in accordance with their competence to mobilize forces, means and properties for fire fighting; supplementing regulations on fighting in accordance with fighting regulations of Chapter III fighting, and changing the name to Chapter III fighting and rescue [8].

4. Amending and supplementing regulations on organization of fire prevention and fighting forces: supplementing the tasks of rescue for the fire prevention and fighting forces to unify the local and professional fire prevention and fighting forces in the process of implementing the tasks of the forces; supplementing the rescue for the volunteer fire prevention and fighting force; amending and supplementing regulations on the establishment and management of civil defense teams, grassroots fire prevention and fighting teams, and specialized fire prevention and fighting teams in accordance with the practical situation in terms of scale and nature of operations

of establishments; supplementing the tasks of rescue for civil defense forces and grassroots fire prevention and fighting forces; supplement the social-technological field in training, fostering, directing, inspecting, providing professional guidance, dispatching and regimes and policies for grassroots and specialized civil defense and firefighting forces; amending and supplementing regulations on organization, functions and tasks of the fire prevention and fighting police force in accordance with the current organizational model of the People's Public Security force; supplementing uniforms, insignia, insignia and regimes and policies for the task of rescue for the Fire Police force [4].

5. Amend and supplement regulations on means and investment in fire prevention and fighting activities in the following direction: amending and supplementing regulations on equipment for fire prevention and fighting equipment for establishments, villages, households and basic means of transport in accordance with regulations in standards and regulations on fire prevention and fighting; supplementing with equipment rescue for the Fire and Rescue Police force; supplement the provisions that fire prevention and fighting equipment must be quality managed in accordance with the provisions of the law on quality control of products; supplementing regulations on rescue vehicles when producing and importing; supplementing financial sources for investment in fire prevention and fighting activities from the Fund for Fire

and Rescue; supplement the state budget for investment in rescue activities; additional investment incentives for rescue activities.

**6.** Amending and supplementing regulations on state management of fire and rescue in the direction of: amending and supplementing regulations on state management of fire and rescue in accordance with state management of fire and rescue, shall be amended and supplemented in accordance with reality; amend and supplement the contents and responsibilities of the Government, the Ministry of Public Security, ministries, ministerial-level agencies, Governmental agencies, People's Committees at all levels in the state management of fire and rescue reform; additional responsibilities of the head of the establishment; Amend and supplement regulations on fire prevention and fighting inspection to be consistent with legal documents on inspection.

#### 3. Conclusion and comments

The completion of regulations on fire and rescue will create a legal basis to create favorable conditions for investors operating in Vietnam to better serve socio-economic development. At the same time, ensuring the safety of fire and rescue will contribute to raising people's awareness, protecting human life and health, protecting property of the State, organizations and individuals, and protecting the environment, ensuring political security and social order and safety, will attract foreign investors to Vietnam.

Good implementation of fire and rescue activities will bring positive impacts on the associa-

tion, specifically: the completion of regulations on fire and rescue will create favorable conditions and raise the general awareness of the whole society about the position and role of fire and rescue workers. Thereby, encouraging agencies, organizations, individuals, and social forces to actively participate in fire and rescue work according to the principle of unity and appropriate measures, and at the same time create favorable conditions for the people mutual benefit; to raise the responsibility of heads of agencies, organizations, establishments, and household heads in investing in equipment for fire prevention and fighting, inspecting on fire prevention and fighting, and maintaining fire prevention and fighting safety conditions; responsibility for fire prevention and fighting work of the state management agency in charge of fire prevention and fighting and related agencies; the completion of regulations on rescue will create favorable conditions for the whole society to participate in the field of rescue; socializing fire prevention and fighting work, expanding the business of fire services, creating conditions for businesses with sufficient facilities and human resources to perform; regulations on certificates...

The legal system on fire and rescue has been completed, ensuring consistency, synchronism, completeness and feasibility; overcome limitations and shortcomings in current legal regulations and solve inadequacies in law enforcement practice; Overcoming the inadequacies in the current administrative procedures in the field of

fire and rescue [2]. For administrative procedures on fire and rescue will arise (combining administrative procedures for issuance of certificates of fire prevention and fighting training and issuance of certificates of professional training in fire and rescue; fighting plans and plans for rescue; consulting, approving designs for fire prevention and fighting, etc.). From the perspective of management and law enforcement, the full regulation

of administrative procedures will create clarity and transparency in the order, implementation, and documentation. profile and requirements and conditions to deal with specific jobs related to individuals and organizations. On the other hand, due to the goal of administrative reform, the regulations on administrative procedures will be stipulated in the direction of simplification for implementation by organizations and individuals.

#### References:

- 1. Ha Kieu Anh (2022). Replication of self-management models in the all-people movement of fire prevention and fighting, Fire prevention and fighting magazine, Hanoi.
- 2. Ha Kieu Anh (2023). Improving the efficiency of deploying online public services at level 3, level 4 in the field of fire prevention and fighting, Fire prevention and fighting magazine, Hanoi.
- 3. Ministry of Public Security (2011). Summary report of 10 years of implementation of the Law on Fire Protection, Hanoi.
- 4. Politburo (2022). Resolution No. 12-NQ/TW dated March 16, 2022 of the Politburo on building a truly clean, strong, regular, elite and modern People's Public Security force, meeting requirements and tasks in the new situation, Hanoi.
- 5. Fire and Rescue Police Department (2022). Report on the situation and results of fire prevention and fighting work and the direction of key tasks of the Fire and Rescue Police force from 2013 to 2022, Hanoi.
- 6. Fire and Rescue Police Department (2023). Project No. 10/DA-BCA-C07 dated March 15, 2023 on building a really clean, strong, regular, elite, modern police force, Ha Interior.
- 7. Dao Huu Dan, Hoang Ngoc Hai (2020). Textbook of State management on fire prevention and fighting, People's Public Security Publishing House, Hanoi.
- 8. Dao Huu Dan, Hoang Ngoc Hai (2020). Textbook of Law on Fire Prevention and Control, People's Public Security Publishing House, Hanoi.
- 9. National Assembly (2013). Law on fire prevention and fighting, consolidated document, Hanoi.

## **C**ontents

Section 1. International law	3
Tursunova Malikakhon Ulugbekovna	
ISSUES OF LEGAL REGULATION OF RECRUITMENT AND ROTATION	
OF DIPLOMATIC STAFF IN THE REPUBLIC OF UZBEKISTAN	3
Section 2. Law enforcement organizations	10
Bui Van Hung	
IMPLEMENTATION OF LAW ON FIRE PREVENTION AND FIGHTING	
IN VIETNAM – LEARNINGS AND RECOMMENDATIONS	10
Ha Kieu Anh	
COMPLETE LEGAL PROVISIONS ON FIRE AND RESCUE IN VIETNAM	
TO MEET INTERNATIONAL INTEGRAL REQUIREMENTS	21