

## Open Access to Official and Authenticated Legal Information in Vietnam

**Le Thi Hanh**

The Library and Information Centre, Hanoi Law University, Hanoi, Vietnam.

E-mail address: LeThi.Hanh@hlu.edu.vn



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### **Abstract:**

*Sources of open access to official and authenticated legal information are an essential component to the legal information system of any country. Not surprisingly, it is more important in the context of Vietnam is promoting the implementation of the strategy of judicial reform to the year of 2020 aims to build of the state rule of law and the e-government. In recent years, thanks to the application digital technology and the internet on legal information, the access to legislation, treaties and agreements, jurisprudence as well as law journal is easier, more convenient never than before. The number of free, open access to legal information sources has increased dramatically. Such of legal information sources are published not only by the state's agencies such as the National Assembly, Government, Government's Agencies, Supreme People's Court, Supreme People's Prosecutor but also by universities and research institutions.*

*This article focuses on the current situation of open access to official and authenticated legal information in Vietnam. It reviews the development process of open access to official and authenticated legal information over the past decade. From the standpoint of law and technology, it analysis, evaluates the achievement, points out the challenges of open access to legal information. The recommended policies and solutions to the improvement the open access to official and authenticated legal information in national and international level are put forth..*

**Keywords:** Open access, free access, legal information, official, authenticated, Vietnam

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Sources of open access to official and authenticated legal information are an essential component to the legal information system of any country. Not surprisingly, it is more important in the context of Vietnam is promoting the implementation of the strategy of judicial reform to the year of 2020<sup>1</sup> aims to build the state rule of law<sup>2</sup> and the e-government. In recent years, thanks to the application digital technology and the internet on legal information, the access to legislation, treaties and agreements, jurisprudence, as well as law journal is easier, more convenient never than before. The number of free, open access to legal information sources has increased dramatically. Such of legal information sources are published not only by the state's agencies such as the National Assembly, Government, Government's Agencies, Supreme People's Court, and Supreme People's Prosecutor but also by universities and research institutions.

### **Laws of transparency**

Right to be informed is one of the fundamental rights of citizens provided for in Article 69 of the Constitution of the Socialist Republic of Vietnam 1992 (as amended on 25 December 2001) – [http://vanban.chinhphu.vn/portal/page/portal/chinhphu/hethongvanban?class\\_id=1&\\_page=1&mode=detail&document\\_id=1671](http://vanban.chinhphu.vn/portal/page/portal/chinhphu/hethongvanban?class_id=1&_page=1&mode=detail&document_id=1671). Right to be informed or right access to information is concretized in different laws and regulations.

Law on Legal Popularization and Education promulgated on 20<sup>th</sup> June 2012 – [http://vanban.chinhphu.vn/portal/page/portal/chinhphu/hethongvanban?class\\_id=1&\\_page=1&mode=detail&document\\_id=163007](http://vanban.chinhphu.vn/portal/page/portal/chinhphu/hethongvanban?class_id=1&_page=1&mode=detail&document_id=163007). The article 13 of this law provides that the legal normative documents, regulations of administrative procedure and draft of legal normative documents must be published on the web portals of the state's agencies. The law became effective on 01 January 2013.

Ordinance No 43/2011/NĐ-CP on the Provision of Information and Online Public Services on the Website or Web Portal of State Agencies dated on 13 June 2011 - [http://vanban.chinhphu.vn/portal/page/portal/chinhphu/hethongvanban?class\\_id=1&\\_page=1&mode=detail&document\\_id=101050](http://vanban.chinhphu.vn/portal/page/portal/chinhphu/hethongvanban?class_id=1&_page=1&mode=detail&document_id=101050) – wherein Article 10 requires the web portals of state's agencies must contain sources of legal normative documents and administrative document along with a certain searching tool; the web portal the government and provinces must publish e-Official Gazette.

The draft Law on Access to Information – [http://duthaonline.quochoi.vn/DuThao/Lists/DT\\_DUTHAO\\_LUAT/View\\_Detail.aspx?ItemID=448&TabIndex=1](http://duthaonline.quochoi.vn/DuThao/Lists/DT_DUTHAO_LUAT/View_Detail.aspx?ItemID=448&TabIndex=1). The law provides legal normative documents, administrative documents, and international treaties and agreements that Vietnam is a party, draft of legal normative documents must be published to the public on the web portals. This law has not yet promulgated.

### **Sources of Open Access to Official and Authenticated Legal Information**

Sources of Open Access to Official and Authenticated Legal Information in Vietnam may include legislation, treaties and agreements, jurisprudence and law journal.

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<sup>1</sup> Resolution No. 49-NQ/TW 2<sup>nd</sup> Jun 2005 of the Politburo on the strategy of judicial reform to the year of 2020, available at [http://www.moj.gov.vn/ct/thongtinchienluoc/Lists/VanBanThongTin/View\\_Detail.aspx?ItemID=12&CateID=1](http://www.moj.gov.vn/ct/thongtinchienluoc/Lists/VanBanThongTin/View_Detail.aspx?ItemID=12&CateID=1)

<sup>2</sup> Report of the 10<sup>th</sup> Central Committee at the 11<sup>th</sup> National Congress of the Communist Party of Vietnam, available at [http://www.chinhphu.vn/portal/page/portal/chinhphu/NuocCHXHCNVietNam/ThongTinTongHop/noi\\_dungvankiendaihoi dang?categoryId=10000716&articleId=10038382](http://www.chinhphu.vn/portal/page/portal/chinhphu/NuocCHXHCNVietNam/ThongTinTongHop/noi_dungvankiendaihoi dang?categoryId=10000716&articleId=10038382)

## Legislation

Under the Law on the Promulgation of Legal Document No 17/2008/QH12, the Vietnam legal system includes<sup>3</sup>: “Constitution, laws and resolutions of the National Assembly; Ordinances and resolutions of the Standing Committee of the National Assembly; Orders and decisions of the State President; Decrees of the Government; Decisions of the Prime Minister; Resolutions of the Justices Council of the Supreme Peoples Court and circulars of the Chief Justice of the Supreme Peoples Court; Circulars of the President of the Supreme Peoples Procuracy; Circulars of Ministers or Heads of Ministry-equivalent Agencies; Decisions of the State Auditor General; Joint resolutions of the Standing Committee of the National Assembly or the Government and the central offices of socio-political organizations; Joint circulars of the Chief Justice of the Supreme Peoples Court and the President of the Supreme Peoples Procuracy; those of Ministers or Heads of Ministry-equivalent Agencies and the Chief Justice of the Supreme Peoples Court, the President of the Supreme Peoples Procuracy; those of Ministers or Heads of Ministry-equivalent Agencies; Legal documents of Peoples Councils and Peoples Committee”. The law provides that legal texts must be published on the Official Gazette<sup>4</sup> as a compulsory condition become effective.

The evolving of free access to laws in Vietnam may be divided into two stages as follow:

*The first stage*, before the year of 2005: under the Civil Code, legal texts are subject to copyright. They are objectives under copyright protection in accordance with specific provisions of law<sup>5</sup>. Traditionally, legal texts are published on the Official Gazette and in form of book, single or collected titles and most of legal publications were in print. Legal publishing is undertaken by commercial legal publishers and government publishers<sup>6</sup>.

The internet was first introduced in Vietnam in 1997 has significantly influenced to all fields of social life<sup>7</sup>. The fast evolvement of information and communication technology and the internet on legal has made legal texts available to the public.

In this period of time, there was a free-base service provided access to legal texts developed by the Office of the National Assembly, first published in early 1994<sup>8</sup> - <http://vietlaw.gov.vn/LAWNET/>. LAWDATA is a database of Vietnam legal texts that archived all legal documents of the State since 1945 to present. LAWDATA supplies a searching tool that allows to search all type of legal documents both current and retrospective issues. It is free of charge for downloading the full text of document of the archives but one need to pay for access to the current edition, received documents via SMS or email address. Since the Law Legal Popularization and Education and Ordinance No 43/2011/NĐ-CP on the Provision of Information and Online Public Services on the Website or Web Portal of State Agencies promulgated, LAWDATA is a free, open access source to the public.

*The second stage*, since 2005 to present: Vietnam’s legal system is fast evolving and the legislation work has significantly improved<sup>9</sup>. The situation changed when laws are not subject to copyright<sup>10</sup>, the

<sup>3</sup> Article 3 Law on the Promulgation of Legal Document No 17/2008/QH12, dated 3 June 2008.

<sup>4</sup> Article 78 Law on the Promulgation of Legal Document No 17/2008/QH12, dated 3 June 2008.

<sup>5</sup> Article 748 Civil Code of the Socialist Republic of Vietnam No 44-L/CTN dated 28 October 2005.

<sup>6</sup> See Le This Hanh, *Law Librarianship in Vietnam*, INTERNATIONAL HANDBOOK OF LEGAL INFORMATION MANAGEMENT at 177 (Richard Danner & Jules Winterton eds., Ashgate, 2011).

<sup>7</sup> The 15<sup>th</sup> celebration of the internet development in Vietnam, at: <http://mic.gov.vn/tintucsukien/tintuctrongnganh/Trang/K%E1%BB%B7ni%E1%BB%87m15n%C4%83mInterne%tch%C3%ADnhth%E1%BB%A9cv%C3%A0oVi%E1%BB%87tNam.aspx>, accessed 15 June 2013.

<sup>8</sup> Available at: [http://www.vietlaw.gov.vn/LAWNET/help/Loi\\_gioi\\_thieu.htm](http://www.vietlaw.gov.vn/LAWNET/help/Loi_gioi_thieu.htm), accessed 15 June 2013.

<sup>9</sup> Updated: Vietnam Legal Research by Anh Luu, update by Le This Hanh, available at:

<http://www.nyulawglobal.org/globalex/Vietnam1.htm>, accessed 15 June 2013.

<sup>10</sup> [Law No. 50/2005/QH11 dated December 12, 2005 of the National Assembly on Intellectual Property.](#)

laws and regulations of transparency were promulgated namely Law on Legal Popularization and education, Ordinance on the Provision of Information and Online Public Services on Website or Web Portal of State Agencies and the draft of Law on Access to Information.

An important factor impacted on the development of open access to legal information sources in Vietnam is the application information and communication technology (ICT) and the internet on the implementation the strategy of state administrative procedure reform and judicial reform. The implementation the project computerization state administration of the Vietnamese Government aims to build the e-government in Vietnam has created a national integrated networking system from central government to local government. The good ICT infrastructure along with laws of transparency and e-government information policies has facilitated more open access to legal information sources available to the public.

The website of the Vietnamese Government was launched on 10<sup>th</sup> January 2006<sup>11</sup> – [http://www1.chinhphu.vn/portal/page?\\_pageid=598,1&\\_dad=portal&\\_schema=PORTAL](http://www1.chinhphu.vn/portal/page?_pageid=598,1&_dad=portal&_schema=PORTAL) which was upgraded a new interface as a web portal since 10<sup>th</sup> October 2009<sup>12</sup> - <http://www.chinhphu.vn/portal/page/portal/chinhphu/trangchu>. The web portal of the government is an integrated information system and a backbone of the national legal information system. It provides a searching tool that allows to access to all type of legal texts under the menu 'Hệ thống văn bản' - <http://vanban.chinhphu.vn/portal/page/portal/chinhphu/hethongvanban>. 'Hệ thống văn bản' is a database of legal normative documents provides free access to all type of legal texts such as constitution, codes, laws, ordinances, decrees, circular and other legal norms. The user-friendly interface with a flexible searching tool, one can search by any attributes of the documents as published time, promulgator or type of document. The web portal of the government also provides a directly link to the web portal of all ministries, ministry's-level agencies and the government's agencies – <http://chinhphu.vn/portal/page/portal/English/ministries>.

Furthermore, e-Official Gazette is published on the web portal of the government by the Office of the Government. Legal documents of both central government and local government can be found at - <http://congbao.chinhphu.vn/>. E-Official Gazette has the same format as print format with flexible searching functions as simple search, advanced search and search by any attributes of the documents - <http://congbao.chinhphu.vn/VanBan>. From this page, one can search for the consolidated documents under the menu 'Văn bản hợp nhất' – [http://congbao.chinhphu.vn/cac-van-ban-loai-Van%20ban%20hop%20nhat\(20\)](http://congbao.chinhphu.vn/cac-van-ban-loai-Van%20ban%20hop%20nhat(20)).

The web portal of the ministries, ministry-level agencies and the government's agencies<sup>13</sup> are integrated into the web portal of the government. On the web portal of these agencies, there is a tab of 'Legal Documents' provides a searching tool to the database of legal normative documents, administrative documents as well as draft of legal normative documents. Especially, through the web portal of the ministries, ministry-level agencies and the government's agencies, one can search for legal normative documents under law that promulgated by a single ministries or inter-ministries as circulars, joint-circulars that can not be found from other sources.

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<sup>11</sup> Prime Minister Phan Văn Khải's speech at the launch of the Government website, [http://www1.chinhphu.vn/portal/page?\\_pageid=598,40141493&\\_dad=portal&\\_schema=PORTAL](http://www1.chinhphu.vn/portal/page?_pageid=598,40141493&_dad=portal&_schema=PORTAL), accessed 15<sup>th</sup> June 2013

<sup>12</sup> Speech delivered by H.E. Prime Minister Nguyễn Tấn Dũng at the launching ceremony of the new interface of the Vietnamese Government web portal, at <http://chinhphu.vn/portal/page/portal/English/About/ShowAboutDetail?categoryId=10000102&articleId=10000524>, accessed 15<sup>th</sup> June 2013.

<sup>13</sup> List of the ministries and ministry-level agencies, the government agencies, at <http://www.chinhphu.vn/portal/page/portal/English/ministries>, accessed 18 June 2013.

Here are the some examples:

The Ministry of Justice – <http://www.moj.gov.vn/Pages/home.aspx>, one can search for legal normative documents under the menu ‘Văn bản pháp quy’ - <http://www.moj.gov.vn/pages/vbpq.aspx>.

The Ministry of Public Security – <http://www.mps.gov.vn/web/guest/home>, on can search for legal normative documents under the menu ‘VĂN BẢN QPPL’ –

<http://www.mps.gov.vn/web/guest/vanbanphapquy>

The Ministry of Planning and Investment –

<http://chinhphu.vn/portal/page/portal/chinhphu/bonganh/bokehoachvadautu>.

In addition, legal documents are also available on the web portal of 63 provinces and cities. The web portal of provinces and cities are connected to the web portal of the government –

<http://chinhphu.vn/portal/page/portal/chinhphu/cactinhvathanhpho>. The web portals of local government have a uniform interface. Information is grouped by categories such as strategy plan, administrative documents, legal normative documents, draft law and e-Official Gazette (Công báo).

Hanoi city- <http://chinhphu.vn/portal/page/portal/chinhphu/cactinhvathanhpho/tphanoi>,

Official Gazette of Hanoi city: <http://www.thudo.gov.vn/Default.aspx?tabid=442>

Ho Chi Minh City: <http://chinhphu.vn/portal/page/portal/chinhphu/cactinhvathanhpho/tphochiminh>,

Official Gazette of Ho Chi Minh city:

<http://www.congbao.hochiminhcity.gov.vn/webpages/home/home.faces>

Da Nang city: <http://chinhphu.vn/portal/page/portal/chinhphu/cactinhvathanhpho/tpdanang>

Official Gazette of Da Nang city: <http://congbao.danang.gov.vn/webpages/home/home.faces>

Draft of legal normative documents can be found on the web ‘Dự thảo online’ administrated by the Centre of Library Information and Science Research under the Office of National Assembly<sup>14</sup> –

[http://duthaonline.quochoi.vn/DuThao/Lists/DT\\_DUTHAO\\_LUAT/View\\_Detail.aspx](http://duthaonline.quochoi.vn/DuThao/Lists/DT_DUTHAO_LUAT/View_Detail.aspx). ‘Dự thảo online’ provides content of the draft of legal normative documents with a searching box, one can search for any of draft laws in details.

### *Legislation by topic*

Legal texts are not only published on the web portals of the National Assembly, Vietnamese Government, Ministries, Ministry-level Agencies and the Government’s Agencies, local government but also on the specialized offices under the ministries. There are a number of websites provide legislation focus on a certain topic.

The website of the National Office of Intellectual Property of Vietnam under the Ministry of Technology and Science - <http://www.noip.gov.vn/web/noip/home/en> provides open access to legal texts and other legal information focus on intellectual property.

The Copyright Office under the Ministry of Culture, Sport and Tourism –

<http://cov.gov.vn/cbqen/index.php>, offers laws on copyright including international copyright law and domestic laws on copyright.

The Vietnam Chamber of Commerce and Industry (VCCI) under the Ministry of Industry and Trade –

<http://vcci.com.vn/> provides free, open access to legal information focus on business, commerce and investment including legal texts and cases.

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<sup>14</sup> See, Updated: Vietnam Legal Research (item: Research Sources) by Anh Luu, update by Le Thi Hanh, available at: <http://www.nyulawglobal.org/globalex/Vietnam1.htm>, accessed 15 June 2013.

## Treaties and Agreements

While constitution, codes, laws and other legal normative documents are published on various web portals, access to treaties and agreements are less convenient in contrary. There is not any separated database or web portal provides treaties and agreements in Vietnam. Multilateral treaties, bilateral treaties and international treaties that Vietnam is a partner can be found on the database of legal normative documents (LAWDATA) published by the Official of National Assembly, ministries, state agencies which directly related to the subject of the treaties and international organizations.

From the home page of LAWDATA - <http://www.vietlaw.gov.vn/LAWNET/>, one can search for treaties and agreements by clicking the tab 'PHÂN LOẠI'. A list of all type documents are displayed alphabetically that allows to access to full text of legal documents including treaties and agreements.

The web portal of the Ministry of Technology and Trade provides an online access to international treaties and agreements related to economic and commercial fields. -

<http://www.moit.gov.vn/vn/Pages/Vanbanphapluat.aspx>, offers a searching tool for both simple and advanced search function to all type of legal documents. From the first page of the web portal, one can search for treaties and agreements (Điều ước, Thỏa thuận quốc tế) under the category 'Type of Document' (LOẠI VĂN BẢN) –

<http://www.moit.gov.vn/vn/Pages/vanbanphapluat.aspx?LoaiVBID=55>.

The web portal of the Ministry of Labour – Invalids and Social Affairs –

<http://www.molisa.gov.vn/Default.aspx?tabid=356&temidclicked=687>, one can search for international conventions related to the fields of labour, work, health and social security promulgated by the International Labour Organization, United Nations as well as international conventions to which Vietnam is a partner. However, the number of documents published online is limited.

The United Nations in Vietnam - <http://www.un.org.vn/> and UN Agencies' websites provides free access to different sources of publication including UN initiative publications, UN Vietnam joint publications, UN's agencies publications, Vietnamese Government publications and partner publications. There are many sources of open access are introduced on these websites such as legal texts, databases and e-materials.

Some of examples are:

Sources of open access provided by the ILO Vietnam -

<http://www.ilo.org/public/english/support/lib/resource/ilodatabases.htm>

International conventions can be found on the website of the Unesco Office in Hanoi –

[http://portal.unesco.org/en/ev.php URL\\_ID=12024&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php URL_ID=12024&URL_DO=DO_TOPIC&URL_SECTION=201.html),

Databases - <http://www.unesco.org/new/en/unesco/resources/publications/>

European Trade Policy and Investment Support Project - <http://mutrap.org.vn/index.php/vi>, (MUTRAP) funded by EU provides a list of reference materials focus on international trade and business, at - <http://mutrap.org.vn/index.php/en/library>

## Jurisprudence

The source of open access to judicial documents is poor compares with legislation and other legal information sources. The reason should be explained that in Vietnam, jurisprudence is not recognized as a source of law and is not part of the legal system. Judgements are not published to the public so it is difficult to get to access to cases or past judgments.

The situation changed when Vietnam implemented the strategy of judicial reform and policies of e-government information. There are a few sources that judicial documents can be found on:



On the web portal of the Supreme People's Court- <http://toaan.gov.vn/portal/page/portal/tandtc>, the following source of information can be found: legal normative document database - <http://law.toaan.gov.vn:8088/SPCDOC/homepage.do>, decisions of the appellate trials of the Supreme People's Court are accessible with an advanced searching interface - <http://www.toaan.gov.vn/portal/page/portal/tandtc/545500/3382453>, decisions of the Council of Judges of the Supreme People's Court at - <http://www.toaan.gov.vn/portal/page/portal/tandtc/545500/3377352>.

The web portal of the Supreme People's Prosecutor of Vietnam - <http://www.vksndtc.gov.vn/>, provides a simple search option one can search for circular, joint circular promulgated by the Supreme People's Prosecutor under the tab 'Văn bản' - <http://www.vksndtc.gov.vn/timvb.aspx>.

### **Open Access to Law Journal**

Law journal is an importance information source for all who do research and study law and whose profession in the field of law.

#### *Law Journal online*

Law journal are published by the state agencies, law schools and international institutions. There are a number of law journals online which originated in print or digital-born format. Normally, e-law journal is a parallel publication with law journal in print. Most of them can be found on the website of the institution that the law journal belongs to as a part of the web's structure or on the independent website.

Here are some of popular e-law journals:

Journal of Legislation Study, published by the Office of the National Assembly – [http://www.nclp.org.vn/?set\\_language=vi&cl=vi](http://www.nclp.org.vn/?set_language=vi&cl=vi)

Jurisprudence Journal, published by Hanoi Law University since 1994, published online since 2009 - <http://lib.hlu.edu.vn/>, under the menu 'Tạp chí luật học'

Legal Science Journal, published by Ho Chi Minh city University – <http://www.hcmulaw.edu.vn/>, under the tab 'Tạp chí khoa học'

Journal of Science – Law, published by Vietnam National University, Hanoi – <http://tapchi.vnu.edu.vn/tckh/>

#### *Access to Law Journal through Commercial databases*

Commercial databases that are paid for licensed can be used by all users within the institutions. Even the usage of database subjects to the terms and conditions under the agreement between providers and institutions, the users can access to law journal freely within the institutions, the libraries or by username and passwords that are granted. The cost for using commercial database is very high. It is a good way providing open access to large repository legal information through commercial databases.

In Vietnam, Hein Online has been using by Hanoi Law University and Ho Chi Minh city University of Law since 2005. The license granted for the subscription. The database is activated through the IP address that allows to access to law journal in institution-wide.

### **Open Access to Legal Information in Translation**

Providing open access to legal information in other languages is an interest of most countries all over world in the context of globalization. The Decree 43/2011/NĐ-CP Regulations on Providing and Online Services on Websites or Web Portal of the State Agencies dated on 13 June 2011 –

[http://vanban.chinhphu.vn/portal/page/portal/chinhphu/hethongvanban?class\\_id=1&page=1&mode=detail&document\\_id=101050](http://vanban.chinhphu.vn/portal/page/portal/chinhphu/hethongvanban?class_id=1&page=1&mode=detail&document_id=101050) , Article 13 provides that on the web portal of the ministries, ministry-level agencies, government's agencies, provincial People's Committees, information of introduction, contact information as well as public services must be published in English.

The web portal of the Vietnamese Government provides a database of legal normative documents in English – <http://chinhphu.vn/portal/page/portal/English/legaldocuments>, this page is connected to the page - <http://www.moj.gov.vn/vbpq/en/pages/vbpq.aspx>, administrated by the Ministry of Justice, one can search and download the full-text of documents. However, the number documents are limited, not all legal texts are translated.

The National Office of Intellectual Property - <http://www.noip.gov.vn/web/noip/home/en>, the Copyright Office of Vietnam - <http://cov.gov.vn/cbqen/index.php>, are really good websites for who interested in intellectual property law in English.

The foreign languages versions are provided on the website of the international organizations and state agencies. Most of them provide both version of Vietnamese language and English language include their homepage as well as contents of repository. The United Nations in Vietnam – <http://www.un.org.vn/>, some other institutions provide a multi-lingual websites. The website of the World Bank - <http://www.worldbank.org/vi/country/vietnam> is translated into six different languages.

Asian Information Institute (ASIALII) – <http://www.asianlii.org/> is an interesting site for studying law of Asia countries includes Vietnam. ASIALII consists of 311 databases from 28 Asian Jurisdictions via 8 Legal Information Institutes.

Beside the good sources of open access to legal information in translation as above, there are some state's agencies do not provide the version of foreign language translation on their web portals.

The Ministry of National Defence - [http://mod.gov.vn/wps/portal/!ut/p/b1/04\\_Sj9CPykyssy0xPLMnMz0vMAfGjzOLdHP2CLJwMHQ0sPAzNDDyNPVzMwsKCjd3dDYEKIoEKDHAARwNC-sP1o8BKnN0dPUzMfQwMLHzcTQ08HT1CgywDjY0NHI2hCvBY4eeRn5uqX5AbYZB14qgIANpef mk!/dl4/d5/L2dBISvZ0FBIS9nQSEh/](http://mod.gov.vn/wps/portal/!ut/p/b1/04_Sj9CPykyssy0xPLMnMz0vMAfGjzOLdHP2CLJwMHQ0sPAzNDDyNPVzMwsKCjd3dDYEKIoEKDHAARwNC-sP1o8BKnN0dPUzMfQwMLHzcTQ08HT1CgywDjY0NHI2hCvBY4eeRn5uqX5AbYZB14qgIANpef mk!/dl4/d5/L2dBISvZ0FBIS9nQSEh/), the Ministry of Construction – <http://www.xaydung.gov.vn/>. The Ministry of Education and Training - <http://www.moet.gov.vn/?page=9.6>

## **Evaluation**

The Promulgation laws of transparency and e-government information policies are the main factors facilitate free, open access to legal information available to the public in Vietnam. It brings to a new approach to legal information, free, open access to legal information via the internet.

Open access to legal information sources have a great contribution to the improvement the legal information system. After the past decade since the internet was first introduced in 1997, Vietnam has created a national legal information system that provides free, open access to legislation, jurisprudence, treaties and agreements and law journal. Providing laws and other legal information via the internet is the most efficient way of legal information dissemination. It is a default policy of the Vietnamese Government.

In the context of globalization, providing free access to laws and other legal information in English and other languages is not only important for Vietnam but also for all nations over the world. Despite of the limitation of legal information in translation, it is a powerful channel to introduce Vietnamese law to the world community and a useful tool for foreigners who do business with Vietnam and those do research, study law of Vietnam.



However, there are challenges should be put under consideration:

The number of open access to legal information sources is limited, especially jurisprudence and law journal. The content available on the web portal of the court system and the prosecutor system is very poor. An essential source of judicial information is cases not available to the public.

Databases and legal information sources are developed, provided independently by individual institutions. There are various existing portals, websites provides free, open access to legislation and other legal information produced by their own institutions, but not any kind of integrated databases or sites provide access to multiple type of legal information are introduced. It is an obstacle for the usage when the users have to access to different databases to get their expected information.

## **Conclusion**

Open access to official and authenticated legal information sources in Vietnam has fast evolved over the past decade. The Vietnamese Government has put priority on creating and providing free, open access to legal information to the public. The achievement is a great considerable. However, there are challenges need be discussed to find a compatible solutions for the development of open access to official and authenticated legal information in the following years.

It is important to improve the capacity of the national legal information system by upgrading the ICT infrastructure as well as enriching the legal information resources. The technical aspects should raise a question if an integrated search engine should be created. This search engine allows search interchangeable databases by using a unique user interface. Pertain to a strong capable search engine, it is necessary to establish a centre of national legal information repository to integrate sources of legal information from all institutions over the country and provides them to the public through the national search engine.

Enriching open access to legal information sources by publishing cases and other jurisprudence information to the public; increasing sources of legal information in translation, especially laws in foreign languages; encouraging commercial publishers and providers to provide free access to their databases, cooperate with the government in publishing legal information to the public. It is necessary to amend, supply the existing laws of transparency and improve state management on publishing, providing legal information to the public.

Improving regional and international co-operation in providing open access to official and authenticated legal information is the most important solution for Vietnam in current situation. This is a precious experience of many countries. Joint in and being a member of Asian Legal Information Institute (AsianLII), Free Access to Law Movement (FALM) should be a good suggestion for Vietnam.