

MINISTRY OF EDUCATION AND TRAINING
HO CHI MINH CITY UNIVERSITY OF LAW

INFORMATION ON THE NEW CONTRIBUTIONS OF THE THESIS

Thesis title: The Plaintiff in Vietnamese Administrative Litigation

Major: Constitutional Law and Administrative Law

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THE NEW CONTRIBUTIONS OF THE THESIS

The thesis is an in-depth and comprehensive study of the plaintiff in Vietnamese administrative litigation. It offers significant new contributions in terms of theory, legislation, and practice, with key highlights as follows:

(1) *Theoretical Perspective:* The thesis constructs a comprehensive theoretical framework concerning the plaintiff in administrative proceedings. By clarifying the concept, characteristics, position, and role of the plaintiff, the thesis establishes the central status of the plaintiff within the mechanism of administrative litigation. It elucidates the relationship between the plaintiff and the mechanism of judicial control over administrative power, and clarifies the disparity in procedural status between the plaintiff and the defendant. Furthermore, the thesis develops a legal theoretical framework regarding the plaintiff in administrative proceedings, creating a foundation for analyzing and evaluating current legislation, as well as proposing solutions for legal improvement and ensuring the enforcement of laws concerning the plaintiff. This includes the theoretical basis of the law on the plaintiff, the content of the law on the plaintiff, and the factors influencing the implementation of the law on the plaintiff in administrative litigation.

(2) *Legislative Perspective:* The thesis comprehensively evaluates the current state of legislation regarding the plaintiff in Vietnamese administrative litigation across several dimensions: the identification of the plaintiff, the legal capacity of the plaintiff, the rights and obligations of the plaintiff, and the succession of the plaintiff's rights and obligations.

In this regard, the thesis elucidates the limitations and inadequacies, while proposing and recommending the supplementation of legal grounds, the introduction of new legal norms, and the amendment of legal regulations to safeguard the legitimate rights and interests of the plaintiff and enhance the efficacy of judicial control over administrative power in Vietnam. Specifically, this includes: recognizing the right to initiate lawsuits to protect public interests; protecting the legitimate rights and interests of vulnerable groups lacking a plaintiff; codifying the criteria for identifying the plaintiff; expanding the scope of lawsuits; refining regulations on rights and obligations to balance the procedural status between the plaintiff and the defendant; and supplementing the conditions, sequences, and procedures for the succession of the plaintiff's procedural rights and obligations.

(3) *Practical Perspective*: The thesis establishes a systematic set of solutions to ensure the implementation of laws concerning the plaintiff, aimed at guaranteeing the legitimate rights and interests of the plaintiff and improving the effectiveness of judicial control over administrative power in Vietnam. These include: enhancing the awareness, understanding, and compliance with the law by the plaintiff; raising the legal compliance awareness and sense of responsibility of the defendant as well as relevant agencies, organizations, and individuals; improving the competence, professional qualifications, professional ethics, and fortitude of those conducting the proceedings in resolving administrative cases; ensuring the conditions regarding facilities and technical means in resolving administrative cases; accelerating the development of E-Courts; and improving the effectiveness of activities protecting the legitimate rights and interests of the plaintiff in administrative litigation. Notably, several novel specific solutions are proposed, such as providing information and guidance materials on administrative litigation procedures and processes for the plaintiff; accelerating the development of E-Courts; emphasizing the ideology that participating in administrative litigation is a public duty of the defendant; and including low-income employees as persons eligible for legal aid in administrative cases, with flexible grounds for determination and a differentiated scale of support based on the average income of the legal aid recipient.

Ho Chi Minh City, July 24, 2026

PhD. Student

Nguyen Hoang Yen