

# Special Alert

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## Resolution 66 – Vietnam’s Strong Determination Toward a New Chapter for Lawmaking and Law Enforcement

On 30 April 2024, General Secretary Tô Lâm, on behalf of the Politburo, signed and promulgated Resolution No. 66-NQ/TW (the “**Resolution 66**”) on renewing the lawmaking and law enforcement to meet the requirements of national development in the new era.

### Key Takeaways

- The Politburo has demonstrated a strong commitment to comprehensively reform Vietnam’s lawmaking and law enforcement through a series of breakthrough strategies starting in 2025, with a long-term vision toward 2045.
- A fundamental shift in legal mindset will be promoted to build a transparent, modern, stable, and predictable legal system that encourages innovation and unlocks all social resources.
- Citizens, businesses, and the private sector are top priorities in the lawmaking process, with mechanisms to be established for public consultation, legal support, and resolution of legal bottlenecks hindering business and investment.
- The application of technology, big data, and artificial intelligence in transforming the legislative and law enforcement process is a key priority.
- Lawmakers and state regulators are expected to issue a significant number of new laws in the near future to implement the directions set out in the Resolution. Businesses and investors should closely monitor upcoming legal developments.

### Context of Issuance: Necessity for Reform of the National Legal System

Law and policy serve as the backbone of investment and business development. Building a legal system that is consistent, modern, transparent, and unified is of utmost importance. In recent years, Vietnam’s legal system has undergone significant improvements, covering a wide range of areas,

from traditional sectors to emerging market-related matters. However, the legal framework and its implementation still reveal numerous weaknesses. Limitations in the quality, consistency, and enforceability of legal documents have posed obstacles to effective governance and hindered investment opportunities. Overlapping, contradictory, and outdated regulations have led to legal uncertainty, administrative inefficiencies, increased compliance burdens, and a failure to meet practical needs.

Given these shortcomings and the accelerating pace of international integration, the need for Vietnam to establish a more transparent, participatory, and adaptive legal system has never been more urgent. In response, Resolution 66 was issued as a high-level political directive, reaffirming the central role of law in national governance and calling for comprehensive reforms to ensure that legislation becomes a driving force for innovation, social progress, and sustainable development.

### Forward-looking Targets

Resolution 66 sets out a series of ambitious and challenging targets for the coming years, reflecting the Party's strong political will to modernize Vietnam's legal system. These targets are intended to be achieved by 2030, with a long-term vision toward 2045.

- By 2025: Essentially resolve existing legal "bottlenecks" caused by overlapping, inconsistent, or outdated regulations.
- By 2027: Complete the revision, supplementation, and issuance of new legal documents to establish a coherent legal foundation for the effective operation of the state apparatus under the three-tier government model.
- By 2028: Finalize the legal framework for investment and business activities, aiming to position Vietnam's investment environment among the top three in ASEAN.

**By 2030:** Establish a democratic, fair, coherent, unified, transparent, feasible, rigorous, and efficient legal system that effectively addresses practical challenges and creates favorable conditions for the broad participation of citizens and businesses in socio-economic development.

**Vision toward 2045:** Develop a high-quality, modern legal system aligned with international standards, a legal framework capable of meeting the demands of rapid and sustainable national development, contributing to Vietnam's aspiration of becoming a developed, high-income, socialist-oriented country.

### Strategic Breakthroughs and Core Resolutions

Throughout Resolution 66, the overarching spirit guiding the reform of the legislative process and law enforcement is described as the "breakthrough of all breakthroughs", reflecting Vietnam's firm commitment to comprehensive transformation by removing obstacles and unlocking all available resources. The core strategic directions and implementation solutions include.

## Shifting Mindset

Mindset is crucial, as it shapes how ideas are transformed into laws. It reflects readiness for change and adaptability. While a control-oriented mindset may minimize risks through restrictions, an open-minded legislator focuses on managing risks while enabling innovation. The same issue, approached with different mindsets, can result in different laws. Reforming the lawmaking mindset enables laws to serve as tools of development rather than obstacles to progress. Under Resolution 66, several transformative mindsets have been introduced:

- Shifting from control to facilitation. Decisively abandoning the outdated mindset of prohibiting activities that cannot be managed. The traditional view “if it cannot be controlled, it must be banned” has stifled creativity and progress. The reformed mindset prioritizes facilitation, creating a legal framework that enables rather than restricts, especially in areas such as digital transformation, the green economy, and startup ecosystems.
- Turning institutions and laws into competitive advantages. The lawmaking process must aim to transform Vietnam’s legal framework into a national competitive advantage, thereby enhancing the country’s appeal to foreign investors and boosting business confidence.
- Prioritizing simplicity, stability, predictability, and ease of implementation. Legal complexity often leads to loopholes and misinterpretation. In contrast, clear and simplified regulations are easier to understand, promote transparency, and reduce compliance burdens. Predictable legal framework allows individuals and businesses to plan and invest with greater confidence.
- Placing the rights and interests of citizens and enterprises at the center of lawmaking. By aligning laws with the real-world needs and challenges of stakeholders, the legal system becomes more relevant and effective, fostering public trust and enhancing social stability.

## From Changing Mindset to Breakthroughs in Lawmaking and Law Enforcement

- Promoting openness through policy impact assessments, field surveys, stakeholder consultation, expert opinions, and public feedback.
- Enhancing policy communication and legal education, especially for those with significant impact to be broadcasted on the national radio and television.
- Strengthening dialogue, reception, and listening to feedback, recommendations, and promptly addressing legal difficulties and obstacles faced by individuals, organizations, businesses, and localities. Ensuring that the lawmaking does not impose undue burdens on citizens and businesses.
- Applying simplified judicial procedures at greater expansion and promoting alternative dispute resolution mechanisms.
- Frequently assessing the effectiveness of laws after promulgation, promptly identifying and comprehensively, synchronously, and swiftly resolving legal “bottlenecks” arising from legal provisions.
- Not criminalizing economic, administrative, or civil relationships, not using administrative measures to intervene in or resolve civil and economic disputes.

## **Developing a Legal System for a Socialist-Oriented Market Economy**

- Removing unreasonable administrative procedures and business conditions.
- Ensuring the rights to business freedom, property ownership and freedom of contract, and quality among enterprises of all economic sectors.
- Prioritizing legal support for the private sector. Empowering the private sector as a key driving force of the national economy with legal support that aids access to land, capital, skilled labor and promotes the development of regionally and globally competitive private economic conglomerates.
- Providing substantial and effective legal support for small and medium-sized enterprises, legal aid, legal service registration, and legal risk management for citizens and businesses.
- Developing legal mechanisms that foster emerging and non-traditional issues (innovation, digital transformation, artificial intelligence, green transition, digital assets and data-driven industries).
- Developing breakthrough, superior, and competitive legal policies for international financial centers, free trade zones, and key economic zones.

## **Integration of Digital Technologies, Big Data and Artificial Intelligence (AI)**

- Prioritizing the development of information technology infrastructure, big data systems, and the application of digital technology and AI to innovate and modernize the process of lawmaking and law enforcement.
- Implementing the Project on building a national legal big data and the Project on applying AI in drafting, reviewing and examining legal documents.
- Applying digital technology and synchronize digital transformation in legal dissemination and education, legal aid, and registration of security measures.

## **Implications for Stakeholders**

### **Businesses and Investors**

As Resolution 66 places the private sector and the business community at the center of the lawmaking process, marking a milestone in institutional reform, businesses and investors across all sectors of the economy should, and are entitled to, expect that their voices will be heard and their opinions will be considered. Also, enterprises and investors can expect a more stable, transparent, and equitable business and legal environment for their long-term investment, but should also stay informed about forthcoming changes. In particular, technology companies should seize the opportunity and leverage the special priority granted under Resolution 66 to research and diversify technological applications that support the formulation and enforcement of laws, thereby contributing to the country's legislative modernization.

### **Governmental Agencies and Legal Practitioners**

Legislative bodies will have to issue guiding documents and action plans to operationalize the Resolution, and promptly and effectively review and revise the current process to align with the new policy orientations. The issuance of the Resolution, with its very challenging targets and strategies, is expected to broadly impact regulatory development, compliance obligations, and administrative procedures across all sectors. Legal practitioners will need to closely follow legislative amendments and keep both themselves and their clients updated to be well-prepared for the many substantial changes expected in the coming years.

## Conclusion

Resolution 66 brings both challenges and opportunities. Private sector businesses are expected to be among the primary beneficiaries of the legal modernization directives. However, turning intent into action will require considerable effort, not only in shifting mindsets but also in implementing practical measures. While there is much to be optimistic about, such optimism must be matched with close monitoring and persistent efforts to ensure that fundamental transformations are realized in the years ahead.

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