

UDC 343.8(597)(091)

**VIETNAMESE CRIMINAL SENTENCE EXECUTION LAW:  
HISTORICAL DEVELOPMENT AND DIRECTIONS FOR IMPROVEMENT TO  
MEET THE REQUIREMENTS OF JUDICIAL REFORM IN THE NEW ERA**

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***Abstract:** This article provides an overview of the development of Vietnamese criminal sentence execution law during the period 1945–2025, from isolated decrees to the 2019 Law on Criminal Judgment Execution and Law No. 127/2025/QH15 (effective from 1 July 2026). The 2025 Law introduces numerous progressive provisions: supplementation of penalties applicable to commercial legal entities; authorization of online visits and communication through image and audio means; regulation of the collection of biometric data; formal recognition of labour regimes outside correctional facilities; supplementation of inmates' rights to donate tissues and body parts; improvement of policies applicable to pregnant female inmates and female inmates raising young children; and expansion of measures ensuring community reintegration. On the basis of analysing the remaining shortcomings, the article proposes several directions for further improvement, including reform of the prison system, consideration of the application of electronic monitoring, acceleration of digital transformation, and deployment of artificial intelligence in criminal sentence execution activities.*

***Keywords:** Criminal sentence execution law; Judicial reform; Human rights; Community reintegration.*

*This article is prepared within the framework of the institutional-level scientific research project entitled: Vietnamese Criminal Justice Law – 80 Years of Formation, Development and Directions for Improvement in the New Situation. (Luu Hoaï Bao, PhD., Lecturer, Faculty of Criminal Law, Hanoi Law University, luuhoaibaohlu.edu@gmail.com, Ha Noi, Viet Nam).*

**УДК 343.8(597)(091)**

**УГОЛОВНО ИСПОЛНИТЕЛЬНОЕ ЗАКОНОДАТЕЛЬСТВО  
ВЬЕТНАМА: ИСТОРИЧЕСКОЕ РАЗВИТИЕ И НАПРАВЛЕНИЯ  
СОВЕРШЕНСТВОВАНИЯ В ОТВЕТ НА ТРЕБОВАНИЯ СУДЕБНОЙ  
РЕФОРМЫ В НОВУЮ ЭПОХУ**

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*Аннотация; В настоящей статье представлен обзор развития вьетнамского законодательства об исполнении уголовных наказаний в период 1945–2025 гг. - от отдельных указов до Закона об исполнении уголовных приговоров 2019 года и Закона № 127/2025/QH15 (вступающего в силу с 1 июля 2026 года). Закон 2025 года закрепляет ряд прогрессивных положений: дополнение системы наказаний, применяемых к коммерческим юридическим лицам; разрешение онлайн-свиданий и связи посредством аудио- и видеосредств; регулирование сбора биометрической информации; официальное закрепление режима труда за пределами исправительных учреждений; расширение прав осуждённых на донорство тканей и частей тела; совершенствование политики в отношении осуждённых женщин, находящихся в состоянии беременности либо*

*воспитывающих малолетних детей; а также расширение мер, обеспечивающих ресоциализацию и возвращение в общество. На основе анализа сохраняющихся недостатков в статье предлагаются направления дальнейшего совершенствования, включая реформу пенитенциарной системы, изучение возможности применения электронного контроля, ускорение цифровой трансформации и внедрение технологий искусственного интеллекта в деятельность по исполнению уголовных наказаний.*

**Ключевые слова:** *право об исполнении уголовных наказаний; судебная реформа; права человека; ресоциализация.*

*Настоящая статья подготовлена в рамках научно-исследовательской темы базового уровня: «Законодательство уголовной юстиции Вьетнама: 80 лет формирования, развития и направления совершенствования в новых условиях» (Льу Хоай Бао, к.ю.н., преподаватель, факультет уголовного права, Ханойский юридический университет, [luinhoaibaohlu.edu@gmail.com](mailto:luinhoaibaohlu.edu@gmail.com), Ханой, Вьетнам).*

## **Introduction**

The law on execution of criminal sentences constitutes an inseparable component of Vietnam's criminal law system, playing an essential role in ensuring that legally enforceable judgments and decisions of the Courts are carried out in practice. This represents the final stage in the realization of justice, guaranteeing the rigor of the law, while simultaneously reflecting the humanitarian and lenient policies of the Party and State toward offenders. Over the course of eighty years of development (1945–2025), the legal framework governing the execution of criminal sentences has undergone profound transformation - from isolated, situational provisions shaped by wartime conditions to a formally codified, comprehensive, and modern statute that increasingly safeguards human rights and the rights of citizens. In particular, the Law on Execution of Criminal Sentences of Vietnam, No. 127/2025/QH15, adopted by the National

Assembly on 10 December 2025 and taking effect on 1 July 2026, marks a new milestone in Vietnam's judicial reform process. This article systematizes the historical development of the law on execution of criminal sentences across different periods, analyzes the progressive features of the 2025 Law on Execution of Criminal Sentences, and proposes several orientations for further improvement in the new era.

## Content

### **1. Overview of the History of the Development of the Law on Execution of Criminal Sentences in Vietnam (1945–2025).**

#### **The period from 1945 to 1954.**

Immediately following the success of the August Revolution, the Democratic Republic of Vietnam issued several important decrees aimed at abolishing the harsh penal provisions of the former regime and establishing a new legal foundation for the execution of criminal sentences. Decree No. 33/SL of 13 September 1945 abolished cruel punishments such as torture, decapitation, and banishment. Decree No. 69/SL of 18 June 1946 established military tribunals to expeditiously adjudicate crimes of treason and counter-revolutionary activities. Decree No. 151/SL of 20 December 1946 regulated the organization of prisons and detention facilities, emphasizing that the detention of convicts must be accompanied by rehabilitative education. Supplementary instruments, including Circular No. 24/BK of 26 April 1949 issued by the Ministry of Justice on the enforcement of criminal penalties and Circular No. 498/P-4 of 31 October 1946 on the execution of the death sentence, contributed to the gradual elaboration of procedural frameworks. A distinctive feature of this period was that the execution of criminal sentences served simultaneously as punishment, a political instrument, and a tool in support of the resistance war; the principal penalties comprised the death penalty, imprisonment, reformatory labor, and community-supervised probation<sup>1</sup>.

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<sup>1</sup> Trường Đại học Luật, Đại học Quốc gia Hà Nội. Giáo trình Luật thi hành án hình sự Việt Nam : giáo trình / Trường Đại học Luật, Đại học Quốc gia Hà Nội. – Hà Nội : NXB Đại học Quốc gia Hà Nội, 2024. – Tr. 35–38. (VNU University of Law, Vietnam National University, Hanoi. *Vietnamese Criminal Judgment Execution Law: Textbook* : textbook / VNU University of Law, Vietnam National University, Hanoi. – Hanoi : Vietnam National University Press, Hanoi, 2024. – Pp.

### **The period from 1954 to 1975.**

This was a period during which the country was divided into two zones operating under two distinct legal systems. In the North, under the Government of the Democratic Republic of Vietnam, the legal system was shaped by the Soviet model, placing emphasis on the rehabilitation and education of convicts through labor. Key instruments included: Joint Circular of the Ministries of Public Security and Justice No. 1500/HC-TP of 23 August 1956 on the detention and inspection of remand centers and reformatory camps; and Circular No. 121-CP of 9 August 1961 of the Government Council on the concentrated rehabilitation and education of elements whose conduct was harmful to society. In the South, the Government of the Republic of Vietnam operated under the influence of Western legal traditions, with instruments such as Imperial Ordinance No. 52 of 1957, Law No. 002/65 of 1965 on the execution of criminal sentences, and the Penal Code of 1972. Following 1975, with national reunification, the legal framework for the execution of criminal sentences was gradually unified in accordance with the socialist state model, laying the groundwork for subsequent phases of development.

### **The period from 1975 to 1985.**

This was the immediate post-reunification period, characterized by a centrally planned economy, during which the criminal law system in general, and the law on execution of criminal sentences in particular, remained incomplete. The Constitution of 1980 was promulgated, providing the foundational framework for the development of a unified national legal system. The principal legal instruments of this period included: the Ordinance on the Organization of the People's Courts of 1981, which defined the role of the Courts in the execution of criminal sentences; and Decree No. 117/CP of 21 July 1977 of the Government Council on the administration of detention camps and the rehabilitation of convicts. A notable characteristic was that the execution of custodial sentences was carried out primarily in concentrated reformatory camps, where convicts

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were both detained and engaged in productive labor for self-sufficiency, and political and ideological education was intensified. However, the legal framework remained incomplete, supervisory mechanisms were insufficiently rigorous, and conditions for sentence execution were constrained by the economic difficulties of the subsistence economy period.

### **The period from 1985 to 2009.**

This period witnessed remarkable advances in the Vietnamese law on execution of criminal sentences. The Penal Code of 1985, entering into force on 1 January 1986 as the first criminal code following national reunification, provided for criminal penalties and the regime for their enforcement. The Code of Criminal Procedure of 1988 for the first time dedicated Part V exclusively to the execution of criminal sentences, encompassing chapters on the execution of the death penalty, custodial sentences, other penalties, remission and reduction of custodial sentences, and the expungement of criminal records. On 8 March 1993, the Ordinance on the Execution of Custodial Sentences was adopted, and on 16 September 1993, the Government issued Decree No. 60-CP together with the Prison Regulations. The Penal Code of 1999, replacing the 1985 Code, introduced significant amendments to criminal policy and sentence enforcement. The Ordinance Amending and Supplementing Certain Articles of the Ordinance on the Execution of Custodial Sentences of 2007 further refined provisions on the responsibilities of competent authorities and the principles of sentence enforcement safeguarding human rights. Nevertheless, throughout this period, no standalone law on the execution of criminal sentences existed; the applicable provisions remained dispersed and inconsistent, necessitating a unified statute to govern this important and complex field.

### **The period from 2010 to 2018.**

The Law on Execution of Criminal Sentences of 2010, adopted by the National Assembly on 17 June 2010 and taking effect on 1 July 2011, marked a pivotal turning

point in this field. The Law laid down detailed provisions on the sequence and procedures for the enforcement of each type of penalty; clearly delineated responsibilities among the Courts, the Procuracies, the Police, the Military, and People's Committees at all levels; and introduced supervisory mechanisms to ensure transparency and accountability in sentence enforcement. The principle of combining punitive measures with rehabilitative education was affirmed in Clause 4, Article 4, whereby the application of rehabilitative measures must be premised on the nature and gravity of the offense, age, gender, educational level, and other personal characteristics of the person serving sentence. However, following the adoption of the Constitution of 2013 and the enactment of new codes and statutes - including the Penal Code of 2015 (as amended in 2017), the Code of Criminal Procedure of 2015, and the Law on the Organization of Criminal Investigation Agencies of 2015 - numerous provisions of the 2010 Law became inconsistent with the new legislative framework, necessitating comprehensive revision.

### **The period from 2019 to 2025: The law on execution of criminal sentences of 2019 and the enactment of the 2025 law**

The Law on Execution of Criminal Sentences of 2019 comprised 16 chapters and 232 articles, amending 92 of the 182 articles of the 2010 Law<sup>2</sup>, adding 52 new articles, and repealing one section and four articles. The Law expanded its scope of application by introducing two significant additions: first, the execution of decisions on conditional early release on parole (Section 3 of Chapter III, comprising 18 articles); and second, the execution of sentences against commercial legal entities (Chapter XI, comprising 9 articles)<sup>3</sup>. The Law also introduced humanitarian principles, prohibited torture and discrimination, and extended the rights of convicts - including the right to participate in

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<sup>2</sup> Luật Thi hành án hình sự số 41/2019/QH14 // Quốc hội nước Cộng hòa xã hội chủ nghĩa Việt Nam. – 14.06.2019. (Law on Criminal Judgment Execution No. 41/2019/QH14 // National Assembly of the Socialist Republic of Vietnam. – 14 June 2019.).

<sup>3</sup> Luật Thi hành án hình sự số 41/2019/QH14 // Quốc hội nước Cộng hòa xã hội chủ nghĩa Việt Nam. – 14.06.2019. (Law on Criminal Judgment Execution No. 41/2019/QH14 // National Assembly of the Socialist Republic of Vietnam. – 14 June 2019.).

voluntary social insurance and the right to conduct civil transactions through authorized representatives<sup>4</sup>.

However, after five years of implementation, the 2019 Law revealed certain difficulties and shortcomings requiring amendment. Specifically: there were no provisions for online visitation or audiovisual communication; there was no provision for the collection of biometric data (iris scans, DNA, and voice samples) for administrative purposes; the Law was not synchronized with the Law on Medical Examination and Treatment of 2023; there was no provision for organizing labor for convicts outside prison facilities (which had only been piloted under Resolution No. 54/2022/QH15) and there was no provision on the right of convicts to donate tissues and organs<sup>5</sup>. These practical deficiencies constituted the essential basis for the National Assembly's enactment of the 2025 Law on Execution of Criminal Sentences.

The Law on Execution of Criminal Sentences No. 127/2025/QH15 was adopted by the XV National Assembly at its 10th Session on 10 December 2025, taking effect on 1 July 2026<sup>6</sup>. The Law inherits the achievements of the 2019 Law while comprehensively addressing the identified limitations, representing a new advance in legislative thinking on the execution of criminal sentences.

## **2. Progressive Features of the 2025 Law on Execution of Criminal Sentences**

The 2025 Law on Execution of Criminal Sentences comprises 16 chapters and 180 articles, with numerous noteworthy progressive features across the following dimensions: expanded scope of application, refined governing principles, enhanced protection of human rights, application of technology, and modernization of sentence enforcement operations.

<sup>4</sup> Luật Thi hành án hình sự số 41/2019/QH14 // Quốc hội nước Cộng hòa xã hội chủ nghĩa Việt Nam. – 14.06.2019. (Law on Criminal Judgment Execution No. 41/2019/QH14 // National Assembly of the Socialist Republic of Vietnam. – 14 June 2019.).

<sup>5</sup> Bộ Công an. Tờ trình Dự án Luật sửa đổi, bổ sung một số điều của Luật Thi hành án hình sự. – Hà Nội, 2024. – Tr. 5–8. (Ministry of Public Security of Vietnam. Submission Report on the Draft Law Amending and Supplementing a Number of Articles of the Law on Criminal Judgment Execution. – Hanoi, 2024. – Pp. 5–8.).

<sup>6</sup> Luật Thi hành án hình sự số 127/2025/QH15 // Quốc hội nước Cộng hòa xã hội chủ nghĩa Việt Nam. – 10.12.2025. (Law on Criminal Judgment Execution No. 127/2025/QH15 // National Assembly of the Socialist Republic of Vietnam. – 10 December 2025.).

**First, with respect to scope of application and subjects governed,** the 2025 Law has supplemented several new penalties and judicial measures applicable to commercial legal entities, including: temporary suspension of operations, permanent cessation of operations, prohibition of business activities, prohibition of activities in certain specified sectors, and prohibition of capital mobilization<sup>7</sup>. Article 1 of the Law expressly defines its scope as regulating relations pertaining to the execution of judgments and decisions on custodial sentences, the death penalty, expulsion, caution, non-custodial reform, residence ban, probation, deprivation of certain civil rights, prohibition from holding certain positions, practicing certain professions or performing certain jobs, suspended sentences, conditional early release on parole, temporary suspension of operations, permanent cessation of operations, prohibition of business activities, prohibition of activities in certain specified sectors, prohibition of capital mobilization, and judicial measures<sup>8</sup>.

**Second, with respect to principles governing sentence enforcement and prohibited acts,** the 2025 Law introduces the principle of “Application of science, technology, digital transformation, and modernization of criminal sentence enforcement activities” under Clause 8, Article 4. This marks the first time the principle of digital transformation has been enshrined at the statutory level, thereby providing a solid legal foundation for the modernization of sentence enforcement operations. In addition, the Law supplements two new prohibited acts: “Torture and other forms of cruel, inhuman, or degrading treatment or punishment of persons serving sentences or subject to judicial measures” (Clause 8, Article 7); and “Stigmatization, discrimination, or violation of the lawful rights and interests of persons or commercial legal entities serving sentences” (Clause 9, Article 7). These provisions manifest Vietnam's strong commitment to

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<sup>7</sup> Luật Thi hành án hình sự số 127/2025/QH15 // Quốc hội nước Cộng hòa xã hội chủ nghĩa Việt Nam. – 10.12.2025. (Law on Criminal Judgment Execution No. 127/2025/QH15 // National Assembly of the Socialist Republic of Vietnam. – 10 December 2025.).

<sup>8</sup> Luật Thi hành án hình sự số 127/2025/QH15 // Quốc hội nước Cộng hòa xã hội chủ nghĩa Việt Nam. – 10.12.2025. (Law on Criminal Judgment Execution No. 127/2025/QH15 // National Assembly of the Socialist Republic of Vietnam. – 10 December 2025.).

incorporating into domestic law the international human rights instruments to which it is party, in particular the Convention against Torture.

**Third, with respect to the rights and obligations of convicts**, the 2025 Law has introduced several significant rights. Convicts are entitled to donate tissues and organs in accordance with the law on donation of human tissues and organs (Point b, Clause 1, Article 23); to participate in voluntary social insurance and to enjoy social insurance entitlements in accordance with the law (Point i, Clause 1, Article 23); and to use religious scriptures and to express beliefs and religious faith in accordance with the law (Point k, Clause 1, Article 23). Notably, Article 53 provides detailed conditions under which convicts may donate tissues or organs, including: voluntary consent; donation exclusively to close relatives; adequate health status; personal assumption of costs; and applicability only to persons convicted of minor or serious offenses for the first time, with fewer than three years remaining on their sentence<sup>9</sup>.

**Fourth, with respect to visitation and communication**, the 2025 Law represents a significant advance. Clause 3, Article 49 provides: “Close relatives, representatives of agencies and organizations, or other individuals ... may meet convicts in person; where circumstances of emergency, force majeure, objective obstacles, or the impossibility of arranging an in-person meeting exist, the meeting may be conducted in an online format.” Article 51 introduces provisions on telephone communication with audiovisual connectivity: “Convicts are entitled to communicate by telephone or to connect by audiovisual means via electronic devices with close relatives residing within the country once per month, for no longer than ten minutes per session, except in urgent circumstances”. These provisions represent a progressive development in line with the advancement of information technology and the legitimate needs of convicts and their families.

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<sup>9</sup> Luật Thi hành án hình sự số 127/2025/QH15 // Quốc hội nước Cộng hòa xã hội chủ nghĩa Việt Nam. – 10.12.2025. (Law on Criminal Judgment Execution No. 127/2025/QH15 // National Assembly of the Socialist Republic of Vietnam. – 10 December 2025.).

**Fifth, with respect to the collection of biometric data**, the 2025 Law prescribes the collection of iris scans, DNA, and voice samples from persons serving sentences at various stages. Specifically, the criminal sentence enforcement authority of the provincial-level police bears the responsibility of “organizing the collection of biometric data, including iris scans, DNA, and voice samples, from persons serving primary penalties of caution, fines, non-custodial reform, expulsion, or suspended sentences where such data is not already contained in the database” (Clause 7, Article 11); detention facilities bear the responsibility of “collecting biometric data, including iris scans, DNA, and voice samples from convicts where such data is not already contained in the database” (Point a, Clause 1, Article 13). The collected data is to be shared with the identity management authority for incorporation into and updating of the National Citizen Identity Database (Point d, Clause 2, Article 24).

**Sixth, with respect to the organization of labor for convicts outside prison facilities**, the 2025 Law formally institutionalizes the results of the pilot program conducted under Resolution No. 54/2022/QH15. Article 29 governs the organization of labor for convicts both within and outside prison facilities for the purposes of rehabilitative education, development of labor skills, and preparation for reintegration into the community<sup>10</sup>. Clause 4, Article 29 enumerates nine categories of convicts who may not be deployed for labor outside prison facilities, including: convicts who have committed offenses against national security; convicts with a remaining sentence of more than seven years (for sentences of up to fifteen years) or more than ten years (for sentences exceeding fifteen years); foreign convicts; convicts afflicted with Group A infectious diseases; convicts under the age of eighteen; convicts aged sixty or above; convicts classified as “Poor” in sentence compliance assessments; convicts who have

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<sup>10</sup> Luật Thi hành án hình sự số 127/2025/QH15 // Quốc hội nước Cộng hòa xã hội chủ nghĩa Việt Nam. – 10.12.2025. (Law on Criminal Judgment Execution No. 127/2025/QH15 // National Assembly of the Socialist Republic of Vietnam. – 10 December 2025.).

previously escaped from a place of detention; and convicts falling within categories eligible for exemption or reduction of labor obligations<sup>11</sup>.

**Seventh, with respect to the regime applicable to female convicts who are pregnant or nursing young children**, the 2025 Law dedicates Article 48 to comprehensive regulation of this matter. Pregnant convicts are to be accommodated in appropriate detention facilities, are entitled to periodic and emergency prenatal examinations, are eligible for reduced labor obligations, and are entitled to a nutritional regime ensuring adequate health. Notably, Clause 6, Article 48 provides: “Detention facilities must establish nurseries outside the detention zone to care for and raise children under the age of thirty-six months who are children of convicts, as well as children of convicts aged thirty-six months or above who are awaiting placement in social assistance establishments.” This provision clearly reflects the profound humanitarian character of Vietnamese law.

**Eighth, with respect to the execution of sentences against commercial legal entities**, the 2025 Law devotes the entirety of Chapter X (Articles 139 through 147) to systematic regulation of this matter. Article 139 designates the criminal sentence enforcement authority of the provincial-level police and the military-zone-level criminal sentence enforcement authority as the competent bodies for enforcing penalties and judicial measures against commercial legal entities, while civil enforcement authorities are designated to enforce financial penalties. Article 141 provides detailed procedures for sentence enforcement, including the obligations of commercial legal entities: to publish enforcement decisions on their official websites, in publications, and by conspicuous notice at their registered offices and places of business; to notify relevant agencies, organizations, and individuals; and to report in writing to the criminal sentence enforcement authority and the relevant state management agency. Article 145 sets out

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<sup>11</sup> Luật Thi hành án hình sự số 127/2025/QH15 // Quốc hội nước Cộng hòa xã hội chủ nghĩa Việt Nam. – 10.12.2025. (Law on Criminal Judgment Execution No. 127/2025/QH15 // National Assembly of the Socialist Republic of Vietnam. – 10 December 2025.).

the responsibilities of state management agencies with respect to commercial legal entities in implementing measures such as amendment or suspension of the validity of licenses, revocation of enterprise registration certificates, and cancellation of registered entries.

**Ninth, with respect to community reintegration**, Article 43 of the 2025 Law provides detailed regulation of the substance of community reintegration preparation, comprising: psychological counseling and legal procedural assistance; vocational guidance and employment assistance; and partial financial support from the Community Reintegration Fund. Commune-level People's Committees bear the responsibility of organizing assistance for persons who have served their custodial sentences, persons granted amnesty, and persons released on conditional early release on parole in their reintegration into the community, through the following measures: public information, communication, and education; vocational training, credit access, and employment placement; psychological support; and legal procedural assistance<sup>12</sup>.

### **3. Orientations for the further improvement of the law on execution of criminal sentences in response to the requirements of the new era**

In the context of the country entering a new era - the era of national self-assertion - marked by profound transformations in the legal system, the modalities of state governance, and the advancement of science and technology, the law on execution of criminal sentences must continue to be studied and improved in accordance with the following principal orientations.

**First, improving the provisions on the mandates and powers of criminal sentence enforcement authorities.** After five years of implementing the 2019 Law and in light of the new provisions of the 2025 Law, certain provisions on the mandates and powers of agencies and units involved in criminal sentence enforcement continue to

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<sup>12</sup> Luật Thi hành án hình sự số 127/2025/QH15 // Quốc hội nước Cộng hòa xã hội chủ nghĩa Việt Nam. – 10.12.2025. (Law on Criminal Judgment Execution No. 127/2025/QH15 // National Assembly of the Socialist Republic of Vietnam. – 10 December 2025.).

reveal difficulties and shortcomings. Specifically, the division of responsibilities among provincial-level police criminal sentence enforcement authorities, military-zone-level criminal sentence enforcement authorities, commune-level People's Committees, commune-level police, and military units in the supervision, management, and education of persons serving sentences is at times overlapping and unclear<sup>13</sup>. It is therefore necessary to review and amend these provisions to clearly delineate jurisdictional competence, strengthen inter-agency coordination mechanisms and ensure consistency with the Law on the Organization of Criminal Investigation Agencies, the Law on the Organization of the People's Procuracy, the Law on the Organization of the People's Courts, and other specialized legislation.

**Second, continuing to improve provisions on the rights, obligations, and treatment of persons serving sentences.** Although the 2025 Law has supplemented numerous important rights for convicts, implementation experience reveals that certain provisions remain of limited feasibility or are not fully consistent with related legislation. For instance, provisions on online visitation and audiovisual communication require detailed guidance on facility requirements, information technology infrastructure, and the responsibilities of detention facilities in ensuring information security and safety<sup>14</sup>. The provisions on commendation of prisoner work teams and squads under Article 39 require elaboration through clear criteria and forms of recognition. Furthermore, consideration should be given to expanding the categories of offenders eligible for sentence reduction and conditional early release on parole with respect to certain categories of minor offenses. Additionally, Vietnamese law currently lacks a detailed legal framework on electronic monitoring. In the forthcoming period, it is therefore urgently necessary to research and develop regulatory provisions on

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<sup>13</sup> Bộ Công an. Tờ trình Dự án Luật sửa đổi, bổ sung một số điều của Luật Thi hành án hình sự. – Hà Nội, 2024. – Tr. 10. (Ministry of Public Security of Vietnam. Submission Report on the Draft Law Amending and Supplementing a Number of Articles of the Law on Criminal Judgment Execution. – Hanoi, 2024. – P. 10.).

<sup>14</sup> Nguyễn Hoàng. Quốc hội xem xét dự án Luật Thi hành án hình sự (sửa đổi) [Электронный ресурс] // Báo Chính phủ. – Режим доступа: <https://baochinhphu.vn/quoc-hoi-xem-xet-du-an-luat-thi-hanh-an-hinh-su-sua-doi-102256318.htm> (дата обращения: 20.04.2026).

electronic monitoring within the Law on Execution of Criminal Sentences, encompassing: the authority empowered to order its application; the conditions and categories of persons subject to it; the applicable sequence and procedures; the rights and obligations of monitored persons; the responsibilities of the supervising authority; and mechanisms for ensuring information security and safety. A pilot program should be implemented in localities with developed socio-economic conditions prior to nationwide application, coordinated with public awareness-raising efforts on the benefits of this methodology.

**Third, reforming the prison system toward community reintegration.**

Traditional prison systems have focused primarily on detention and punishment; however, the prevailing global trend is shifting strongly toward a rehabilitative model that assists convicts in reintegrating into society. This approach not only reduces recidivism rates but also enables society to reduce the costs of maintaining custodial facilities and to optimize human resources. In Vietnam, recidivism rates among released convicts remain high due to deficiencies in vocational skills and the stigma associated with criminal records, while the per-capita cost of maintaining a convict substantially exceeds the investment required for educational and vocational training programs. Accordingly, in the new period, the following measures should be implemented: (i) strengthening vocational training aligned with labor market demand, by providing practical vocational skills courses in areas such as mechanics, electronics, culinary arts, and programming; (ii) emphasizing psychological and ethical education to assist convicts in recognizing their wrongdoing, developing emotional self-regulation skills, and cultivating a positive mindset; (iii) researching the application of open prison models, in which convicts may work and study outside the facility under close supervision; and (iv) expanding eligibility for sentence reduction and conditional early release on parole to encourage active rehabilitation. The transition from a punitive to a

rehabilitative and community reintegration paradigm will yield lasting benefits for both convicts and society as a whole.

**Fourth, researching and developing an electronic monitoring system.**

In the forthcoming period, it is necessary to research and develop regulatory provisions on electronic monitoring within the Law on Execution of Criminal Sentences, covering: the authority empowered to order its application; the conditions and categories of persons subject to it; the applicable sequence and procedures; the rights and obligations of monitored persons; the responsibilities of the supervising authority; and mechanisms for ensuring information security and safety. Simultaneously, a pilot program should be implemented in localities with developed socio-economic conditions prior to nationwide application, in conjunction with public awareness campaigns on the merits of this approach.

**Fifth, accelerating the application of technology and digital transformation in criminal sentence enforcement.** The 2025 Law has laid the legal foundation for digital transformation in criminal sentence enforcement in Article 154, which provides that “The database on criminal sentence enforcement, administered by the Ministry of Public Security, constitutes a component of the national database on crime prevention and control information.” However, to give practical effect to this provision, it is urgently necessary to develop detailed implementing instruments on the construction, collection, storage, processing, protection, access to, and use of the criminal sentence enforcement database. In addition, it is necessary to accelerate the digitization of sentence enforcement case files, the application of digital signatures in electronic transactions among the Courts, the Procuracies, criminal sentence enforcement authorities, and commune-level People's Committees, and to explore the use of artificial intelligence (AI) in the classification and assessment of custodial sentence compliance results (convict classification under Article 31). These measures will not only enhance

administrative efficiency but also ensure transparency, accountability, and timeliness in sentence enforcement operations.

### **Conclusion**

Over eighty years of development (1945–2025), Vietnamese law on the execution of criminal sentences has undergone remarkable transformation - from isolated wartime decrees to a comprehensive, modern statute that clearly embodies the harmonious integration of punitive and rehabilitative purposes, and the reconciliation of public security imperatives with the protection of human rights. The Law on Execution of Criminal Sentences No. 127/2025/QH15 represents a new stage of development, featuring numerous progressive elements: an expanded scope of application covering commercial legal entities and conditional early release on parole; the introduction of principles on the application of technology and digital transformation; enhanced rights of convicts, including the right to donate tissues and organs, the right to online visitation, and the right to audiovisual communication; provisions on biometric data collection; the formal institutionalization of labor deployment outside prison facilities; improved treatment regimes for pregnant and nursing female convicts; and detailed provisions on community reintegration.

The law on execution of criminal sentences must continue to be improved in accordance with the following orientations: reforming the prison system toward community reintegration; researching the application of electronic monitoring for persons serving community-based sentences; accelerating the application of technology and digital transformation; improving provisions on the mandates and powers of enforcement authorities; and continuing to expand the rights and treatment of persons serving sentences. Should these orientations be realized, they will contribute to building a Vietnamese judicial system that is increasingly just, transparent, humane, and modern, meeting the requirements for the country's sustainable development in the new period.

## References

1. National Assembly of the Socialist Republic of Vietnam. Constitution of the Socialist Republic of Vietnam. - Hanoi, December 18, 1980.
2. National Assembly of the Socialist Republic of Vietnam. Criminal Code : No. 27-LCT/HĐNN7. - Hanoi, June 27, 1985.
3. National Assembly of the Socialist Republic of Vietnam. Code of Criminal Procedure : No. 07-LCT/HĐNN8. - Hanoi, June 28, 1988.
4. National Assembly of the Socialist Republic of Vietnam. Criminal Code : No. 15/1999/QH10. - Hanoi, December 21, 1999.
5. National Assembly of the Socialist Republic of Vietnam. Criminal Code : No. 100/2015/QH13 (amended and supplemented by Law No. 12/2017/QH14 and Law No. 63/2025/QH15). - Hanoi, November 27, 2015.
6. National Assembly of the Socialist Republic of Vietnam. Code of Criminal Procedure : No. 101/2015/QH13. - Hanoi, November 27, 2015.
7. National Assembly of the Socialist Republic of Vietnam. Law on Organization of Criminal Investigation Bodies : No. 99/2015/QH13. - Hanoi, November 26, 2015.
8. National Assembly of the Socialist Republic of Vietnam. Law on Organization of the People's Courts : No. 102/2015/QH13. - Hanoi, November 24, 2015.
9. National Assembly of the Socialist Republic of Vietnam. Law on Organization of the People's Procuracies : No. 63/2014/QH13. - Hanoi, November 24, 2014.
10. National Assembly of the Socialist Republic of Vietnam. Law on Medical Examination and Treatment : No. 15/2023/QH15. - Hanoi, January 9, 2023.
11. National Assembly of the Socialist Republic of Vietnam. Law on Execution of Criminal Judgments : No. 53/2010/QH12. - Hanoi, June 17, 2010.

12. National Assembly of the Socialist Republic of Vietnam. Law on Execution of Criminal Judgments : No. 41/2019/QH14. - Hanoi, June 14, 2019.
13. National Assembly of the Socialist Republic of Vietnam. Law on Execution of Criminal Judgments : No. 127/2025/QH15. - Hanoi, 2025.
14. Standing Committee of the National Assembly of the Socialist Republic of Vietnam. Ordinance on the Organization of the People's Courts : No. 3-LCT/HĐNN7. - Hanoi, July 3, 1981.
15. Standing Committee of the National Assembly of the Socialist Republic of Vietnam. Ordinance on the Execution of Imprisonment Sentences : No. 26-L/CTN. - Hanoi, March 8, 1993.
16. Standing Committee of the National Assembly of the Socialist Republic of Vietnam. Ordinance Amending and Supplementing Several Articles of the Ordinance on the Execution of Imprisonment Sentences : No. 09/2007/PL-UBTVQH11. - Hanoi, July 25, 2007.
17. National Assembly of the Socialist Republic of Vietnam. Resolution on the Pilot Organization of Labor for Prisoners Outside Detention Camps : No. 54/2022/QH15. - Hanoi, June 16, 2022.
18. President of the Democratic Republic of Vietnam. Decree Abolishing Cruel Punishments : No. 33/SL. - Hanoi, September 13, 1945.
19. President of the Democratic Republic of Vietnam. Decree on the Establishment of Military Courts : No. 69/SL. - Hanoi, June 18, 1946.
20. President of the Democratic Republic of Vietnam. Decree on the Organization of Prisons and Detention Camps : No. 151/SL. - Hanoi, December 20, 1946.
21. Ministry of Justice of the Democratic Republic of Vietnam. Circular on the Execution of Criminal Penalties : No. 24/BK. - Hanoi, April 26, 1949.

22. Ministry of Justice of the Democratic Republic of Vietnam. Circular on the Execution of the Death Penalty : No. 498/P-4. - Hanoi, October 31, 1946.

23. Ministry of Public Security – Ministry of Justice of the Democratic Republic of Vietnam (Joint Circular). Joint Circular on the Detention and Inspection of Temporary Detention Facilities and Re-education Camps : No. 1500/HC-TP. - Hanoi, August 23, 1956.

24. Government Council of the Democratic Republic of Vietnam. Circular on the Concentrated Re-education of Elements Whose Actions Are Harmful to Society : No. 121-CP. - Hanoi, August 9, 1961.

25. Government Council of the Socialist Republic of Vietnam. Decree on the Administration of Detention Camps and Re-education of Prisoners : No. 117/CP. - Hanoi, July 21, 1977.

26. Government of the Socialist Republic of Vietnam. Decree Promulgating the Detention Camp Regulations : No. 60-CP. - Hanoi, September 16, 1993.

27. Textbook on Vietnamese Law on Execution of Criminal Judgments / School of Law, Vietnam National University, Hanoi. - Hanoi : Vietnam National University Press, 2024.

28. Ministry of Public Security. Submission on the Draft Law Amending and Supplementing Several Articles of the Law on Execution of Criminal Judgments. - Hanoi, 2024.