

ENHANCING LEGAL POLICIES IN THE LOGISTICS SECTOR IN THE CONTEXT OF INTERNATIONAL INTEGRATION IN VIETNAM

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Abstract

This study assesses and suggests enhancements to the legal framework governing the logistics sector in Vietnam, particularly in light of its integration into the global economy. The research begins by examining Vietnam's strategic position in the global supply chain and the significant potential of the logistics industry, along with current challenges such as high costs and uneven infrastructure. The analysis then continues by reviewing the existing legal policy framework, including laws, decrees, and regulations, emphasizing the importance of issuing comprehensive and context-appropriate policies aligned with the industry's development reality.

The concept of "green logistics" is highlighted as a development trend, with Vietnam having signed and implemented various Free Trade Agreements, supporting enhanced trade connections and international standard integration. The study also identifies deficiencies in the current policy system and suggests improvements through the issuance of relevant and timely policy documents, along with the development of sustainable seaports. The research concludes that perfecting legal policies for the logistics sector is essential to promote its sustainable development in Vietnam.

Keywords: *Legal policies, Policies, Logistics laws, Logistics policies.*

I. OVERVIEW OF THE LOGISTICS INDUSTRY IN VIETNAM

Vietnam has become a crucial link in the supply chain as businesses pivot amidst increasing geopolitical competition. Many companies are shifting their production to other countries, with Vietnam being one of the beneficiaries. As an attractive destination for innovation and digitalization, Vietnam is actively opening up, seizing opportunities from the competition among nations to attract foreign investment, and striving to become a high-income economy by 2045. Vietnam is evolving into a manufacturing hub, with diversified enterprises, enhanced supply chains, and the development of digital infrastructure. To incentivize manufacturers to shift to Vietnam, the country needs to continue promoting the development of robust infrastructure, especially in the logistics sector.

The logistics industry in Vietnam is experiencing robust development, playing a vital role in promoting international economic integration, economic and social advancement. It is expected to make significant contributions to the GDP, with the goal of achieving a contribution of 8%-10% to GDP and reducing logistics costs to about 16%-20% of GDP by 2025 [1].

In recent years, Vietnam has consolidated its position in the global supply chain and emerged as an attractive and potential destination. Vietnam's advantages include low labor costs, a strategic location in the center of Southeast Asia and near China - the world's second-largest economy, a young and educated population, and a government focused on improving business support policies and labor laws, as well as

encouraging infrastructure investment. Vietnam has signed free trade agreements to enhance its competitive advantage and expand export markets, reducing tariffs and simplifying customs procedures in those markets.

However, the logistics industry in Vietnam is facing numerous challenges, particularly high logistics costs. According to the World Bank's survey, in Vietnam logistics expenditures are higher than those in neighboring countries, with a 6% difference compared to Thailand, 12% to Malaysia, and three times higher than Singapore [2]. Within logistics costs, transportation costs account for a significant proportion, significantly impacting the import and export activities of businesses. Additionally, Vietnam's logistics infrastructure still has many limitations, especially in transportation infrastructure. The country's seaport system lacks coordination and fails to meet the demand for transporting goods, especially in import and export. The railway and road systems are also not well-developed in a coordinated manner, leading to high transportation costs.

During the economic recovery phase, political instability, and other uncertain factors, the global trend of supply chain relocation is creating both opportunities and challenges for the logistics industry in Vietnam. To pursue a sustainable development strategy, the government has issued the Vietnam Logistics Development Strategy until 2025, with a vision towards 2030. According to this strategy, the national logistics system aims to achieve (i) For the logistics industry, the average annual growth is about 18%; (ii) A shift in the market structure towards an increased proportion of private enterprises.

A report conducted by Australian Aid and the World Bank identifies four pillars that create a favorable environment for trade and logistics: (i) A legal framework that facilitates trade and standards; (ii) Commercial infrastructure and quality connectivity; (iii) Regulations for logistics services, service providers, and users, and (iv) A framework for coordination between agencies and implementation mechanisms.

In this article, we analyze the legal policy framework within the logistics sector, and offer solutions to enhance the legal policy system to support the sustainable development of logistics businesses.

II. CURRENT LEGAL POLICY SYSTEM IN LOGISTICS IN VIETNAM

1. General Overview

The national legal policy system in logistics is a comprehensive framework that encompasses all interrelated policies aimed at facilitating the movement of raw materials and goods from the source organization through all intermediate stages to the ultimate end-users in the economy. This system regulates activities within various functions of the business process (procurement, management, distribution of goods) and across different sectors of the economy (production, transportation, distribution, and communication); information technology policies; attraction of ODA and FDI for infrastructure investment; and Free Trade Agreements (FTA) within the framework of extensive international economic integration. The legal policy system in the field of logistics in Vietnam includes:

Firstly: Legislation: These are legal documents enacted by the National Assembly, carrying the highest legal validity, and are universally binding on all organizations and individuals within the territory of Vietnam. Relevant legislation related to logistics activities includes:

- The 2005 Commercial Law: Regulates logistics services, covering transportation activities, warehouse services, postal services, and logistics support services,...
- The 2005 Law on E-Transactions: Governs logistics activities through electronic means.
- The 2014 Customs Law: Regulates customs procedures, including import and export clearance procedures,...

Secondly: Decrees: These are legal documents issued by the Government, with a lower legal status than laws. Relevant decrees related to logistics activities include:

- The 2005 Seaport Law: Governs the management and operation of seaports.
- The 2014 Civil Aviation Law of Vietnam: Regulates the management and operation of civil aviation in Vietnam.

Thirdly: Decisions: These are legal documents issued by the Prime Minister or heads of ministerial-level agencies, with a lower legal status than laws and decrees. Some relevant decisions related to logistics activities include:

- According to the government, Decision No. 144/2018/ND-CP dated October 29, 2018 regulates multimodal transport, etc.

- Fourthly: Circulars: These are legal documents issued by the Minister or heads of ministerial-level agencies, with a lower legal status than laws, decrees, and decisions. Some circulars related to logistics activities include:

- Circular No. 20/2022/TT-BCT dated July 14, 2022, by the Ministry of Industry and Trade, regulating the management of cross-border logistics activities.

Furthermore, there are other sub-law documents related to logistics activities, such as:

- Government decisions, prime ministerial decisions across different periods.
- Regulations from various ministries, sectors, and localities, including technical standards and regulations,..

Additionally, as a member of Free Trade Agreements and international organizations, Vietnam's logistics policy must comply with traditional FTAs and those of the WTO while being enhanced and supplemented by new-generation FTAs.

In conclusion, the legal framework within the logistics sector is pivotal in fostering an enabling legal framework to propel the progress of the logistics industry. Legal documents related to logistics activities need to be consistently issued, harmonized, and aligned with the reality and development trends of the logistics industry both domestically and internationally.

2. General Overview of Legal Documents in Logistics at National and Local Levels

The legal document system in the field of logistics in Vietnam has been constructed and refined over the years, comprising legal documents from central and local government agencies.

Legal documents at the central level governing logistics include:

- The 2005 Commercial Law (amended and supplemented in 2019): This law regulates commercial activities, including provisions related to logistics services.
- The 2020 Investment Law: This law governs investment activities, including provisions regarding investment in the logistics sector.
- The 2015 Maritime Law: This law regulates maritime activities, including provisions related to logistics services.
- The 2014 Civil Aviation Law of Vietnam: This law regulates civil aviation activities, including provisions related to logistics services.
- The 2008 Road Traffic Law: This law regulates road traffic activities, including provisions related to logistics services.
- The 2017 Railway Traffic Law: This law regulates railway traffic activities, including provisions related to logistics services.

- The 2001 Inland Waterway Traffic Law: This law regulates inland waterway traffic activities, including provisions related to logistics services.
- The 2014 Customs Law: This law regulates customs activities, including provisions related to customs procedures for logistics goods.
- National sectoral planning, including: plans for road network development; railway network development; overall development plans for seaport systems; overall development plans for airport systems; inland waterway infrastructure development plans;
- Planning for the development of logistics centers nationwide; development plans for supermarket networks, commercial centers, etc.
- Regional development plans for different periods
These regulations aim to ensure that logistics activities within the province comply with legal provisions.
- Plans for the development of logistics services for various periods and plans for socio-economic development for various periods.
- Decision No. 708/QĐ-BCT issued on March 26, 2019, endorsing the strategy to enhance Vietnam's Logistics Efficiency Index with specific tasks in localities to meet the requirements of international economic integration.

3. The legal policy document system in the logistics service sector

According to Article 3 of Decree No. 163/2017/ND-CP regulating the field of logistics services sector, delineates 17 types of logistics services as follows:

First: Primary logistics services include:

- (i) Cleaning services, excluding those provided at airports.
- (ii) Storage yard services within the defined parameters.
- (iii) Yard services encompassing ancillary services for all modes of loading.
- (iv) Goods receiving services.
- (v) Goods delivery services.
- (vi) Agency services (including customs declaration services).

Second: Related logistics services include transportation services, including:

- i) Maritime loading service.
- ii) Inland waterway loading services.
- iii) Railway transport services.
- iv) Road loading service.
- v) Air cargo services.
- vi) Multimodal loading services.

Third: Other related logistics services include:

- (i) Technical analysis and testing services.
- (ii) Download additional supporting applications.
- (iii) Other services offered by the company.

(iv) Additional services encompass activities such as environmental cargo services, cargo monitoring, and document preparation services...

(v) Wholesale and retail support services comprise warehouse management, collection, consolidation, goods classification, and delivery.

To engage in the logistics service sector, besides complying with general regulations in the Commercial Law, regulating logistics service business but also with specialized legal regulations in each specific area. Particularly, in the field of transportation, businesses must adhere to legal documents, including:

For Intermodal Transport Services

According to Decree No. 144/2018/ND-CP, titled "Amending and supplementing decrees on multimodal transport," the decree was issued to amend and supplement certain provisions, specifically:"

Expanding the scope of regulation to include domestic multimodal transport.

Removing the requirement for a business entity engaged in multimodal transport to specify this in the enterprise registration certificate and investment registration certificate.

Eliminating the requirement for foreign economic organizations with a capital contribution of 51% or more in multimodal transport businesses to obtain approval from the Ministry of Transport.

Decree No. 144/2018/ND-CP marks a significant step in improving legal policies on multimodal transport in Vietnam. The new provisions in this decree contribute to creating favorable conditions for the development of multimodal transport in Vietnam while protecting the rights of participants in multimodal transport activities.

For Maritime Cargo Transport Services:

To enhance logistics services by sea, The Vietnamese Government has issued several legal policies, including:

(i) Vietnam Maritime Code 2015: Regulating maritime transport activities, including cargo transport, passenger transport, and tourist transport by sea.

(ii) With No. 160/2016/ND-CP: Regulating conditions for maritime transport business, business of ship agency services, and towage services.

(iii) Decision No. 1579/QĐ-TTg: Approving the overall development plan of Vietnam's seaport system for the period 2021 - 2030, with a vision to 2050.

These legal documents specify the fundamental aspects of logistics services by sea, including: Business conditions for sea logistics services, including conditions related to capital, equipment, human resources, transportation vehicles, and warehouses. Types of sea logistics services, including transport, warehousing, delivery, and multimodal transport. Responsibilities of enterprises providing sea logistics services, including responsibilities for goods and responsibilities to customers. State management of sea logistics services, including licensing, inspection, supervision, and penalties for violations,...

These legal policies contribute to establishing a conducive legal environment for the advancement of maritime logistics services in Vietnam. Specifically, these policies have: Established a legal framework for the business of maritime logistics services. Supported enterprises engaged in maritime logistics services in their development. Improved the quality of maritime logistics services. With these policies, the maritime logistics services in Vietnam are gradually developing, making a significant contribution to the country's socio-economic development.

Key highlights of logistics policies in the maritime sector: Emphasis on the role of the state in developing maritime logistics services. Creation of favorable conditions for enterprises engaged in maritime logistics services to develop. Improvement of the quality of maritime logistics services.

For Inland Waterway Transport Services:

The legal policy system for inland waterway transport in Vietnam is constructed based on the Inland Waterway Traffic Law 2004 and its 2014 amendment.

This system includes the following legal documents: Inland Waterway Traffic Law 2004: This law regulates inland waterway traffic activities, covering provisions on conditions, procedures, vehicles, exploitation, safety, environmental protection, etc. Inland Waterway Traffic Law Amendment 2014: Amending and

supplementing certain provisions of the Inland Waterway Traffic Law 2004, including conditions for inland waterway transport business. With No. 110/2014/ND-CP: Specifies: regulations governing inland waterway transport operations, including detailed regulations on conditions such as capital, vehicles, and personnel,...

Circular No. 66/2014/TT-BGTVT: Governs passenger and cargo transport by high-speed ships between ports, terminals, and water areas within Vietnam's inland waterways and across borders.

This relatively comprehensive and cohesive system is built upon the Inland Waterway Traffic Law 2004 and its 2014 amendment. These laws provide comprehensive regulations on inland waterway transport activities, covering conditions, procedures, vehicles, exploitation, safety, environmental protection, etc.

Additionally, With No. 110/2014/ND-CP provides specific details on conditions for inland waterway transport business, facilitating enterprises in understanding and complying with legal requirements

For Air Transport Services

The Civil Aviation Law of Vietnam establishes fundamental and crucial regulations regarding civil aviation activities, including air transport services. This law primarily focuses on basic aspects of air transport services, including (i) Conditions for Air Transport Business: Encompasses regulations on capital, equipment, personnel, and transportation means; (ii) Types of Air Transport Services: Includes both cargo and passenger transport; (iii) Responsibilities of Air Transport Businesses: Covers responsibilities regarding cargo and customers; (iv) State Management of Air Transport Services: Involves licensing, inspection, supervision, and penalties for violations. Decree No. 162/2018/ND-CP provides detailed guidance on implementing certain provisions of the Civil Aviation Law related to air transport business. Moreover, Circular No. 55/2023/TT-BGTVT stipulates rules and guidance on air transport.

These legal documents play a crucial role in building a favorable legal environment, ensuring transparency, fairness, and effectiveness in the field of air transport in Vietnam. They not only shape and support the development of the aviation transport service sector but also create conditions for effective management and control, ensuring safety and security.

For Railway Transport Services

Railway services are vital for promoting the economic and social development of the country. Policies related to railway services are stipulated in the Railway Law 2017 and Decree No. 65/2018/ND-CP, which details the implementation of certain provisions of the Railway Law. Railway services offer advantages such as the ability to transport large quantities, low transportation costs, and resilience to weather conditions. With encouraging investment development policies, business support, and favorable conditions for transportation activities, as well as efforts to enhance service quality, railway services are expected to continue developing. On December 27, 2021, with No. 1769/QĐ-TTg, the Railway Network Development Plan for the 2021-2030 period, with a vision extending to 2050, was endorsed, is of great significance in developing Vietnam's railway system. The plan aims to develop a modern, integrated, and continuous railway network to meet the demand for passenger and cargo transport, connecting key economic regions, economic centers, major urban areas, seaports, international border gates, economic zones, industrial zones, and key tourist destinations.

With these policies, Vietnam's railway services are gradually developing, providing favorable conditions for the development of railway logistics services, contributing significantly to reducing logistics costs and enhancing the competitiveness of Vietnam's economy.

For Road Transport Services

Road transport services are one of the crucial service sectors contributing to the socio-economic development of the country. Legal policies governing road transport services are specified in the following legal documents:

Road Traffic Law 2008: Regulates road traffic activities, including road transport. This law covers various aspects such as types of road transport, conditions for road transport business, rights and obligations of entities participating in road transport activities, and regulations on road traffic safety.

Decision No. 1454/QĐ-TTg approves the Road Network Planning for the period 2021-2030, with a vision to 2050. The general objective by 2030 is to gradually develop a synchronized road transportation network, with some modern, high-quality infrastructure projects, balancing the imperatives of socio-economic progress with the imperatives of national defense and security. This aims to enhance the competitive capacity of the economy, mitigate and progressively reduce traffic accidents, and limit environmental pollution. It also seeks to establish a rational transportation system among different modes of transport, contributing to making Vietnam fundamentally a developing country with modern industry and high average income by 2030.

Decree No. 10/2020/ND-CP: Specifies business and business conditions for road transport by automobile. It details conditions for road transport business, including vehicle conditions, driver conditions, conditions for on-board service personnel, conditions for road transport business entities, and conditions for transport contracts.

Circular No. 12/2020/TT-BGTVT: It provides general regulations on road transport, regulations on passenger transport by automobile, regulations on cargo transport by automobile, and regulations on road transport support services.

The legal documents mentioned above comprehensively and thoroughly define legal policies for road transport services. These legal policies aim to create favorable conditions for efficient road transport business operations, contributing to the socio-economic development of the country.

4. Towards Green Logistics as Vietnam Implements Free Trade Agreements and International Conventions

During the 26th (COP 26) and 27th (COP 27), Vietnam pledged to enhance energy efficiency, reduce emissions, and adopt sustainable initiatives. Consequently, "Green Logistics" is expected to emerge as a crucial trend and an essential requirement, facilitating the transition to green energy and fostering the development of an environmentally-friendly logistics sector. It also presents an opportunity to leverage Free Trade Agreements (FTA), especially new-generation FTAs, to support market expansion and boost exports.

As of November 2023, Vietnam has signed and implemented 17 FTAs, with 11 of them having commitments related to the logistics sector. These FTAs positively impact the development of Vietnam's logistics sector in various aspects:

First: Enhanced Trade Connectivity: FTAs contribute to expanding Vietnam's export and import markets, leading to increased demand for transportation services. This, in turn, stimulates the development of the logistics industry.

Second: Integration with International Standards: To participate in the international market, Vietnamese logistics enterprises must meet international standards. This contributes to improving the quality of Vietnam's logistics services and aligning them with global standards.

Thirdly: Facilitation for Businesses: FTAs commit to reducing administrative procedures, facilitating businesses in the process of transporting goods across borders. This helps reduce logistics costs and improve the efficiency of business operations.

Specific impacts of some FTAs on Vietnam's logistics sector include:

EU-Vietnam Free Trade Agreement (EVFTA): EVFTA commits to eliminating 99.2% of tariff lines immediately upon its effective date, 99.7% by 2026, and 100% by 2027. This creates opportunities for Vietnamese enterprises to export goods to the EU at lower costs, thereby stimulating the demand for logistics services.

Regional Comprehensive Economic Partnership (RCEP): RCEP commits to removing 92% of tariff lines immediately upon its effective date, 99.2% by 2025, and 100% by 2030. This creates opportunities for Vietnamese enterprises to export goods to RCEP member markets, contributing to the increased demand for logistics services.

To maximize the opportunities from FTAs, ongoing efforts are needed to refine the legal framework for the development of logistics, especially regulations on standards, norms, and administrative procedures. The government and relevant authorities have issued key legal documents to guide the establishment of an eco-friendly, resilient logistics infrastructure. With No. 876/QĐ-TTg sanctioned the Green Energy Transition Initiative and emission reduction in the transportation sector, in 2050, the target is to reduce greenhouse gas emissions to net-zero. This project emphasized the use of green energy sources. This project emphasized the transition to green energy sources across various transportation modes, including roads, railways, inland waterways, maritime, and aviation.

In the context of an increasingly globalized business environment, adapting to international commitments and building an environmentally-friendly logistics system is not just a requirement but also an opportunity for Vietnam to thrive in the competitive international market. This places a significant responsibility on government agencies, logistics businesses, and related organizations to work together towards sustainable and future-oriented development.

III. EVALUATION OF THE LEGAL DOCUMENTATION SYSTEM RELATED TO LOGISTICS ACTIVITIES IN LIGHT OF VIETNAM'S INTEGRATION INTO THE GLOBAL ECONOMY

Recently, significant strides have been made in finalizing the framework of policy documents and Government oversight functions regarding logistics operations amid the backdrop of global economic integration. On December 1, 2022, the Prime Minister assigned the Ministry of Industry and Trade as the state management agency for logistics activities through Decree No. 96/2022/NĐ-CP dated November 29, 2022, which stipulates the functions, tasks, powers, and organizational structure of the Ministry of Industry and Trade.

Per the decree, the Ministry of Industry and Trade is charged with overseeing a diverse spectrum of responsibilities, including inland commerce, international trade, cross-border transactions, and supply chain management but also participates in international economic integration. These state management functions are relevant to logistics services, considering Vietnam's deepening integration into the world economy, especially in the context of new-generation free trade agreements and global supply chains, facing various challenges. According to the provisions at Points a and b, Clause 16, Article 2 of the Decree, the Ministry of Industry and Trade is tasked with leading and coordinating with other ministries, sectors, and localities to develop and organize the implementation of policies and legislation related to logistics services.

This is the result and a necessary requirement for practical activities in the logistics industry in recent times. The perseverance and proposals aim to establish a unified state management agency on logistics within the Ministry of Industry and Trade, ensuring close coordination with businesses and related industry associations. With Decree 96, businesses trust that Vietnam's logistics service sector will undergo new developments under the management and guidance of the Ministry of Industry and Trade.

However, in practice, the policy system still has some shortcomings, namely:

First: Lack of Uniformity in Legal Documents: The current legal documents on logistics are issued by various authorities, leading to inconsistencies and lack of coherence. This situation complicates administrative procedures, access to capital, and investment in development for businesses.

Second: Incompatibility of Some Legal Documents with Reality: Some existing logistics legal documents do not align with the practical needs and development of the logistics industry. For example, Decree 140/2007/NĐ-CP on logistics service business, issued in 2007, has not been amended or supplemented to adapt to the industry's actual development over nearly 15 years.

Thirdly: Inadequate Promotion and Dissemination of Logistics Legislation: There is insufficient attention to the promotion and dissemination of logistics legislation, leading to some businesses lacking a full understanding of the legal provisions related to logistics. This complicates logistics activities.

Fourth: Timely Issuance of Logistics Policy Documents Requiring Adjustment: While timely issuance of policy documents: efforts to streamline the implementation of vital strategies and solutions for enhancing the competitiveness and expansion of Vietnam's logistics services signify a significant leap forward in fostering the growth of the Vietnamese logistics industry. Notable points of these documents include:

- The content of the documents is based on the practical experience and development needs of Vietnam's logistics industry.
- The objectives, tasks, and solutions outlined in the documents are feasible and achievable.
- There is close coordination among ministries, sectors, and localities in the documents, creating favorable conditions for implementation.

Fifth: The development of sustainable legal frameworks should be prioritized, with a focus on areas such as the maritime economy and policies for the seaport system in Vietnam. Sustainable development of the maritime economy is the aspiration, dream, and goal of Vietnam's socio-economic development policies, aligning with the global trend towards sustainable blue economy development. This is reflected in documents such as the Maritime Strategy (2007-2020) and the Sustainable Development Strategy for the Maritime Economy (1993-2022). Continues the goal of making Vietnam a strong and prosperous maritime nation, emphasizing "sustainable development of the maritime economy based on green growth"

The sea port system is integral to maritime infrastructure and plays a crucial role in developing the logistics system in Vietnam. However, the current system in Vietnam has limitations, including a large number of small ports, insufficient deep-water ports, limited loading and unloading capacity, scattered investments, and a lack of focus. Some major foreign shipping lines have stopped calling at Vietnamese ports due to inadequate cargo volume and port quality.

Experiences in developing policy systems to boost activities at sea ports should focus on the following:

- Comprehensive Mechanisms and Policies: Issuing a complete and coherent system of mechanisms and policies to encourage investment in developing strong-branded products in the maritime economy.
- Integrated Planning and Management: Emphasizing comprehensive planning and unified management for the development of coastal areas, coastal belts, and islands.
- Review and Comprehensive Planning: Conducting a thorough and reasonable review and planning of national sea ports, including concentrating on building deep-water ports in the North, Central, and South regions.
- Research and Selection of Free Economic Zones by the Sea: Studying the establishment of free economic zones along the coast.
- Building a Sustainable Port Model: Developing a sustainable port model, integrating ports with railway systems, logistics centers, and road transport networks for the efficient transportation of goods to customers.

Sixth: Adaptation to International Commitments: The Free Trade Agreements (FTAs) signed by Vietnam have positively impacted the logistics sector, enhancing trade connectivity. These FTAs have expanded Vietnam's export and import markets, resulting in increased demand for logistics services. They have also compelled adherence to international logistics standards, improving the quality of Vietnam's logistics services and bringing

them closer to international standards. FTAs have facilitated business operations by reducing administrative procedures, lowering logistics costs, and improving business efficiency:

FTAs have committed to reducing administrative procedures, facilitating businesses in the process of transporting goods across borders. This helps reduce logistics costs and improve the efficiency of business operations. To maximize the opportunities from FTAs, it is necessary to continue refining legal policies for the development of logistics, especially regulations regarding standards, norms, and administrative procedures. Additionally, efforts should be made to strengthen the training of logistics personnel, develop information technology in logistics, and enhance the competitive capacity of Vietnamese logistics enterprises.

However, the effectiveness of law enforcement in comparison with the commitments of some FTAs is still inconsistent. For instance, when comparing Vietnamese Customs laws with those of other countries, there is a basic level of compatibility. Nevertheless, in practice, only about 28% of the time required for customs clearance for imports and exports by the General Department of Customs is within its control; the remaining 78% depends on the processing of procedures by relevant specialized management agencies. These checks are associated with various ministries, creating a lack of consistency in inheriting and validating each other's inspection results to maximize support for businesses, resulting in increased administrative costs.

IV. SOLUTIONS TO IMPROVE LEGAL POLICIES RELATED TO LOGISTICS ACTIVITIES IN THE CONTEXT OF INTERNATIONAL ECONOMIC INTEGRATION IN VIETNAM

To enhance legal policies concerning the logistics sector, attention should be focused on several key points:

Firstly: Centralized and Local Legal Mechanism Improvement. It is essential to refine legal policies at both central and local levels. This includes ensuring the coherence, unity, specificity, and detail of the legal framework for logistics to tightly meet the industry's practical requirements. Specific actions involve amending and supplementing regulations to create a flexible legal system aligned with the industry's development dynamics.

Secondly: Review and Enhance International Commitment-Related Legal Policies. The current legal framework for logistics lacks consistency and detailed regulations for each type of service, especially for warehouse services, distribution, and cross-border logistics. Furthermore, reviewing the effectiveness of support policies for logistics development is crucial to ensure they genuinely meet the needs of businesses. Equally important is strengthening training and supporting businesses in accessing advanced technology and creating favorable conditions for their participation in international cooperation activities. This is essential for bolstering the capabilities of logistics enterprises, enabling them to fulfill the escalating demands of the market and international obligations.

The legal policies related to logistics in Vietnam are currently receiving significant attention and efforts from state management agencies, logistics enterprises, and relevant organizations. Based on the analysis of the aforementioned existing limitations and challenges, the author proposes specific recommendations as follows:

For State Management Agencies: The government and relevant ministries, including the Ministry of Industry and Trade and the Ministry of Justice, play a crucial role in leading and coordinating with relevant ministries to research, amend, and supplement legal documents regarding logistics. The goal is to ensure uniformity, unity, specificity, and detail to meet practical requirements fully. The Ministry of Finance is responsible for researching, reviewing, and adjusting tax policies, fees, and surcharges related to logistics to harmonize with international commitments. Proposing supportive solutions for logistics development with a focus on creating favorable policy mechanisms for logistics businesses to access capital is also within the Ministry

of Finance's responsibilities. Attention should be given to international commitments at the WTO, ASEAN, and FTAs, with recommended measures to ensure compatibility. Additionally, policies to attract domestic and foreign investment and encourage economic components to invest in logistics services and infrastructure development need to be promulgated.

For Logistics Enterprises: Enhancing competitiveness in terms of knowledge and capacity is a critical goal. This includes strengthening training and fostering human resources, applying advanced science and technology, and improving enterprise management efficiency.

For Relevant Organizations, Especially the Vietnam Logistics Business Association: Collaboration with state management agencies and logistics enterprises to implement solutions to improve legal policies on logistics is crucial. This is a long-term process requiring joint efforts from all parties involved. It is hoped that with the proposed solutions, legal policies on logistics in Vietnam will continue to improve, contributing to the development of the sector and enhancing the competitive capacity of the Vietnamese economy.

CONCLUSION

The study on "Improving Legal Frameworks within the Logistics Sector Amidst Global Economic Integration" offers a thorough and detailed analysis of both the current status and future trajectory of Vietnam's logistics industry. Shaped by increasing global competition and economic integration, the industry faces both opportunities and challenges. Despite its significant potential due to a strategic geographical location and labor cost advantages, Vietnam's logistics sector still grapples with challenges arising from high costs and underdeveloped transportation infrastructure. The article emphasizes the importance of developing "green logistics" and integrating into the global trade system through Free Trade Agreements (FTAs).

To maximize these opportunities, there is a need for improvement in the legal policy framework, ensuring that they are cohesive, reflective of reality, and supportive of the industry's development. This not only improves operational efficiency but also plays a crucial role in shaping the sustained advancement of Vietnam's logistics industry amidst the evolving global economic integration landscape.

References

- [1] N. V. Hội. "Logistics Development Solutions for Vietnam by 2030." Journal of Industrial and Commercial Research. <https://vioit.vn/giai-phap-phat-trien-logistics-cua-viet-nam-den-nam-2030.html> (accessed).
- [2] B. C. Thương, "Logistics Report Vietnam 2022," 2022.
- [3] Đ. T. Cẩm. "Entities Engaging in Logistics Services under the Current Legal Framework in Vietnam." Journal of Industry and Trade. <https://tapchicongthuong.com.vn/bai-viet/chu-the-kinh-doanh-dich-vu-logistics-theo-phap-luat-viet-nam-hien-nay-62269.htm> (accessed).
- [4] T. Linh. "Creating Conditions for the Development of the Logistics Industry in Vietnam." Ministry of Planning and Investment. https://www.mpi.gov.vn/portal/Pages/2023-10-6/Tao-dieu-kien-cho-nganh-logistics-Viet-Nam-phat-trzutt64.aspx?gidzl=Oi0x89_KDmlfsJicdCeo0MpOFlo7pJ09STeuBDV9FGnmYJSiXvuvNNhPOYo8osi8AzbAZN58pqKbTGr30 (accessed).
- [5] Trần.T.M.Nguyệt. "Challenges Faced by Businesses Regarding Logistics Costs and Constraints in Current Legal Regulations." Ministry of Justice. <https://moj.gov.vn/qt/cacchuyenmuc/pldn/Pages/pho-bien-pl-doanh-nghiep.aspx?ItemID=47> (accessed).
- [6] "Improving Policies and Laws on Logistics Services." Ministry of Justice. <https://moj.gov.vn/qt/tintuc/Pages/thong-tin-khac.aspx?ItemID=2766> (accessed).
- [7] T. T. T. TRANG. "Vietnam's Legal Framework on Logistics Services in E-commerce Activities." Legislative Research Institute. <http://lapphap.vn/Pages/tintuc/tinchitiet.aspx?tintucid=207414> (accessed).

- [8] (2021). Decision 221/Qd-Ttg 2021 Amending Decision 200/Qd-Ttg On Logistics Service Development.
- [9] (2019). Decision 708/Qd-Bct 2019 Approving The Plan To Improve Vietnam's Logistics Efficiency Index.
- [10] (2019). Free Trade Agreement Between The Socialist Republic Of Vietnam And The European Union (EVFTA).