



## SOME SOLUTIONS TO IMPROVE THE EFFICIENCY OF STATE MANAGEMENT REGARDING CIVIL RECORD OF THE PEOPLE'S COMMITTEE OF NHA BE DISTRICT, HO CHI MINH CITY

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### Abstract

State management of Civil Record is a field that affects all people, is volatile and complex, associated with the personal status of each person during the process from birth to death by recording civil status events such as birth, marriage, divorce, guardianship, civil status change and correction, etc. Through this activity, it will create a legal basis for the State to recognize and protect human rights, the rights and obligations of citizens and at the same time create a basis for the State to fully grasp the changing situation, basic personal information of the people in order to propose measures to manage the population in a scientific manner appropriate to the characteristics of the population in each area, each period. The article introduces the current of State management of civil record and proposes some solutions to improve the efficiency of State management at the People's Committee of Nha Be District, Ho Chi Minh City



## MỘT SỐ GIẢI PHÁP NÂNG CAO HIỆU QUẢ QUẢN LÝ NHÀ NƯỚC VỀ HỘ TỊCH CỦA ỦY BAN NHÂN DÂN HUYỆN NHÀ BÈ, THÀNH PHỐ HỒ CHÍ MINH

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### Thông tin bài viết

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### Từ khóa

Nâng cao; quản lý nhà nước, hộ tịch,  
Ủy ban nhân dân, huyện Nhà Bè.

### Tóm tắt

Quản lý nhà nước về hộ tịch là lĩnh vực có tác động đến mọi người dân, biến động và phức tạp, gắn liền với tình trạng nhân thân của mỗi người trong suốt quá trình từ khi sinh ra đến khi chết đi bằng việc ghi nhận các sự kiện hộ tịch như khai sinh, kết hôn, ly hôn, giám hộ, thay đổi, cải chính hộ tịch,... Thông qua hoạt động này sẽ tạo cơ sở pháp lý để Nhà nước công nhận và bảo hộ quyền con người, quyền và nghĩa vụ của công dân, đồng thời tạo cơ sở giúp Nhà nước nắm bắt đầy đủ tình hình biến động, các thông tin nhân thân cơ bản của người dân để đề ra các biện pháp quản lý dân cư một cách khoa học phù hợp với đặc điểm dân cư ở từng địa bàn, từng giai đoạn. Bài viết giới thiệu thực trạng quản lý nhà nước về hộ tịch và đề xuất một số giải pháp nhằm nâng cao hiệu quả quản lý nhà nước tại Ủy ban nhân dân huyện Nhà Bè, TP. Hồ Chí Minh.

### 1. Introduction

The 13th National Congress of the Party determined: “Focus on building a state administration that serves the people, is democratic, ruled by law, professional, modern, pure, strong, and secures the publicity, transparency, unified management, smoothness, effectiveness and efficiency. Continue to implement the overall program of administrative reform and modernization of the national administration... Build a professional, modern, fair, strict, and honest Vietnamese judiciary that serves the Fatherland and the People”<sup>1</sup>.

Recognizing the importance of state management of civil status, the Party and the State have issued many

guidelines, policies and laws on civil status to gradually improve and create a solid legal basis for this activity to enhance the effectiveness and efficiency of state management and the quality of public services in the field of judicial administration, promote administrative reform, build and perfect the legal system to meet the requirements of building and perfecting the socialist rule of law state. From the time Civil Status Law 2014 was issued and took effect from January 1, 2016, along with related detailed implementation guidance documents, many new regulations, new decentralization, and new procedures have been made a new face for the work of civil status registration and management in our country; This is a unified and synchronous legal

basis, an important basis for building a professional and modern system of civil status registration and management; People's civil status events are registered fully, promptly, honestly, objectively and accurately; increasingly ensuring the rights and obligations of citizens, contributing to improving the efficiency of state management and social management.

## **2. Research history**

**Background Research and Data Collection:** Researchers begin by conducting extensive background research on the current state of household registration management in Nha Be District. This involves collecting data on existing procedures, challenges, and the legal framework governing household registration.

**Analysis of Existing Issues:** Researchers analyze the collected data to identify key issues and challenges in the state management of household registration. This includes examining factors contributing to inefficiencies, such as bureaucratic hurdles, outdated systems, or lack of resources.

**Stakeholder Consultation:** Researchers engage with stakeholders involved in the household registration process, including local authorities, residents, and relevant government agencies. Through interviews, surveys, or focus groups, they gather insights and perspectives to better understand the complexities of the issue.

**Identification of Solutions:** Based on the analysis and stakeholder input, researchers identify potential solutions to enhance the effectiveness of state management on household registration. This may involve proposing policy reforms, technological upgrades, capacity building initiatives, or community outreach programs.

**Pilot Implementation:** Selected solutions are piloted in collaboration with the People's Committee of Nha Be District. This phase allows researchers to test the feasibility and effectiveness of proposed interventions in a controlled environment.

**Monitoring and Evaluation:** Throughout the pilot implementation, researchers closely monitor the progress and outcomes of the initiatives. They collect quantitative and qualitative data to assess the impact of the interventions on streamlining household registration processes and improving service delivery.

**Refinement and Scaling Up:** Based on the findings from the pilot phase, researchers refine the proposed solutions and develop recommendations for scaling up successful interventions across Nha Be District. This may involve fine-tuning policies, expanding infrastructure, or replicating best practices in other administrative units.

**Documentation and Dissemination:** The research findings, including successful strategies and lessons learned, are documented in a comprehensive report. Researchers disseminate the report to relevant stakeholders, including government agencies, policymakers, and academic institutions, to inform future decision-making and research efforts.

**Continuous Monitoring and Adaptation:** Even after the completion of the research project, ongoing monitoring and evaluation are crucial to ensure the sustainability of improvements in household registration management. Researchers collaborate with local authorities to address emerging challenges and refine strategies as needed.

By following this research timeline, the People's Committee of Nha Be District can systematically address existing inefficiencies and enhance the effectiveness of state management on household registration, ultimately improving service delivery and governance in the locality.

## **3. Method**

**Baseline Research and Data Collection:** Researchers begin with extensive background research on the current state of household registration management in Nha Be District. This involves gathering information on current procedures, challenges, and the legal framework governing household registration.

**Analysis of Current Issues:** Based on the collected data, researchers analyze to identify key issues and challenges in state management of household registration. This includes examining factors contributing to inefficiencies such as bureaucratic hurdles, outdated systems, or lack of resources.

**Stakeholder Consultation:** Researchers engage with stakeholders involved in the household registration process, including local authorities, residents, and relevant government agencies. Through interviews, surveys, or focus groups, they gather insights and

perspectives to better understand the complexities of the issue.

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By adhering to this research methodology, the People's Committee of Nha Be District can systematically address existing inefficiencies and enhance the effectiveness of state management on

household registration, ultimately improving service delivery and governance in the locality.

#### **4. Current status of state management of civil status of the People's Committee of Nha Be district, Ho Chi Minh City recently**

As a district of Ho Chi Minh City, in recent years, state management activities on civil status of the People's Committee of Nha Be district have achieved important and specific results:

*Firstly, the promulgation and organization of implementation of state management documents on civil status*

Based on the state management document system of the central and city levels, from 2016 to 2020, the People's Committee of Nha Be District and District Division of Justice have concretized the regulations of superiors by issuing more than 53 management documents, 217 guiding documents consistent with practice, creating favorable conditions in all aspects so that the work of civil status registration and management in the area is increasingly in order. Every year, the District People's Committee issues a central plan for judicial work to consolidate and enhance the role and responsibility of the judicial sector from districts to communes and towns in state management work in the district; Focus on effectively performing the tasks of civil status management in particular and judicial work in general, effectively implementing the tasks of socio-economic development of the district.

However, the effectiveness of implementing legal documents in practice is not high, the promulgation of state management documents on civil status in localities is still limited in quantity and quality, and the content is still general, mainly based on documents from superiors and not yet specifically linked to local conditions and characteristics.

*Secondly, organization of propaganda, dissemination and education of civil status laws*

Propaganda, dissemination and legal education on civil status are carried out by district authorities with a variety of propaganda methods. The Coordinating Council for dissemination and education of district law is regularly strengthened, perfected and improved in operational efficiency. Currently, the District Council has 24 members and a team of district-level legal reporters of 33 people, with a strong political

ideological stance, good ethics, knowledge about the law, and meeting regulatory standards, introduced by the agency or organization. Based on statistics from reports of Nha Be District Division of Justice, from 2016 to 2021, the District People's Committee and the People's Committee of 07 communes and towns have carried out about 1,148 legal propaganda, dissemination and education campaigns with nearly 168,397 attendees; 1,294 radio broadcasts; 2,386 news articles about law in the mass media; 17,563 legal propaganda documents; Built, managed and exploited 25 bookcases, each with an average of more than 250 books.

However, in reality, the work of propaganda, dissemination, and legal education has not met the set requirements: Propaganda forms are still monotonous, bureaucratized, not high quality, lack of vividness, and are formalistic, repeated content; just stop at thoroughly understanding, copying, and sending documents using traditional boring methods; Propaganda on the mass media according to each topic for a short time, mainly conveying the main contents; The efficiency of exploiting and using legal bookcases is still low; Updating legal documents on the district's electronic information portal is still slow; People's access to information technology is still limited; Legal propaganda reporters have not created attraction... therefore, they have not attracted people's interest in learning about the law and the number of people participating in studying and thoroughly grasping legal regulations is still limited.

*Thirdly, organization of the state management apparatus for civil status*

The People's Committee of Nha Be District implements the state management of civil status in the locality and registers civil status matters under the authority of the district People's Committee according to the provisions of the Law on Civil Status 2014 . Currently, the People's Committee of Nha Be District has 01 Chairman, 02 Vice Chairmen and 13 members of the People's Committee. The Chairman of the District People's Committee assigns 01 Vice Chairman to help the Chairman directly direct the administrative and judicial management work in the district and monitor and be in charge of the activities of the District Division of Justice. The District Division of Justice is responsible for advising the District People's Committee and the Chairman of the District People's Committee to

perform tasks and powers in the state management of civil status in the locality according to regulations. The current organizational structure includes: 01 Head of Division, 02 Deputy Heads of Division, 06 specialized civil servants to assist; including 02 civil servants assigned to do civil status work; At the same time, the authority to handle some civil status work of the District People's Committee is assigned to the People's Committee of communes and towns to help agencies monitor each other's activities through the process of handling work; overcome the situation where civil status management work will not focus on one or two focal points, causing a large and overloaded workload, easily leading to slow work settlement and many errors.

However, in the process of coordination, there are some problems and difficulties both institutionally and cognitively during the implementation process. In many cases, the birth certificates have been registered according to the correct procedures, order and authority, but the public security still requires other documents to serve as a basis for renewing identity cards and citizen identity cards. The Court's decisions on resolving divorce cases do not have information about the marriage certificate number, so it is difficult to make notes in the record book, etc. Mechanism and coordination between local authorities with superior agencies sometimes lacks rigor and coordination, causing difficulties in synchronously implementing management solutions in the district. The government's operational efficiency has not met the development requirements, management capacity, administration, and organization of tasks and civil status management solutions, mainly following the instructions of the superiors, have not proactively built breakthrough, proactive, and creative solutions in civil status registration and management locally. There are still many limitations in the capacity of grassroots officials. When complex cases arise, job requirements cannot be met.

*Fourthly, organization of civil status registration according to authority*

- Organizing birth registration: From 2016 up to now, the district has registered birth registration for 8,190 cases (including 7,214 cases of timely new registration, 976 cases of delayed registration); re-registered 585 cases. Under the authority of the District People's Committee, birth registration has been registered for 160 cases divided by nationality of

the father and mother (of which: 125 cases of children whose father or mother is a foreigner while the other is a Vietnamese citizen and 35 cases where the child has both parents who are foreigners).

- Organizing death registration: From 2016 up to now, the district has registered death registration for 2,823 cases (of which: 2,432 cases of timely new registration, 391 cases of delayed registration); re-registered 102 cases. Under the authority of the District People's Committee, 31 cases have been registered for death (of which: 18 cases are foreigners and 13 cases are Vietnamese citizens residing abroad).

- Organizing marriage registration: From 2016 to present, the district has registered marriages for 4,443 couples (of which: 3,842 couples registered for first marriage; average first marriage age for men is 32.19 years old and for women is 29.50 years old); re-registered 154 couples. Under the authority of the District People's Committee, 207 couples have been registered for marriage (of which: 116 couples of Vietnamese citizen residing in the country and foreigner, 77 couples of Vietnamese citizen residing in the country and Vietnamese citizen residing abroad, 04 couples of Vietnamese citizens residing abroad together and 10 couples of foreigner with foreigner).

- Organizing registration to recognize fathers, mothers, and children: From 2016 to present, the district has registered 70 cases. Under the authority of the District People's Committee, 33 cases have registered to recognize parents and children.

- Organizing guardianship registration: From 2016 to present, there have been 19 cases of guardianship registration at the People's Committees of communes and towns; There is no case of guardianship registration at the District People's Committee.

- Organizing the registration of changes, corrections, supplements of civil status, and re-determination of ethnicity: From 2016 to present, the district has registered changes, corrections, and supplements of civil status for 670 cases. Under the jurisdiction of the District People's Committee, only 404 cases of civil status correction were resolved, there were no cases of registering changes and supplements to civil status information.

- Record in the civil status book that the civil status of Vietnamese citizens has been resolved at a competent

foreign agency. Accordingly, the People's Committee of Nha Be District has organized the recording in the civil status book of Vietnamese citizens for 19 divorce cases that have been resolved at foreign competent authorities from 2016 to present. The Commune People's Committee has resolved 66 cases of recording other civil status changes (of which: 06 cases of child adoption, 52 cases of divorce/annulment of marriage, 08 cases of other civil status changes).

In general, the work of civil status registration is gradually being put into order by the District People's Committee and the People's Committees of communes and towns in the district; Individual civil status events are fully, promptly and accurately registered; Resolve with proper authority, order and procedures according to law; ensure the legitimate rights and interests of citizens. In addition, thanks to the drastic direction of the District Party Committee - District People's Council and District People's Committee to effectively implement solutions to improve administrative procedures, create favorable conditions, and meet actual needs for organizations and citizens in implementing administrative procedures in the district. The application of posting software facilitates the management, report, statistics, and supervision of civil status events and citizen databases quickly and accurately; Not only does it help reduce the workload for professional civil servants, contributing to quickly resolving procedures related to civil status, but also saves time and improves the efficiency of administrative reform in the district. Thereby, it shortens the time to resolve work, contributing to better serving people.

*Fifth, organization of implementation of other tasks and operations on civil status according to authority*

- Regarding management and use of civil status books, civil status forms and storage of civil status books and civil status registration documents: In general, the management and storage of civil status books and civil status records from 2016 onwards of the district has made progress compared to before due to the introduction of the Civil Status Law and detailed guiding documents for its implementation. But the reality shows that civil status books and records that were created before 2016 are only rudimentarily stored in the form of paper civil status books and records, so civil status data is still damaged; Many civil status events that were registered in previous years (mainly

before 1997) are no longer fully saved in civil status books and civil status records due to the process of dividing administrative boundaries; The handing over of records and documents when transferring tasks in some places is not done seriously, which is the reason why the shifting of responsibilities in storing civil status books and papers still occurs; The status of information in the civil status book is inconsistent with civil status documents, making it difficult for state management of civil status. For some communes and towns, the process of managing civil status books and paper civil status records is still loose, with cabinets, shelves, and storage not being arranged properly according to regulations; On the other hand, the team of private civil servants has not yet mastered the profession and often holds many concurrent positions, thus affecting the storage and management of civil status books and records.

- Regarding statistics and reporting on civil status situation: Implementing the provisions of law as well as realizing the importance of statistics and reporting. The District People's Committee, through the Division of Justice and the People's Committees of communes and towns, well performs civil status statistics and reports every quarter, 6 months and annually to superior agencies in accordance with regulations. In addition, depending on each stage or work requirement, statistics, reports, and summaries are also carried out according to specific topics. From 2016 until now, there have been no delays or errors in the progress of civil status reports and statistics..

*Sixthly, inspection, examination, supervision, settlement of complaints and denunciations and handling of violations of the law on civil status*

This is one of the important tasks, the District People's Committee regularly directs the development and coordination of inter-sectoral and inter-level organizations to have inspection plans and check the compliance with the provisions of the law on civil status. Every year, the Division of Justice proactively advises the District People's Committee to promulgate and effectively implement inspection plans and periodically examine the implementation of civil status registration and management of commune and town People's Committees. In addition, the District People's Committee also successfully completed the examinations and inspections of the registration and civil status management of the City Department of

Justice; The district level has received 04 rounds of inspection and examination from the city level and conducted 35 inspections and tests at the commune level from 2016 to present. Through the inspection and examination work of the District People's Committee, problems, shortcomings and difficulties in the registration and state management of civil status at the grassroots level have been discovered and promptly resolved. From there, the District People's Committee promptly directed and urged the People's Committees of communes and towns to have plans to handle, overcome and report the results to the Division of Justice to contribute to improving the role and responsibility of competent officials, civil servants and prevent bureaucratic, bossy, authoritarian, corrupt and negative acts.

Regarding the handling of violations, from January 1, 2016 to September 1, 2020, the entire district issued 156 decisions on sanctioning warnings; There were no cases of serious, complicated or dangerous violations. The individuals who were sanctioned were all first-time violators. After receiving the sanctioning decisions, they all consciously complied with them and had no complaints or lawsuits against the administrative sanctioning decisions that had been promulgated. The cause of these violations is due to people's limited awareness and low awareness of law observance; Cases of overdue birth registration are due to not proactively registering the birth, not ensuring the required documents when registering the birth, or giving birth before the marriage and after registering the new marriage. Registering a child's birth leads to overdue birth registration or many people are not aware that the act of erasing or editing civil status documents is a violation of the law, mainly by self-correcting information in the birth certificate.

#### **5. Some proposed solutions to improve the effectiveness of state management of civil status of the People's Committee of Nha Be district, Ho Chi Minh City in the upcoming time**

Starting from the current state of state management of civil status, the author proposes a number of solutions to improve the effectiveness of state management of civil status of the People's Committee of Nha Be district, City. Ho Chi Minh City in the coming time, focusing on basic solution groups, specifically as follows:

*Firstly, strengthening the Party's leadership and perfecting the system of state management documents on civil status*

The Party's leadership is the basic principle in state management in general and state management of civil status in particular. Based on the guiding viewpoints and goals identified by the Party in guidelines and policies, the State concretizes and gradually perfects, creating a solid legal basis for civil status registration and management to enhance the effectiveness and efficiency of state management and the quality of public administrative services in this field. The district People's Committee needs to focus on reviewing and systematizing in detail and science the legal documents on civil status being implemented in the district; Consider the appropriateness with local reality to advise and propose competent state agencies to amend, supplement, and make reasonable adjustments in accordance with local actual conditions, with emphasis on content. Continue to review administrative procedures related to coordination mechanisms between functional agencies. For procedures that are cumbersome, complicated, and not in accordance with current administrative reform requirements, it is recommended to continue reviewing administrative procedures, abolish according to authority.

*Secondly, strengthening and diversifying forms of propaganda, dissemination and education of laws on civil status*

Party committees and local authorities create all conditions to ensure citizens' right to information, learn and study the law through propaganda, dissemination, legal education, and socialization of disseminating and educating the law, encouraging and having policies for organizations and individuals to participate and contribute to legal dissemination and education activities; develop legal services to support this work. Regularly update and create specific and practical forms of propaganda such as through playful and stylized promotional banners incorporating legal regulations, mobile propaganda, and organizing online competitions and exam of legal knowledge; staging hypothetical legal situations... innovating the format to make it easier for people to access. Regarding the propaganda content, it is concise, concise, easy to read and understand, bilingual in Vietnamese and other foreign languages (especially English) so that all sectors can absorb it

effectively, especially the people with foreign elements. Regularly organize specific activities and propaganda movements, interact directly with people, and connect local leaders with people; Organize and integrate activities of women's clubs, farmers' unions, and union branches...

*Thirdly, consolidating and reorganizing the organizational structure and enhancing coordination among agencies and organizations implementing state management on civil status.*

Implement the policy of continuing to innovate and organize the management apparatus in the political system towards streamlining, effective and efficient operations; overcome overlap and duplication of functions and tasks; improve the effectiveness and efficiency of state management; stemming from the requirement to reform the civil status system, build a socialist rule of law state and the shortcomings and limitations in the organization of the district's management apparatus, the work of completing and consolidating the state management apparatus on civil status of the district towards streamlining, effective and efficient operations is an effective solution to improve operational capabilities, ensuring flexibility and high adaptability to local characteristics..

*Fourthly, improving the quality and developing the staff working on state management of civil status*

The state management staff on civil status plays an important role in the process of implementing civil status work. Therefore, improving the capacity of this team is not only a need of civil servants themselves but also a requirement of related subjects - direct beneficiaries in most activities of civil servants performing civil status work.

*Fifthly, investing and upgrading facilities and working facilities; Promoting the application of information technology and modernizing civil status registration and management*

Administrative reform is an important task that the Party and State have proposed in recent years. In particular, administrative procedure reform is one of the key tasks of administrative reform to ensure management, efficiency, transparency and fairness in handling administrative work, eliminating administrative procedures. Overlapping and cumbersome, it is easy to be exploited for negative and corrupt behavior, causing



difficulties and troubles for people. However, investing and upgrading facilities and working facilities will go hand in hand with the application of information technology and applying scientific and technical advances in civil status registration and management as a practical and necessary solution to serve the socio-economic development process of the district, improve the effectiveness and efficiency of state management activities while meeting the requirements of modernizing state administration in the period of industrializing and modernizing the country to meet administrative reform requirements.

*Sixthly, strengthening control and handling violations of civil status laws*

Strengthen control in compliance in the field of civil status registration to help the District People's Committee grasp, adjust and comply with the principles and regulations in the field of civil status registration, and promptly prevent violations, recommendations to amend and supplement inadequate regulations that are not consistent with practice. Resolutely handle cases of violations and irregularities in civil status registration discovered through inspection, examination, supervision or resolution of complaints, denunciations or recommendations and feedback. The People's Committee of Nha Be District needs to continue to regularly and closely direct and control the implementation of key annual judicial work and civil status management in the area.

## 6. Conclusion

Nha Be district is in the process of strengthening and perfecting state management in all fields, including administrative - judicial management in general and state management on civil status in particular and effectively achieving many important results, improving the effectiveness and efficiency of state management, contributing to socio-economic growth,

ensuring national defense and security of the district; contributing to building a district that develops towards the direction of building smart urban areas associated with administrative reform, meeting the life needs of people from a poor district to a new rural district../.

## Notes:

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