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**STATE MANAGEMENT  
FOR SEA PORT IN VIETNAM**

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## INTRODUCTION

### 1. Rationale

Vietnam is a country with the open sea, a long coastline with many clumsy waist, deep bays, near the bustling trade routes through the South China Sea, including 3,000 islands systematic coastal islands “shielding” most coastal areas and coastal areas of Vietnam in varying degrees. This is the geographical conditions are favorable for the development of sea transport in general and in particular the seaport system. Vietnam has 44 major ports and 100 minor coastal locations, along the island has the potential to be able to build the port, including port-scale international transit.

Demand for transportation goods increased requirements posed port development; and must continue institutional reforms and the inadequacies in the seaport. Recognizing the need for large-scale development and efficient exploitation of Vietnam's seaport system, the Party, the State has focused on measures to improve state management capacity to play a role seaports a very important role in the economic development of our country as follows:

Vietnam has gone through several stages of governance reform; industry / service port now has the following models:

- + Port State owned;
- + Port majority ownership;
- + Port from owning other financial sources.

Total turnover in annual import growth in 2015 reached nearly 300 billion US dollars rose placed great pressure on the ability through goods at ports. The delimitation of functions between the “state management” and “business management” and decentralization between “central” and “local” has a profound impact on the entire port system synchronization bien.Tinh , agreed between the Maritime Code and the laws and policies of a number of sectors involved are still insufficient and are demanding should be further study and propose appropriate adjustments. To enhance competitiveness external trade reforms to achieve the following objectives:

- Reduce the cost of port services;
- Improving the efficiency of port operation activities;

- Improvement of port infrastructure following connections, efficient interface;
- Reduce the burden of investment from the State budget;
- Equitization in order to attract investment and efficiency in the port operators.

However, the reality is not as we expected. Pressure on port development investment, the sources, the management mechanism has made the port companies are racing to reduce prices in order to retain the services of carrier, its corollary is the risk of loss of land, loss of port losses sustained by the already existing. Vietnam's seaport system faces major challenges in the current period, namely:

- Lack of synchronization infrastructure;
- Deep-Water Port insufficient and do not meet international standards;
- Management of bureaucratic and inefficient;
- The legal framework inconsistencies and unclear;

Unhealthy competition between ports, between local and conservative thinking, slow innovation.

State management of sea ports play a vital role in the economic development of our country. The problem is to create landmark nature “breakthrough” in the seaport system development to meet the needs of the response capacity and productivity without changing the basic system works; Games seaport planning long-term, mobilize large investments from socialization, cargo handling equipment and modern management is effectively exploiting the current pressing demand. The fundamental problem faced by the State management agencies address the following issues:

- Develop appropriate institutions to develop the seaport system;
- Mechanisms and policies will create a breakthrough in the development of seaports;
- Written legal need promulgation;
- Develop appropriate investment mechanisms to encourage participation of the private sector;
- What to do to create synergy between the development of seaports with other sectors of the economy;

- What to do to avoid conflict with the development taking place in other sectors of the economy?

From the main reason and reality as on the show, state management issues for the current port although there have been many changes and achieved some remarkable results, but also has many shortcomings, limiting the effective operation of seaports. Therefore, the choice of the topic “State Administration of Vietnam seaport” is urgently needed in the current period.

## **2. Research objectives and tasks**

### ***2.1. Research objectives***

The general aim of the thesis was to build the scientific foundation for solutions that enhance the State management of sea ports, helping to meet the requirements of renewal in Vietnam today.

### ***2.2. Research tasks***

- Look at the theoretical issues of port management for port State; The concept, content and role as well as the factors affecting the state management of seaports;

- Learn the experience of state management of sea ports in several countries around the world to draw the lessons for Vietnam;

- Assessment of the status of state management of ports in our country in recent years on two aspects: the advantages and limitations; pointing out the causes of the shortcomings and limitations of state management for seaports;

- Proposing solutions to complete management of seaports state. Research object and scope

## **3. Research object and scope**

### ***3.1. Research object***

- Rationale for state management of seaports in Vietnam.

- Port system and the state of the state management of seaports in Vietnam.

- The conditions and factors affecting the state management of seaports in Vietnam today.

### ***3.2. Research scope***

- Space: Research activities for state management of sea ports nationwide.

- On time: since the Maritime Code of 1990.

#### **4. Methodology and Research Methods**

##### ***4.1. Methodology***

##### ***4.2. Research Methods***

#### **5. New contributions of the thesis**

##### ***5.1. Theoretical***

- Identify and clarify the issue of seaports, the change in the concept of seaports in the world and in Vietnam, making the concept of the approach seaports of the thesis;

- Clarify the role of the state for port analysis based on the role of the state in accordance with systems theory, economics theory;

- Analysis of the contents of the State management of seaports, interpretation of factors affecting the efficiency of State management of seaports. From there, help deepen awareness about the theoretical and practical work for the state administration for the current port;

- Research, evaluate the current status of state management of seaports in terms of thinking about the management, institutional, organizational, apparatus, officials and civil servants working in state management seaports, state management activities to manage marine terminal operators;

- Propose solutions in order to improve state management of seaports under state management model for the port, moving from administrative management to monitor and tectonic development of seaports.

##### ***5.2. In practice***

- Create premise theoretical and practical to put forward proposals for comprehensive reform of state management of sea ports in the direction of the state focused on state management, monitoring, facilitate port development .

- Recommend ways to manage state ports, perfecting the proposed port management towards a comprehensive, unified, synchronized with a focus on determining the role of the state and the port enterprises sea. State does not make a difference, not to intervene in the operation anonymous internal management of the seaport enterprises, accordingly, the ultimate aim is to have a system of efficient port operations;

- The argument of the thesis and solutions can be used for the improvement of

ports such institutional decentralization, authorization management, improvement of state management of seaports.

## **6. The significance of science and practice of the dissertation**

- Awareness reasoning: thinking subject fully formed state management of seaports in Vietnam.

- On completion of institutional policies: Thread establish the scientific basis for improving state management of Vietnam's seaport, state management model designed for logical port in Vietnam today.

- The thesis can be used as a reference for policy makers, legislators, managers. The thesis can also be referenced in research activities and training of administrative sciences, and legal sciences.

## **7. Research questions and hypotheses**

### ***7.1. Scientific theories***

Seaports in any other country has an important role decisive for the economic development of the country. Vietnam in the present context is not outside the law of that development. Seaport in Vietnam there are inadequacies stemming from many causes for a cause that is important for the state to manage the port has not been effectively implemented.

If the state management of sea ports correctly identify their role in the direction of the state is subject oriented, regulate, supervise, is creating the conditions for port development, creating the right institutional expansion autonomy and responsibility of the business operation of seaports, the ports of Vietnam in the extraction system will effectively meet the needs of domestic cargo traffic and port export to countries in the region and in the world.

### ***7.2. Research question***

- Management of the port state is what? Content management and the role of the state for the port?

- State Administration for seaports in Vietnam now have the advantages and limitations What? Where is the reason?

- To enhance the State management of seaports in Vietnam today to have any solution?

## **8. Structure of the thesis**

Besides the introduction and conclusion, the thesis is structured into four chapters

Chapter 1: Overview of the situation concerning research thesis

Chapter 2: The scientific basis of state management for seaports

Chapter 3: The situation for the state management of seaports in Vietnam

Chapter 4: The views and complete solution for state management of seaports in Vietnam.

## **Chapter 1**

### **SITUATION OVERVIEW OF RESEARCH RELATED TO THESIS**

To systematize all the scientific works have been published, including the doctoral thesis, master thesis (domestic and foreign) is closely related to the thesis or closely related to the the issue should be addressed in the thesis, as follows:

#### **1.1. The study of the context of formation, development and port management**

##### ***1.1.1. The study of the context of formation, development of seaports***

The typical projects follows: “The history of Vietnam from the origin to the nineteenth century” by Dao Duy Anh [1], “Vietnam Culture” by Tran Quoc Vuong [80], in the song “Streets Quang Thuan port area XVII-XVIII century “by RV Bang [3]; “The formation of the port town in northern Vietnam early colonial period - Haiphong History” by Vu Luan Road [38]; “Port Engineering” of the author Pham Van Giap, Nguyen Huu Dau, Nguyen Ngoc Hue [21]; “The sea and sea ports in the world” by Pham Van Giap, Phan Bach Chau, Nguyen Ngoc Hue [19]; “Report on Development Planning of Vietnam's seaport 2020” of the Vietnam Maritime Administration [12]; “The Nanhai Trade - A Study of the Early History of the Chinese in the South China Sea Trade, Journal of the Royal Asiatic Society Malayan Branch” by Wang Gungwu (roughly translated as: Trade Nanhai - A study of history initially on China's trade in the South China Sea, at Malayan Asiatic Society Journal) [97].

##### **1.1.2. The study of port management**

“A number of measures to reform the management mechanism of state-owned enterprises under the Vietnam maritime industry” by Nguyen Hoang Tiem [71]; “Improving management model extraction port infrastructure Vietnam” by Dang Cong Xuong [81]; “Look at perfecting methods of planning of harbor container and applied to the economic area of Northern Vietnam” by Duong Van Violence [4]; “The strategic solutions developed seaports in Ho Chi Minh City 2010” by Nguyen Thi Ngoc Thanh [60]; “The solution basically completed and the exploitation of container in Vietnam” by Nguyen Thi Phuong [48]; “Economic efficiency and measures to promote the movement of goods by sea export of container in Vietnam” by Nguyen Nhu Tien [72];



“The study of investment solutions which Vietnam seaport development” by Bui Ba Khiem [33]; “Investment and Development of Vietnam's seaport period 2005 - 2020” by Nguyen Thi Thu Ha [22]; “Attracting and use of foreign capital in the construction of infrastructure in the transport sector in Vietnam” Bui Nguyen Khanh Authors [32]; “Look at the proposed management model operation of seaports in Vietnam” by Le Van Luyen [39]; “Development of marine transportation services to meet the requirements of international economic integration” by Le Thi Viet Nga [44]; “Commercial Joint Stock Bank Vietnam - A new direction” by Chu Quang Thu [70].

Comment: The study was in this respect, or other aspects of research and offer solutions to improve the efficiency of state management of ports through each stage and different periods, all mainly the renovation period - is a handy reference for the thesis.

“Report of the port reform policy launched institutional reforms recommended” by the World Bank experts made [45]; “Promotion of Investments and Port in Northeast Asia Model of FTZ” by the Korean Maritime Institute carried out [90]; “Assessment of port management model: The process of developing and components port management model” by Mary R. Books and Athanasios A. PALLIS [84]; “Policy analysis and development innovation Chinese ports” by Guan, C. and S. Yahalom [88];

## **1.2. The research work on state management and state management of seaports**

### ***1.2.1. The study on the management of state***

“VIII Congress of the Communist Party of Vietnam and the pressing issues of the science of State and Law” of the Institute of State and Law, ed by Dao Tri Uc [77]; “Some problems of perfecting the organization and operation of the State apparatus Republic of Vietnam socialist” by the Institute of Legal Research and editor by Le Minh Thong [62]. It contains in-depth articles on each specific issue of state power, such as the song “On the structure of state power and the implementation of state power in practice” by Dinh Van Mau [ 43]; “To renew the collective awareness of the rights and principles set in the relationship aspect legislators and law enforcement in our country” by Nguyen Cuu Vietnam [78]; “These reform steps for the basic institutions of state power” in the constitutional history of Vietnam “by Le Minh Thong [62] etc ...;

“Public Administration” books for research, postgraduate teaching of the National Academy for Public Administration [29]. Contents of the book was to

clarify the concepts, definitions and the terms “administrative management”; “From the traditional administrative system to manage the new” Patrick Dunleavy and Christopher Hood author, Professor of Public Administration and Public Policy, University of London [93]; Discuss the great works of national assets (Inquiry Into the Nature and Causes of the Wealth of Nations) and other writings by the economist Adam Smith [82].

Comment: Government general and state management for particular port reform is strong motivation for each stage of development of the country's economy.

### ***1.2.2. The study on the management of port state***

“Report of the port reform policy launched institutional reforms recommended” by the World Bank experts made [45]; “Improving public management and business management port operator in Vietnam” by Vietnam National Maritime Bureau in coordination with JICA experts [11]. “The problems of theoretical and practical decorating Vietnam maritime law” by Nguyen Thi Nhu Mai [42]; “A number of measures to reform the management mechanism of state-owned enterprises under the Vietnam maritime industry” by Nguyen Hoang Tiem [71]; “Improving State management capacity of the fleet market share of Vietnam” by Vu Thi Minh Loan [37]; “Promotion of Investments and Port in Northeast Asia Model of FTZ” by the Korean Maritime Institute carried out [89]; “Assessment of port management model: The process of developing and components port management model” by Mary R. Books and Athanasios A. PALLIS [84]; “Policy analysis and development innovation Chinese ports” by Guan, C. and S. Yahalom [88]

## **1.3. Commenting on the research situation**

### ***1.3.1. General comment***

It can be asserted, the state management issues for ports less posed in the research in our country in recent years. One point worth noting is that in several studies mentioned management practices for port state in some countries in the world as a testimony to the necessity of state hands in the development of maritime activities in general and in particular seaports. However, studies on state management for a new sea port only refers to one or a number of aspects related to State management for the following ports:

First, these studies have not focused on state management of seaports in the direction of improving the efficiency of exploiting seaports. In other words, focus on the role of the state for port access entity from management responsibilities have not been elucidated. The study refers to effective problem management for

port state but has not clarified the relationship between the efficiency of state management to improve the efficiency of operation of seaports, the achievement of management objectives state of the sea ports. The research has not indicated the nature of effective state management is how to build a real seaport system effectively. Factors effective operation of seaports can say quite dim in the study of state management for seaports.

Second, the approach of this study is not based on the scientific foundation of the administration and management of the state. Therefore, the content of the research on the state responsible for the development of port systems, port development often focus on aspects described, analyzed a number of institutional content, no commentary the appropriateness of the content management, management measures, linked to specific characteristics of the problem raising the efficiency of state management of seaports.

Third, the research has not made system solutions to manage synchronization for port state from creating institutional framework, organizational apparatus, financing mechanisms, monitoring mechanisms and systems development Sea port.

In general, so far no studies of intensive management problems with port state doctoral level. From this practice, the essential problem is to have a study, in-depth assessment of the state management of the port to operate a comprehensive assessment of the state management, the solution proposed taking into practical application state management.

### ***1.3.2. These issues need further thesis research***

#### ***1.3.2.1. Clarify the rationale for state management of seaports***

First, in the specific conditions of Vietnam, state management in our country's seaports content should be studied. The issue of the role of port state actors as management, content management state to state management of seaports, factors directly impact the operation confirmed state administration of sea ports is the most important content, most critical in the management of the maritime state of our country.

Second, the thesis will study management experience seaports state of some countries in the world, especially in Japan, Korea and China. To consolidate and develop the theoretical basis of the thesis about the construction management model for port state towards monitoring, facilitating development, focusing thesis research on some management models state of some countries in the world, at the same time, pointing out aspects can refer, learn and apply flexible in practice in our country.

### *1.3.2.2. Analyze and evaluate the state of the state management of seaports*

- Need to study the current status of state management of seaports in terms of construction, issuing policies, institutional management for port State; implementing policies and institutional management for port State; inspect and handle violations and summary evaluation of the implementation of the state administration institutions for seaports. In the above content to note the contents baseline study for the institutional implementation of state management for all ports for expression of the management, the effectiveness of management based on effective implementation seaports.

- Analyze and clarify the gain, the existing, limited to base solutions proposed in order to improve state management of seaports. It can be asserted, the state administration institutions from the building, issued to implement still many shortcomings and problems ... reduces the effective and efficient management of state about this. In practice, want the institutions to be implemented effectively, within the provisions of law relating to the management of the port state to ensure consistency, appropriate theoretical and practical , uniformity in the implementation of the scope, methods and legal frameworks, coherence of legal texts in many different legal.

### *1.3.2.3. Provide orientation and suggest the perfect solution for state management of seaports*

- Analysis viewpoint, perfect orientation for state management of seaports. Analyze and clarify the management of port state not only focus on purely administrative management; to clarify important elements are strong innovative thinking, awareness of state management of seaports. State focuses on the role orientation, facilitating, supporting, monitoring and adjustment to ensure the development of the port system in the direction of raising the efficiency of operation of seaports.

- Recommended the complete management solution for port state. This is the next destination of the thesis, so the research should focus on the following fundamental issues:

- Proposing changes perception, thinking, state management mechanism for seaports. Thinking, perception is the predisposing factors for innovation and development. However, current awareness, management thinking state still bears seaport administration thinking. State management function for the port needs to focus on improving the efficiency of exploiting seaports.

- Research completed the institutional system of state management of seaports. This institutional positioning clearly state the role of seaports, the problems of

classification of seaports and responsibilities of port enterprises with state management, financial mechanisms and investment in development of seaport infrastructure.

- Research completed the organizational apparatus of state management of seaports, innovation and improve business efficiency associated with marine terminal operators coastal economic zones as a driving force of economic development.

## **Conclusion Chapter 1**

## **Chapter 2**

### **SCIENTIFIC BASIS OF MANAGEMENT FOR PORT STATE**

#### **2.1. General information on the management of seaports and seaport State for**

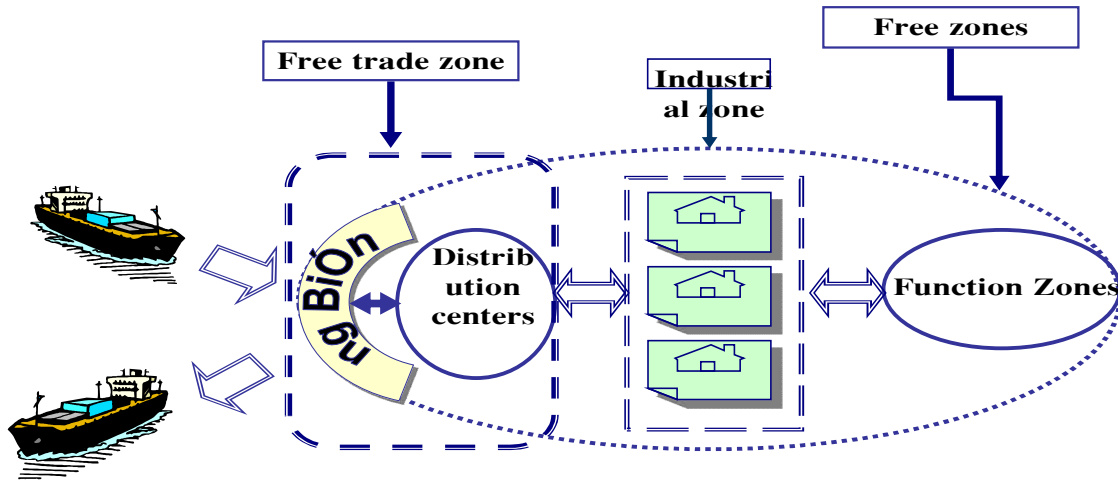
##### ***2.1.1. Position and role of seaports***

With the advantage of shipping volume is large, long distance, low price, most imported goods of the world is transported by sea. With Vietnam, import and export of goods are transported by sea accounts for over 90% of the total import and export goods and the goods are shipped to hundreds of countries around the world [11, tr.3].

The competitiveness of an economy that is seen in the levels: (i) the level of technology, (ii) the competitiveness of enterprises, the business community, (iii) a local level; (iv) the national level. A country whose economy is modern marine economy at least to (i) the development of marine technology, (ii) with the sea now a modern, efficient, interconnected with the power sector; (iii) structured economic space with the appropriate regional center strong marine economy, (iv) institutional management of modern marine economy.

The establishment of industrial zones associated with ports is becoming inevitable trend, not only for economic development - society of the region, local but also is one of the factors that reduce cost the efficient service for port logistics services, contributing to the development of the logistics industry. These are two elements support each other and create advantages for the regions and localities bien.Trong strong future port, the port will be large enough to hinterland destinations served for all the activities of the enterprise .

Thus, in addition to the basic role, to convey simple and create value-added logistics port also has the role of the business chain. At that time, the operation of the ports associated with the operation of open economic zones, free trade zones, industrial parks and export processing zones.



**Model of the future port development**

Speaking broadly, the seaport is the largest transport hub, including many works and architecture, ensuring that boats moored safely, quickly and smoothly in the implementation of the transfer of goods / Executive Visitor traffic facilities on land to the ship or vice versa, preservation and processing of goods, and serve all the needs of the ships anchored in the harbor. In addition, the port also acts as distribution centers, industrial centers, commercial centers, service centers, science and technology centers, population centers of the region attractive.

### ***2.1.2. Port functions***

## **2.2. Concept, content, role of state management of seaports**

### ***2.2.1. The concept and characteristics of state management of seaports***

#### ***2.2.1.1. Concept***

State management of the port is operational reorganization, commanders, operators, guides, etc ... check of the system of state management agencies from the central to local levels in the field of sea port on the basis of perceptions of roles, positions and economic characteristics - technical and maritime expertise to exploit and use the resources at home and abroad to achieve the objective of

determining the most effective.

*2.2.1.2. Features of the State administration for seaports*

- First, the calculation of state power.
- Second, consistency, tight.
- Third, implementing and operating properties.

**2.2.2. Contents of state management of seaports**

*2.2.2.1. Construction and issuing documents for state management of seaports*

*2.2.2.2. Organizations implement state management documents for seaports*

*2.2.2.3. Performance testing, inspection and handling of violations in the state management of seaports*

*2.2.2.4. International cooperation on ports*

**2.2.3. The role of state management of seaports**

Improving the efficiency of State management of seaports are a necessity in the modern market economy, it is the result of economic renewal policy of the state, the process of specialization and division of labor deeply. Along with the strong development of the world economy towards globalization, regionalization, seaports play an increasingly important role, the port is an important clue in the service chain activities logistics so as to pay attention. The role of state management of the port is shown in the following.

First, the state management of seaports is demonstrated by the state role in creating the environment and legal framework for development of seaports in the market economy with a socialist orientation, support for the general stream transfer economic transactions in the port system;

Secondly, state management of sea ports makes orientations for socio-economic development for the port sector, the tools associated activities in the entire value chain of the seaport system includes supply level, services, circulation, distribution, expanding the market for the port.

Third, state management for good ports will facilitate the circulation of commodities boost, reduce costs in international business, ensuring democracy and social justice.

Fourth, the state management of sea ports to directly manage and operate the business enterprise port operators, contribute to reducing costs in the import

and export process, enhance the competitiveness of enterprises to make money motivate other enterprises to develop.

### **2.3. Factors affecting the state management of seaports**

#### ***2.3.1. Political factors***

#### ***2.3.2. Legal elements***

#### ***2.3.3. Economic factors***

#### ***2.3.4. Element management capacity of state actors***

### **2.4. Port management model in a number of countries and lessons learned valuable reference for Vietnam in the state management of seaports**

#### ***2.4.1. Port management model of some countries in the world***

##### ***2.4.1.1. Model Home port (port Landlord)***

##### ***2.4.1.2. Public service port model (Public service port)***

##### ***2.4.1.3. Tool port model (Tool port)***

##### ***2.4.1.4. Private port model (Private port)***

#### ***2.4.2. Comment, review of model management organizations worldwide seaports***

#### ***2.4.3. Valuable lessons refer to Vietnam***

- On the port management model

Through research and analysis of seaports and seaport forming conditions, function and location of the port, the port's role in economic life - social security and defense as well as theory and the fact that the port management model and organizational management Vietnam seaport show management should choose the model owner seaport harbor port management and organization modeled after the port authority or port management Board .

The selection of port management and port in the model assume the management organization in the model port or Port Authority Port Management Board will have the following advantages:

- + Ensure construction and port development in accordance with the planning and strategic direction;
- + Elimination status “subdivision” and scattered, small tear in investment planning construction of a seaport;
- + Fix spreading investment status, oversupply; thereby maximizing



operational efficiency in operation of seaports, land ports later;

- + Mobilizing private capital and foreign investment to build infrastructure in seaports;

- + Promoting the advantages and flexibility in the management and operation of seaports, particularly from the private sector;

- + Withdrawal charges will be berths, mooring fees and the value obtained from the prime advantages of the seaport;

- + Ensure selectable port operator capable and efficient with optimum rents;

- + Gradually establishing and developing the supply chain of goods to seaports is nuclear, help reduce costs and increase the value of goods;

- + Ensure ready to meet security requirements - defense and social security.

- Regarding the organizational structure of the port management

Each port management model that corresponds to the organizational structure to manage various seaports. To proceed with port management, port management organization focused in two main areas: Exploitation and management ports for port state. Accordingly, the operation of seaports should focus mainly on organizational management and exploitation bridges, sea ports such as loading and unloading, freight, storage, passenger embarkation and disembarkation; management and exploitation after the port logistics zone, supporting industrial parks; monitoring the operation of marine terminal operators; construction planning of infrastructure development needs, maritime ports. Also managed to port state should focus promulgate regulations on management of seaports and seaport operations, issued strategic port development policy; establish and publish detailed planning of ports and supervise the implementation of planning seaports; management of construction investment for port development; issued and organizations charge fees; implement procedures and maneuvering in and out, working in the port; bars and examine the safety assurance; inspection and sanctioning of administrative violations in the maritime field.

Organizational apparatus port management is under central authority or local government has the advantage of quick access to macro-economic

policies, the direction of the government but are not limited autonomy and flexibility in the management, investment in construction, port development.

Management organization is privately owned port has the advantage of mobilizing private capital to invest in building seaports maximum flexibility but have limited resources, development strategy largest seaport and the state does not directly acquisition charges and fees to the state budget.

Organization management is the Port Authority seaports (PA) or port management board (PMB) has the advantage that specialized in the field of investment and construction, leasing operation of seaports, proactively building and port development sea, leverage funding and the ability of public sector, private sector.

However, the application of all ports simultaneously model the management and organizational structure modeled after the Port Authority or Port Management Board for the current port in Vietnam will also meet a certain number of difficult legal , the current management situation and invested in building seaports, namely:

+ About organizational apparatus: the establishment of port management bodies in accordance with the port authority model functions as mentioned above will have to amend many provisions of existing laws, such as laws relating to property rights possession and use of land, maritime law, law on fees, fees, service charges at the port ... in addition, the organizational structure and the functions and duties of the various agencies of state central management such as the Ministry of transport, Ministry of Planning and investment, Ministry of Finance, Ministry of Defense, Ministry of Public security .... vertical and State management agencies at local (departments of the Municipal People's Committee).

+ On the management of marine terminal operators: As discussed in the section above, at present, due to the majority of Vietnam's seaport was announced and organized port management operation, including those held seaports with foreign elements, thus simultaneously applies the model of organization and management of a new sea port will lead to disruption in the operation of seaports, as opposed to investment law and unworkable in practice;

+ About the construction of port development and port management: The simultaneous application of organizational management model new port is unnecessary and inefficient for small sea ports, specialized ports. Moreover, the state will not have the ability to simultaneously provide or mobilize greater funding for all seaports in the construction of infrastructure.

## **Conclusion Chapter 2**

### **Chapter 3**

## **REALITY SYSTEM PORT AND REALITY STATE MANAGEMENT FOR PORT TODAY IN VIETNAM**

### **3.1. Situation seaport system in Vietnam**

#### ***3.1.1. The process of the formation and development of the seaport system in Vietnam***

##### *3.1.1.1. Period before 1945*

##### *3.1.1.2. The period from 1945 to 1975*

##### *3.1.1.3. The period from 1975 to 1990*

##### *3.1.1.4. The period from 1990 to present*

#### ***3.1.2. An overall assessment of the seaport system in Vietnam***

##### *3.1.2.1. The achievements*

##### *3.1.2.2. Restrictions*

### **3.2. Current status of state management of seaports in Vietnam**

#### ***3.2.1. On construction and issuance of documents for state management of seaports***

#### ***3.2.2. About implementation of state management documents for seaports***

##### *3.2.2.1. On the organizational structure of the state management of seaports*

##### *3.2.2.2. Regarding implementation documents for state management of seaports*

#### ***3.2.3. On inspection activities, inspection, supervision and handling of violations in the state management of seaports***

#### ***3.2.4. Integration and strengthening international cooperation in port development***

### **3.3. An overall assessment of the current status of state management of seaports in Vietnam**

#### ***3.3.1. The advantages***

Vietnam has achieved certain results in the construction and development of the seaport system under the proposed master plan, has formed the gateway ports, specialized ports in key economic areas, basically meet the demand for transportation of goods by sea, to serve socio-economic development of the country and demand for goods exported to countries around the world. This demonstrates that the management of the port state has made certain achievements, such as:

One is, the perception of state authorities for the seaport becomes clearer, more focused concerned, the documents issued more timely and better quality. Specialized system of maritime law has been basically completed the Maritime Code, 1 ordinances, more than 20 of Government Decree 18 decision of the Prime Minister and Ministry Circulars 100 in enacted maritime management serving the maritime sector. The management of specialized state at seaports has been the agencies and units performed well today, meet the management requirements and actual maritime activities.

Second, the State management agencies in seaports increasingly promote responsible, proactive, coordinated more closely in the organization and implementation of legislation documents for state management Sea port. Innovative propaganda documents related to state management for the port to the departments and localities concerned, has attracted many participants.

Thirdly, the inspection, examination and handling of violations in the state management of seaports days are focused and performed more often, plan to test specific matching each management area . Through inspection, test evaluation, seriously draw lessons in performing the tasks of individuals, agencies and units. Since then, the handling of violations of law in the state management of the port is determined to focus on implementation, ensure the effectiveness of management. Thus, the management of state for ports in Vietnam increasingly effective. Defense, security, social order and safety is stable.

### ***3.3.2. Restrictions***

First, the state management mechanism currently not ensure validity, also generated huge inertia, not sensible because no one agency to manage certain state seaport.

Secondly, no ports to meet the needs of international cargo hub with water depth, technical standards to meet to receive large ships to cargo.

Third, do not have the mining management agency agreed to the overall direction of the management and exploitation according to the planning and adjustment to expand as needed, to ensure the effective operation of seaports.

Fourth, the system of legal documents overlap, inadequate, unclear, especially customs procedures for goods.

Thursday, failing to create a healthy competitive environment, flexibility and efficiency in business operation of seaports, support services maritime transport.

### ***3.3.3. The cause of the restriction***

## **Conclusion Chapter 3**

## **Chapter 4**

### **VIEWPOINTS AND FINISHING SOLUTIONS FOR STATE MANAGEMENT PORT IN VIETNAM**

#### **4.1. Complete perspective on the state management of seaports in Vietnam**

##### ***4.1.1. Completing the state management of seaports should firmly grasp the line and policy of the Party and State for port development***

Maritime history of the world shows that the marine economy has always been regarded as a key sector in which the leading role is the seaport. Where there is a seaport, where it will be the city with the economic, industrial and trade development. Prosperous seaport, marine economy stronger.

It can be said that the resolution on Vietnam's marine strategy until 2020 has inherited the views of marine economic development and other fields related to marine issued before, but have confirmed that this Resolution of the Central Committee is the first comprehensive maritime, opens a new chapter in

the ocean thinking about for the cause of building and protecting the country in the first decade of the 21st century marine strategy, part the strategic development of marine economy is one of the most essential content.

security and defense.

***4.1.2. Completing the State administration for seaports must navigate to overcome the limitations and weaknesses in management of port state***

***4.1.3. Completing the State administration for seaports must be linked to the construction and development of the market economy and international integration***

***4.1.4. Completing the State administration for seaports must to enhance the effective and efficient operation of all levels of government, and to ensure socialist legal***

***4.1.5. Completing the State administration for the port to match the enormous variation heartedly and deepening of the international context related to the problems of globalization, integration***

**4.2. The complete management solution for port State**

***4.2.1. Enhancing the Party's leadership in the state management of seaports***

***4.2.2. Perfecting strategies and policies for port development by concentrating on the construction of port management model and define the vision and objectives for each port and these factors directly impact on seaports***

***4.2.3. Perfect institutions and raise the effectiveness of implementation of the state administration institutions for seaports towards decentralization***

***4.2.4. Reorganization of the State management apparatus for ports specified in the direction of the agency responsible for state management, delimitation of state management functions and service delivery functions of***

Port management board of an agency to coordinate actions multifunction, many effects, both agencies decided on the issue of a seaport, while the executive organ of the superior state agencies and as well as state administrative agencies operating the scope of work on the port to act as a law enforcement agency to resolve:

(1) Planning for construction of infrastructure development needs, the sea port in stages to the Ministry / VINAMARINE through;

(2) Planning to build the infrastructure development sector after the port logistics phased PPC / city through Monitoring, monitor the implementation of the detailed planning areas under their seaports assigned management;

(3) Publication, application fees at the regional maritime sea ports on the basis of the types of fees and charges by the Ministry of Finance maritime approval.

(4) On the basis of functional tables this mission, proposed basic functions of port management Organizing Committee will be established as follows:

- Function

Port management (PA) has the function of investment, development, management and exploitation seaport infrastructures, the following port logistics and industrial parks supporting management in the assigned range.

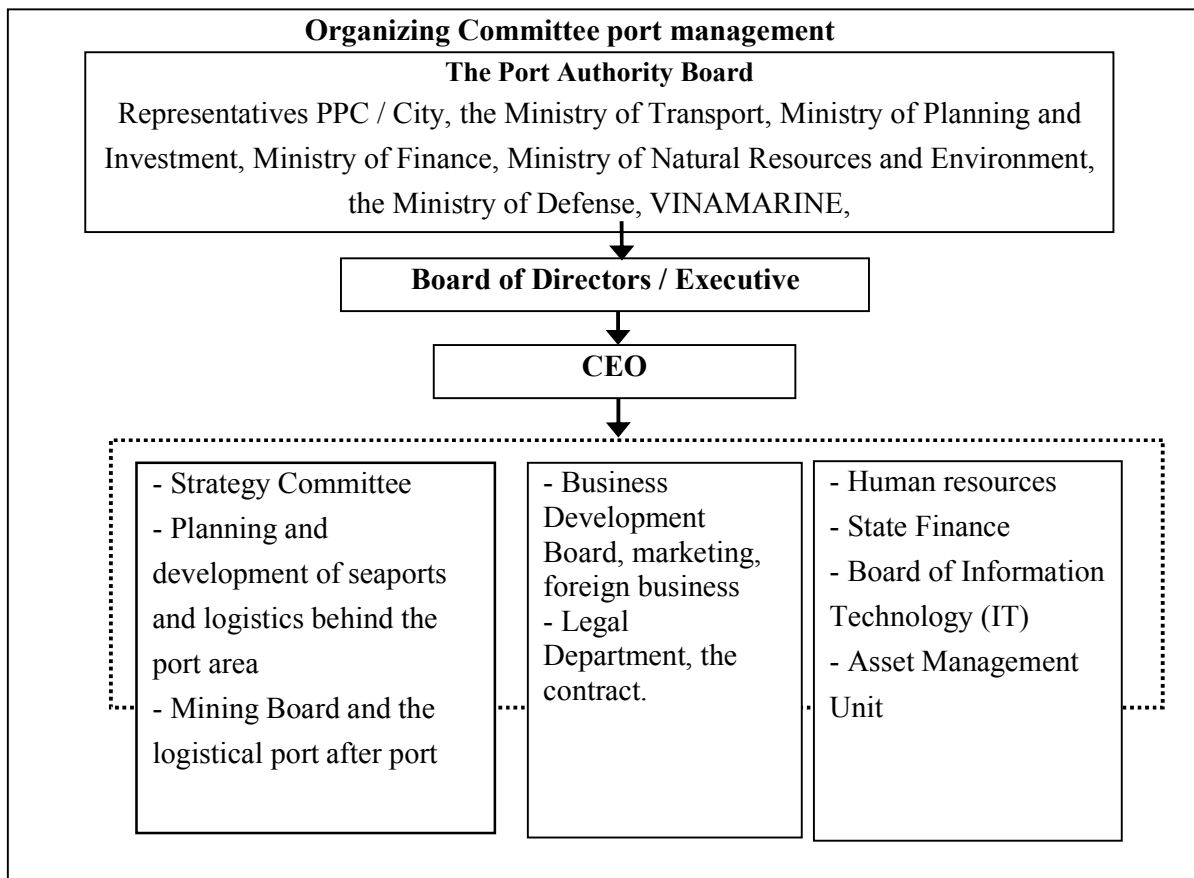
- Mission

Tasks related to planning

Tasks related to the investment, development

Tasks related to the management and exploitation

Port management has the following structure:



***4.2.5. Improving the quality of cadres and civil servants working in the state management of seaports***

***4.2.6. Strengthen inspection and supervision in the state management of seaports through administrative reform***

- Improving the quality of legal texts
- Promoting the application of information technology
- Reform of the state budget revenues through banks
- Implement the national OSS
- Establish partnerships specialized state management in seaports - Business

### **Conclusion Chapter 4**

Completing the state management of seaports is a pressing requirement for economic development of our country. Based on the theory and practice of state management of seaports in Vietnam today, chapter 4 mentions a system of comprehensive solutions to manage state ports include solutions group awareness of state management, innovation management mechanism state



seaport system development, innovation strategy, development policy for ports, improving the system of state administration institutions, strengthening state management apparatus, improve staff and employees of state management, innovative financial mechanisms, creating the framework for decentralization to meet the demand for capacity and productivity which without changing the basic system works; Games seaport planning long-term, mobilize large investments from socialization, cargo handling equipment and modern management effective exploitation.

### **CONCLUSION**

Freight demand growing requirements set out for port development; at the same time, to continue institutional reforms and the inadequacies in the seaport. Recognizing the need for large-scale development and efficient exploitation, the Government has focused on measures to improve state management capabilities for port plays a role very important in economic development reality of our country.

To complete port management institutions in the market economy in order to truly be a strategic breakthrough in the development of seaports, creating truly open environment for powerful liberation of the productive forces economic sectors and social actors in order to improve management efficiency, investment and operation of seaports solve budget deficit of the central government; restructuring state-owned enterprises by giving them more autonomy and financial independence; attract foreign investment; technological application of modern seaports.

From the main reason and reality shows such as, port management problems today, despite many changes and achieved some remarkable results, but also has many shortcomings that limit performance effective operation of seaports. Therefore, the selection and complete solution to manage the state model for Vietnam's seaport is urgently needed in the current period. Through the thesis research, we can draw some important conclusions:

First, the world now exists many types of organizations manage different ports with functions and tasks of different provisions. For each port

management organizations, depending on the political regime, restructuring the state bureaucracy, policy development and port management model that port authorities (central or local), national that choice, to decide to organize port management model in one of the following organizations: Directly under the central government; Attached to local governments; Port management organization established under the specific provisions of the law such as the Port Authority (Port Authority), port management agency (Port Management Body); or private organizations are defined exclusively by the laws of that country.

Secondly, the State is subject to an important role for the development of seaports. The state effectively implement state management role will impact directly to the seaport system development to integration with the international economy. Therefore, the state management how to manage where and in a manner to seaport system will impact the practice advocacy and development of Vietnam's seaport. With the trend of public sector reform, deeper integration in the international economy, the state needs to renew its role for the seaport system. The state should be the subject oriented, facilitate and regulate the system of seaports to ensure economic development background.

Third, the innovation-oriented mechanism of state management system of seaports, the focus at the macro level, the state management model for the port management bientheo towards decentralization for local government, should perfecting the management of Vietnam's seaport create institutional frameworks ensuring autonomy to the seaport system development to meet the requirements of international economic integration.

Fourth, the question is to create landmark nature “breakthrough” in the seaport system development to meet the needs of the response capacity and productivity without changing the basic system works; Games seaport planning long-term, to mobilize large capital investment, cargo handling equipment and modern management is effectively exploiting the current pressing demand. The reference port management experience in a number of countries around the world will help Vietnam with many lessons learned in planning and developing the great potential of the port, while enhancing and improving efficiency

effective state management of sea ports, to meet the needs of the country's renewal process and international integration.

## LIST OF RESEARCH WORKS OF THE AUTHOR

1. Nguyen Ngoc Hue Trinh Cuong (2011), Some achievements in Vietnam's sea transport, the Conference Proceedings of the national science and technology Fifth, Publisher of Natural Sciences and Technology, Hanoi;
2. The Cuong Trinh (2014), “load control port facilities and improve coastal transportation market”, Journal of Maritime Vietnam, (12), p.7;
3. Ngo Duc Hanh Trinh Cuong (2014), “The current situation and development of logistics solutions to Vietnam,” Vietnam Logistics Magazine, (78), tr.20;
4. The Cuong Trinh (2015), “Some issues of policy mechanisms to manage seaports in Vietnam,” Vietnam Maritime Magazine, (1.2), tr.22;
5. The Cuong Trinh (2015), “Improving the efficiency of port management Vietnam,” Vietnam Logistics Magazine, (87.88), tr.92;
6. The Cuong Trinh (2015), “The goods left the room at the seaport,” Vietnam Logistics Magazine, (91), tr.24;
7. The Cuong Trinh (2015), “The solution demolition seagoing ships in Vietnam,” Vietnam Logistics Magazine, (93), tr.34;
8. The Cuong Trinh (2015), “Solutions for improving efficiency in the exploitation and development of Cai Mep-Thi Vai logistics (Part 1)”, Journal of Logistics Vietnam, (96), tr.36;
9. The Cuong Trinh (2015), “Solutions for improving efficiency in the exploitation and development of Cai Mep-Thi Vai logistics (Part 2)”, Journal of Logistics Vietnam, (97), p.26;
10. The Cuong Trinh (2015), “Ba Ria - Vung Tau: enhancing maritime transport operators to promote logistics development,” Vietnam Logistics Magazine, (98), tr.32;
11. And other research projects, including topics, proposals, legal documents in the field of port management approved recorded in science history.