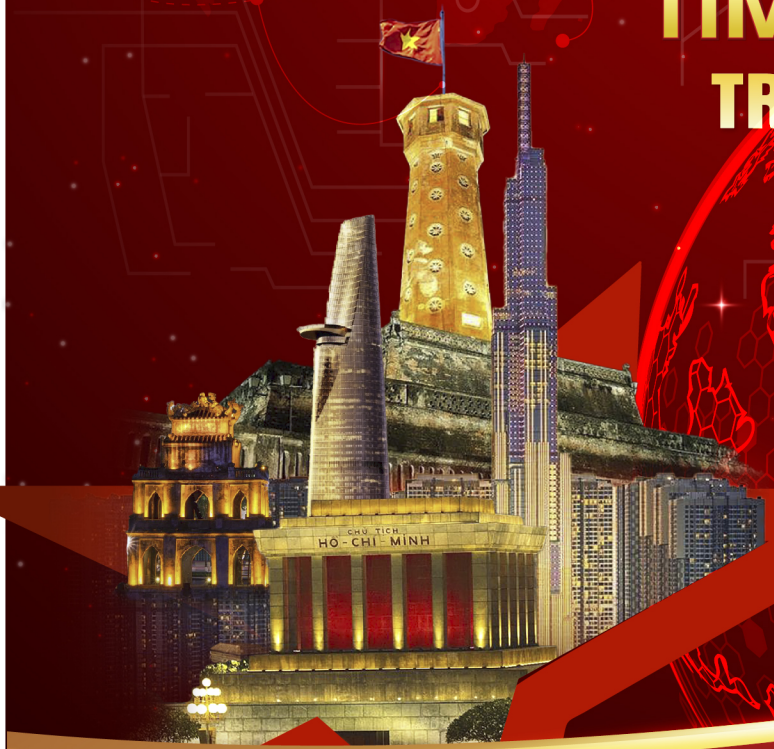
BỘ CÔNG AN
CÔNG AN TỈNH CÀ MAU

BÀI DỰ THI

TÌM HIỂU LUẬT DỮ LIỆU
TRONG CÔNG AN NHÂN DÂN



Nhóm tác giả dự thi:
CHIẾN SĨ XANH

CÀ MAU - NĂM 2025

BỘ CÔNG AN
CÔNG AN TỈNH CÀ MAU

BÀI DỰ THI
TÌM HIỂU LUẬT DỮ LIỆU TRONG CÔNG AN NHÂN DÂN

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PREFACE

We are stepping into the dawn of the digital era, a period in which data has become a vital resource and a crucial means of production — the "new energy," even the "lifeblood" of the digital economy. Digital transformation, with data at its core, is fundamentally reshaping how we live, work, and develop. Our Party and State have long recognized the importance of data. Politburo Resolution No. 52-NQ/TW dated September 27, 2019, on certain guidelines and policies for proactively participating in the Fourth Industrial Revolution, set forth the policy of "Proactively participating in regional and global legal frameworks to develop the digital economy; improving laws and policies on data and data governance, facilitating the creation, connection, sharing, and exploitation of data to ensure national cybersecurity, with the aim of connecting with ASEAN and the international community." Most recently, Politburo Resolution No. 57-NQ/TW dated December 22, 2024, clearly identified data as the centerpiece of digital transformation and a key driver of development. This Resolution also outlined pilot policies to establish an initial legal framework for promoting the development and utilization of data.

On November 30, 2024, the National Assembly passed the Data Law project, with 451 out of 458 (94.15%) deputies present voting in favor. The Law comprises 5 chapters and 46 articles, effective July 1, 2025. The birth of the Data Law marks a pivotal milestone in developing and perfecting the national legal framework, especially in the context of extensive digital transformation across all aspects of social life. The Law not only establishes a transparent and clear legal corridor for managing, exploiting, using, sharing, and protecting data but also demonstrates the strong political will of the Party and State in building a modern, effective, and efficient digital economy, digital society, and digital government. For the People's

Public Security forces, the Data Law carries special significance, serving as both a legal foundation and a comprehensive guide for safeguarding data security and national digital sovereignty in the digital era.

The contest to study the Data Law in the People's Public Security is an especially important political activity, taking place while the entire force is promoting comprehensive digital transformation, modernizing the organizational apparatus, and enhancing capabilities in data management and utilization to serve operational, combat, and force-building needs. This is not only an opportunity for each officer and soldier to better understand the role and position of data in the digital age, but also a chance to cultivate legal knowledge, raise awareness of responsibility, foster self-study and research, and actively apply data in practical work. The contest helps spread the spirit of "supremacy of the law," promotes serious and effective implementation of the Data Law throughout the force, especially in protecting citizens' legitimate rights and interests, ensuring data security, safeguarding information confidentiality, combating cybercrime, and strengthening rapid response capacity against non-traditional threats. In particular, through the contest, the People's Public Security force has another opportunity to affirm its pioneering role in creating a safe, healthy, and disciplined legal environment in cyberspace, worthy of being the "steel shield" defending the Fatherland in the digital era.

Responding to the "Studying the Data Law in the People's Public Security" contest organized by the Ministry of Public Security and the Ca Mau Provincial Police, the "Green Warriors" team produced an entry consisting of four main volumes answering eight questions posed by the organizers, along with five appendices. Each part has a theme and different messages highlighting the advantages and breakthroughs of this important legal document in reforming data management, ensuring human rights and citizens' rights, and aligning with digital society management trends. Specifically:

- Volume 1: The 2024 Data Law – A Highlight in the Digital Transformation Effort.
- Volume 2: The 2024 Data Law – Specific Provisions.
- Volume 3: The 2024 Data Law – Integrated Databases and the National Data Center.
- Volume 4: The 2024 Data Law – Data Management: Directions and Solutions.
- Appendix 1: The 2024 Data Law for the Visually Impaired.
- Appendix 2: Contest Entry on Data Law in People's Public Security and 人民公安数据法竞赛作品.
- Appendix 3: The 2024 Data Law and Detailed Implementation Guidelines.
- Appendix 4: Digital Documentary on the 2024 Data Law.

The authors not only compiled the entry on paper but also digitized it via QR codes attached to each volume and built a website for surveying and updating information about the Data Law online. Furthermore, to maximize the advantages of the 2024 Data Law and make it accessible to various audiences, the team translated the entry into English and Chinese, recorded an audio introduction to the Data Law, and converted it into Braille for the visually and hearing impaired. All of this was packaged into a single project entry, infused with the pride, passion, and dedication of the young People's Public Security force. We submit this entry to the contest with the commitment that: We will always stand firm on the front line of safeguarding national data, always act for the nation's digital safety and the people's happiness, and always remind ourselves: "Protecting data means protecting ourselves, protecting the people, and protecting the nation's future."

With sincere thanks and respectful regards!

PART A: SUMMARY REPORT ON DATA LAW

On May 22, 2015, the Prime Minister signed Decision No. 714/QĐ-TTg promulgating the list of national databases (NDBs) prioritized for implementation as a foundation for the development of e-Government. To date, from these national databases, sectoral databases have gradually been completed, providing a foundation for the implementation and provision of data for online public services, seamless data sharing between state agencies, and the provision of high-quality and highly exploitable open datasets to develop a digital government, digital economy, and digital society. Legal documents regulating data have also been issued to promptly adjust to the development of data and the application of science and technology in data processing. However, alongside the positive results achieved, in practice, some legal provisions related to data remain entangled and inadequate, leading to inconsistent implementation of data management functions in many ministries, sectors, and localities, limited effectiveness, lack of attraction for high-tech human resources, and underutilization of data's potential to serve citizens, businesses, and digital government building.

To assess the achievements, identify shortcomings, limitations, and causes, and propose directions for building and developing data in the coming period, the Ministry of Public Security issued Official Letter No. 310/BCA-C06 dated January 24, 2024, requesting the Supreme People's Procuracy, the Supreme People's Court, ministries, ministerial-level agencies, government agencies, political organizations, socio-political organizations, and the People's Committees of provinces and centrally-run cities to summarize and evaluate the implementation of legal documents on data from January 1, 2016 to December 31, 2023, with the following results:

I. IMPLEMENTATION, DISSEMINATION OF LEGAL PROVISIONS ON DATA, AND DIGITAL TRANSFORMATION

1. Implementation of legal documents containing provisions on data

To implement data-related laws, ministries, sectors, and localities have conducted reviews, advised on the development of implementation documents, defined the responsibilities of relevant units in the enforcement of data laws, and organized the review and allocation of human resources and information technology (IT) infrastructure to develop data applications in socio-economic development, thereby accelerating the digital transformation process in Vietnam.

To concretize the National Digital Transformation Program, the National Data Strategy, and Project 06 on developing applications for population data, identification, and electronic authentication serving the national digital transformation for 2022–2025 with a vision to 2030, ministries, sectors, and People's Committees of provinces and cities have issued hundreds of legal documents, directives, resolutions, and regulations on governance, management, operation, and exploitation of shared infrastructure, applications, and databases at provincial data integration centers.

Some localities have achieved notable targets such as:

Over 50% of departments, sectors, and localities provide data-sharing services on the provincial data integration and sharing platform (LGSP).

Over 80% of departments, sectors, and localities have implemented the electronic data warehouse function for organizations and individuals in the ministry- and province-level administrative procedure information systems so that citizens and businesses only need to provide information once when using online public services.

100% of websites and electronic portals of state agencies, e-commerce sites, and popular online digital services that collect personal data have been assessed for information security and awarded cybersecurity trust labels.

Over 30% of departments, sectors, and localities have issued open data plans, including open data lists, schedules for publishing open data under their management, and minimum targets to be achieved in each stage of the plan; initial open data publication has been conducted accordingly. By 2024, it is expected that 100% of departments, sectors, and localities will issue open data plans and provide open data in line with provincial digital transformation steering committee targets.

The implementation of information systems ensures security and safety when data is managed, stored, processed, and transmitted; data-exploiting agencies ensure security and safety when connecting and receiving shared data in accordance with regulations from the data-providing agency and Government Decree No. 47/2020/NĐ-CP dated April 9, 2020, on the management, connection, and sharing of digital data by state agencies.

2. Dissemination and public communication of legal documents containing provisions on data

Ministries, sectors, and localities regularly organize dissemination and public legal education activities, identifying the data field as an important content area. Communication and dissemination of data-related legal documents are carried out in diverse, flexible, and multi-dimensional ways, using various forms such as mass media and digital platforms, training

sessions, workshops, conferences, internet-based applications and software (e.g., electronic portals, Zalo, Facebook), leaflets, posters, banners, and slogans at agency offices, hospitals, schools, and public places; exhibitions of paintings and photos; legal knowledge contests… in various languages to reach all segments of the population.

These activities have helped officials, public servants, employees, and the public better understand the Party's and the State's major policies on data, gradually raising awareness and ensuring strict compliance with regulations on the exploitation and use of data in national databases, sectoral databases, and data storage information systems.

Communication efforts focus on showcasing the results of database development, practical applications, and the effectiveness of data usage, database building, and data connection and sharing; experiences in developing and ensuring the security and safety of data, databases, and data centers globally; promptly detecting and promoting exemplary collectives, individuals, and creative models in database implementation, thereby fostering high consensus and unity in awareness and action among the population.

Many competitions on data have been organized, such as "Data for Life" (C06 – Ministry of Public Security), the "UIT Data Science Challenge 2023" (University of Information Technology), "DAZONE 2023 Data Analytics Competition," the "Data Science Talent Search" (Foreign Trade University), "Data Got Talent 2023" (University of Economics – University of Da Nang), and "Vietnam Datathon 2023" with the theme "Revolutionizing the Future of Retail with Data"… to promote understanding and application of data in life, economic, and social development, especially among youth.

Vietnam has also achieved impressive results in international information security competitions at both professional and youth levels. Specifically: Viettel's professional team won the world's most prestigious Pwn2Own competition; the student team from Vietnam National University – Ho Chi Minh City won the ASEAN Cyber Shield competition, surpassing 37 teams from 10 ASEAN countries; the student team from Hanoi University of Science and Technology won the ASEAN-level "Students with Information Security" competition, beating 233 teams from 10 ASEAN countries.

II. RESULTS OF IMPLEMENTING LEGAL DOCUMENTS CONTAINING PROVISIONS ON DATA

1. On issuing legal documents containing provisions on data

The Government, the Prime Minister, ministries, sectors, and localities have shown determination and focus in directing and improving the legal framework to create a legal corridor for development in the digital space, address issues arising from the recent digital transformation process, and remove "bottlenecks" to accelerate data development and rapid digital transformation in Vietnam. Regarding databases, 69 laws have provisions, such as: the Law on Residence, the Law on Identity, the Law on Legal Dissemination and Education, the Law on Civil Status, the Law on Cadres and Civil Servants, the Law on Public Employees, the Land Law, the Law on Management and Use of Weapons, Explosives, and Supporting Tools, among others.

Notably, in 2023, the National Assembly passed the Law on Electronic Transactions, the Law on Telecommunications, and the Law on Identity, which serve as an important legal basis for promoting data development.

The Law on Electronic Transactions creates a complete, comprehensive, and favorable legal corridor for converting activities from the physical to the digital environment across all sectors, aiming to proactively prioritize and encourage electronic transactions; it fosters comprehensive electronic transaction development through policies that optimize processes, shorten transaction processing times, and make them more convenient, safe, and reliable.

The Law on Telecommunications institutionalizes the Party's policy on developing telecommunications infrastructure as a foundation for the digital economy and digital society; it adds provisions on new telecommunications services, including basic Internet-based telecommunications services, cloud computing services, and data center services; it establishes a legal corridor aligned with the trend of digital transformation, converting telecommunications infrastructure into digital infrastructure; it promptly resolves difficulties in implementation and state management over recent years and ensures compatibility with existing laws and Vietnam's international treaty commitments.

The Law on Identity represents a breakthrough in reforming population management, better ensuring citizens' legal rights and interests, enhancing the application of science and technology, and improving the effectiveness and value of the national population database and ID cards in state management, administrative procedure resolution, online public service provision, socio-economic development, and support for digital citizens—aligned with digital society management trends.

Examples:

"One legal document amends multiple documents" approach: From the development of the 2023 Law on Electronic Transactions and Government Decree No. 104/2022/NĐ-CP (dated December 21, 2022) amending and supplementing provisions of decrees related to the submission and presentation of household registration books and temporary residence

books in administrative procedures and public services, lessons can be drawn for expediting institutional improvement in digital transformation: "Digital institutions must take one step ahead to make national digital transformation faster and more sustainable"; adopt the approach of "one document amending multiple documents" and "amend immediately when inadequacies are detected—fixing point-by-point is more accurate and faster, thereby reflecting the breath of life."

The Ministry of Finance issued Circular No. 63/2023/TT-BTC dated October 16, 2023, amending and supplementing certain provisions of ministerial circulars on fees and charges to encourage the use of online public services (effective from December 1, 2023), reducing fees and charges by 10–50% for eight types of fees when organizations and individuals perform services online. This policy is expected to save about VND 100 billion annually for citizens and businesses.

Quang Ngai province introduced policies to reduce online public service fees and charges by 50%, shortened processing times by 20% for 973 online public services, piloted fully online reception and results delivery for 97 online public services, issued a plan to improve the quality and efficiency of online public service provision, and used a mobile app for online application submission (smartphone-based) with high feasibility and practicality.

Lao Cai province passed a resolution offering incentives for specialized IT and digital transformation civil servants and public employees working at provincial and district-level agencies, with support of up to VND 150 million/person/one-time payment and monthly training and benefits support of up to VND 5.4 million/person.

Hanoi city became the first locality to adopt a resolution applying zero fees and charges when organizations and individuals submit applications online for 82 administrative procedures under the jurisdiction of the City People's Council.

2. Databases

2.1. Current status of databases

In 2023, the United Nations ranked Vietnam 10 places higher in open data compared to 2020. In 2022, the international organization Open Data Watch ranked Vietnam 80th in the world for open data, up 11 places from 2020 (91st globally). Notably, the sub-index for open data coverage saw a remarkable jump to 81st globally, up 41 places (from 122nd) and 6th in Southeast Asia, up 3 places (from 9th).

State agencies have put into operation and exploitation 07 national databases. The rate of ministries and provinces that have identified their database list is 64%. The number of sectoral databases at ministries, sectors, and localities established in 2023 grew by 38.5% compared to 2022, from 1,280 to 2,087. Publication of open data plans and lists increased sharply to 52% in 2023.

(1) National Population Database:

Stores information on about 99 million individuals, covering over 99% of Vietnam's population; connected with 18 ministries and sectors, and all 63 provinces/cities. The Ministry of Public Security has coordinated with the Ministry of Justice and the Ministry of Home Affairs to review and update over 92,000 cases of nationality renunciation and nearly 5 million civil status changes to clean the data.

(2) National Business Registration Database:

Connected with 13 ministries/sectors and all 63 provinces/cities with about 41 million transactions; stores data on more than 1.6 million enterprises (around 900,000 active) and over 200,000 subordinate units; keeps registration info for about 2.4 million business households, of which more than 260,000 have standardized data, and about 30,000 cooperatives and affiliated units. The rate of online business registration filings is 92.58%. Since 2018, the Ministry of Planning and Investment has connected and shared business registration data with ministries, sectors, and localities.

(3) National Insurance Database:

Connected and shares data with 09 ministries/sectors and some nationwide connections; manages about 32 million households participating in insurance; about 17.1 million people in social insurance; about 88.9 million people in health insurance; verified more than 93.7 million individual records in the national insurance database with the national population database, of which around 84.7 million people currently participate in social, health, and unemployment insurance (96% of total participants excluding armed forces and military dependents). The Vietnam Social Security system has also synchronized over 132 million social and health insurance records with the national population database.

(4) National Electronic Civil Status Database: Completed in all 63 provinces/cities with over 50,000 users, including about 18,000 accounts for judicial–civil status officials and about 32,000 for commune-level leaders and clerks. As of November 2023, the system contained about 48 million birth registrations *(9.6 million children assigned personal identification numbers as per regulations, with 5.3 million cases transferred to social insurance agencies for health insurance cards)*, about 12.3 million marriage records, about 10.5 million marital status certificates, about 8.2 million death

records, around 293,000 parent–child recognition cases, about 20,500 guardianship registrations, about 16,600 adoption registrations, and about 889,400 civil status corrections, changes, or ethnicity re-determinations.

(5) National Land Database:

At the central level: Built, managed, operated, and exploited 04 central datasets: (1) land statistics and inventory data; (2) land use planning and plans; (3) land price data; (4) land survey and evaluation data.

At the local level: All 63 provinces/cities are building and completing their land databases. Specifically: 455/705 district-level units have completed cadastral databases covering over 46 million land parcels and put them into operation; all 705/705 district units have completed land statistics and inventory databases (from the 2019 inventory cycle); 325/705 districts have completed land use planning and plan databases; 300/705 have completed land price databases.

(6) National Finance Database:

The Ministry of Finance has built and completed 13 sectoral databases serving the national finance database project, including:

11/13 component databases such as: State budget revenue–expenditure (State Budget Data Warehouse); tax management; treasury management; customs management; securities management; price management; public debt management; public asset management; insurance; management and supervision of state capital in enterprises; and the shared electronic catalog of the finance sector. 2/13 databases are in the investment stage: the aggregated finance database (software under development) and the national reserve management database (investment proposal in process).

(7) National Database on Cadres, Civil Servants, and Public Employees:

Connected and synchronized with 96 ministries, central agencies, and localities (33 central agencies and ministries, and 63 provinces/cities). Of these, 70 ministries/localities have fully synchronized data (13 ministries/sectors and 57 provinces). The total number of automatically synchronized records to date is nearly 2.3 million, including about 218,000 from ministries/sectors (80.3% rate) and over 2 million from localities (99% rate).

2.2. Status of database technical infrastructure implementation

The process of building e-Government and digital Government in Vietnam has been ongoing for many years; however, IT infrastructure development among units remains uneven. Some ministries, sectors, and localities have deployed modern IT equipment infrastructure (including main data centers and backup data centers) and implemented many large-scale, nationally significant operational application systems, such as:

The National Population Database system of the Ministry of Public Security;

The integrated electronic invoice tax management system of the Tax Authority;

The budget and treasury management information system of the State Treasury;

The customs clearance system of the General Department of Customs;

The revenue management and policy payment systems of the Vietnam Social Security.

The proportion of ministries, sectors, and localities that have implemented data centers serving digital transformation using cloud computing technology has reached 71.43%. In 2022–2023, there has been increasing investment in data centers by both domestic and foreign enterprises. Vietnam currently has 9 enterprises providing data center services, with 43 data centers nationwide, totaling 571,000 servers and 54.7 million physical cores. Regarding data center and cloud computing infrastructure, there are 13 providers, with 45 data centers totaling nearly 28,000 racks. In 2023, two large-scale data centers from VNPT and CMC were added. It is projected that Vietnam will need an additional 10,000–12,000 racks per year and will reach a data center market size of about USD 1.5 billion by 2026.

However, some ministries, sectors, and localities still lack sufficient infrastructure to deploy core IT systems for their operations. Many databases are collected and stored in a duplicated and overlapping manner, not standardized or unified in terms of standards and categories, making them non-inheritable and difficult to connect, share, and exploit.

2.3. Ensuring data safety and security

Security and safety for information systems and databases have received more attention, with many loopholes and shortcomings addressed. A network of specialized units and cybersecurity experts has been formed, involving nearly 200 agencies and organizations in Vietnam, including:

22 ministries and ministerial-level agencies;

8 government agencies;

63 provincial Departments of Information and Communications;

17 state-owned corporations and groups;

45 banks and financial institutions;

30 telecommunications and Internet service providers (ISPs);

8 other enterprises and organizations in society.

The Malware Handling and Cyberattack Prevention Alliance, led by the Authority of Information Security, the Vietnam Information Security Association, and five major enterprises (Viettel, VNPT, FPT, BKAV, CMC), has been established to promote comprehensive cooperation between government agencies, associations, and enterprises.

National-scale technical systems have been deployed at the Authority of Information Security (Ministry of Information and Communications) to ensure cybersecurity, including:

The system for monitoring and detecting online information trends;

The system for coordinating and handling sources of illegal information;

The system for monitoring and statistics of malware infection;

The information security sharing and monitoring system serving e-Government.

In the global cybersecurity ranking by the ITU, Vietnam rose sharply from 100th in 2017 to 50th in 2019. In Kaspersky's rankings, Vietnam was also rated as having the second-lowest number of mobile malware cases in Southeast Asia, after Singapore.

However, some ministries, sectors, and localities that hire IT infrastructure services face significant security risks or have not completed their systems, including: Ministry of Industry and Trade; Ministry of Education and Training; Ministry of Planning and Investment; Ministry of Science and Technology; Ministry of Natural Resources and Environment; Ministry of Labour – Invalids and Social Affairs; Ministry of Agriculture and Rural Development; Ministry of Health; Government Inspectorate; Committee for Ethnic Minority Affairs; and the Ministry of Culture, Sports and Tourism. This leads to potential vulnerabilities, systems not meeting security requirements for connecting and exploiting data, and failure to reduce paperwork for citizens. This also affects other ministries that rely on such data, causing a chain effect that reduces overall state management efficiency.

During operation and security assurance, some issues remain:

Lack of coordination with the Ministry of Public Security to inspect and reassess systems after changes that could create new vulnerabilities;

Only public service systems are assessed, without evaluating core systems and other systems connected to them;

Incomplete implementation of security procedures and regulations as required.

As a result, multiple data loss incidents have occurred recently. Through inspections, ministries, sectors, and localities have been urged to address violations in connection, sharing, and security assurance.

3. Management, operation, connection, sharing, exploitation, and use of information in databases

The creation, connection, and sharing of data on a national scale have seen clear improvements, producing tangible, practical value. Citizens, businesses, and even state agencies can now clearly perceive the value of data, which helps solve cross-sectoral issues that were previously difficult to address thoroughly. This contributes to saving time for society, improving the quality of public service delivery for citizens and businesses, and enhancing the effectiveness of management, direction, administration, and law enforcement based on complete, accurate, and timely data.

By the end of 2023, 100% of ministries, sectors, and localities had reviewed and issued lists of administrative procedures eligible for online public service implementation within their scope, in accordance with Government Decree No. 42/2022/NĐ-CP dated June 24, 2022, on the provision of information and online public services by state agencies on the Internet. With strong direction from the Government and Prime Minister, and the efforts of ministries, sectors, and localities, 81% of administrative procedures have been implemented as online public services, of which 48.5% are end-to-end online services.

As of December 2023, 49 out of 63 provinces have issued policies on reducing fees and charges, and 13 out of 63 provinces have introduced policies on reducing processing times to encourage citizens to use online public services.

In terms of usage efficiency: The rate of online submissions over total administrative procedure applications reached 38.5%. According to monitoring on the Government Digital Service Provision and Usage Measurement System (EMC), there are about 76,000 online public service applications per day on average. Based on Government Office Circular No.

02/2017/TT-VPCP dated October 31, 2017, guiding the control of administrative procedures, each online application can save at least two hours of travel and form-filling time.

The National Data Exchange Platform (NDXP) has connected with 103 agencies, units, and enterprises; 10 databases; and 15 information systems providing data sharing services. In 2023, the NDXP processed about 650 million transactions, averaging about 1.78 million transactions per day. Since its launch in 2019, it has processed over 1.67 billion transactions. The initial results have been substantial, saving society an estimated hundreds of billions of dong.

Localities have implemented provincial-level data integration and sharing platforms (LGSP). To date, 45 localities and 15 ministries have deployed LGSP. This connection helps minimize duplicate data entry and reduce administrative processing costs.

As of December 2023, the National Public Service Portal had over 6.8 million registered accounts, more than 119 million synchronized status records, over 29 million online applications submitted via the portal, and more than 20.3 million online payment transactions totaling over VND 7,113 billion. It is now connected and integrated with 150 information systems and databases from various agencies and units, publicly listing more than 6,300 administrative procedures, of which 4,591 are provided as online services. The portal has over 11.2 million accounts, more than 269.1 million synchronized status records, more than 35.4 million online applications submitted, and over 21.2 million online payment transactions totaling over VND 9,513 billion.

By the end of 2023, ministries and sectors had reduced and simplified nearly 2,500 business regulations, streamlined 528 out of 1,086 administrative procedures (about 49%) to implement the Government's resolution on simplifying citizen

administrative documents related to population management, and publicly listed more than 15,700 business regulations on the Business Regulation Consultation and Search Portal. The Prime Minister has issued 15 decisions approving plans to cut and simplify nearly 1,200 business regulations in 221 legal documents.

At the local level, exploiting and using existing databases has helped simplify administrative procedure processing, eliminating the need for citizens to present multiple documents and reducing waiting time. Specifically:

907 administrative procedures have been restructured to automatically fill in information from the national population database into electronic forms, ensuring at least 20% reduction in required information by reusing digitized data without re-entering it.

1,320 administrative procedures have had their processing times reduced by at least 20%.

289 administrative procedures reuse existing data from national and sectoral databases.

109 administrative procedures can be processed regardless of administrative boundaries (e.g., in Ca Mau province).

Examples of effective data connection and sharing between ministries and sectors:

The National Population Database of the Ministry of Public Security has connected with 15 ministries and sectors and all 63 provinces. It has handled over 1.3 billion requests to query and verify information for administrative procedure processing and data cleansing, saving over VND 500 billion for ministries, sectors, and localities. It has also synchronized over 537 million citizen records to enrich population data.

Combining population data with social insurance data has generated new, multiplied value that neither dataset could achieve alone. As of November 2023, 100% of health insurance medical facilities had implemented health insurance check-ups using chip-based ID cards (via queries to the national population database), with over 54 million successful lookups. This has reduced verification time from 10 minutes to several hours down to about 6–15 seconds per patient. With 170 million annual health insurance visits, full implementation could save enormous time and costs for patients and society each year. It also helps facilities save 1–1.5 hours in patient reception, improves data accuracy and management, supports electronic inspections, and limits fraud in health insurance treatment—thereby enhancing state management efficiency and better protecting participants' rights.

Interlinked online public services have proven more effective than separate administrative procedures. For example, two integrated services—"Birth Registration – Permanent Residence Registration – Health Insurance Card Issuance for Children under 6" and "Death Registration – Permanent Residence Deregistration – Funeral and Burial Support"—were officially launched in 2023. By November 20, 2023, there had been over 342,000 birth service applications and more than 26,000 death service applications. For Vietnam Social Security alone, these services:

Reduced the time to issue a child's health insurance card from 5 days to 2 days (342,000 × 3 days ≈ 1 million labor days saved).

Reduced funeral support processing time from 10 days to 7 days (26,000 × 3 days ≈ 81,000 labor days saved).

Linking the National Business Registration Database (Ministry of Planning and Investment) with the tax registration system (Ministry of Finance), the Ministry of Labour – Invalids and Social Affairs' system, and the Vietnam Social Security

system under Government Decree No. 122/2020/NĐ-CP has integrated four processes into one. Businesses now only prepare one set of documents, fill out one form, submit to one agency, and receive one result. The entire process between state agencies is digitized and exchanged electronically, reducing business start-up steps from 8 procedures over 16 days to 3 procedures over 6 days. By November 2023, about 650,000 business registration applications had been processed under this decree, saving society about 6.5 million labor days.

In some localities, administrative procedure processing has seen breakthroughs. For example, in June 2023, Quang Ninh province issued investment certificates for two projects worth nearly USD 250 million within just 12 working hours after online submission via the provincial public service portal—14 working days faster than regulations.

4. Digital human resources

The Government has issued multiple policies and solutions to promote the digital economy, in which human resources are a core factor. To enhance the quality of the information technology (IT) workforce, the Prime Minister issued Decision No. 146/QĐ-TTg dated January 28, 2022, approving the Project "Raising Awareness, Popularizing Skills, and Developing National Digital Transformation Human Resources to 2025, with Orientation to 2030."

Vietnam currently has 1.5 million workers in the IT and digital technology sector. The country has 168 universities and 520 vocational schools offering IT training. In implementing laws on IT human resource development, Vietnam's IT workforce structure has formed along key areas of the IT industry, including:

Hardware and electronics industry workforce;

Software industry workforce;

Digital content industry workforce;

IT service workforce.

In terms of capacity and skills, Vietnam's IT human resources are rated relatively high internationally. Vietnam ranked 29th in the world in the SkillValue programming skills ranking in 2018. In 2017, Vietnamese students ranked 34th out of 128 in the ACM/ICPC International Collegiate Programming Contest. Vietnam has consistently been among the top 10 most attractive countries for software outsourcing in the Asia–Pacific region. By 2021, Vietnam ranked 5th out of 55 countries in business process outsourcing (BPO) services, 28th out of 100 in online games, and 2nd in the world in smartphone and office equipment exports according to WTO statistics.

Each year, over 84,000 IT students graduate—about 50,000 from universities and 34,000 from colleges and intermediate schools—with a total annual enrollment of about 100,000.

Every year, ministries, sectors, and localities allocate funds for basic and advanced IT training for their staff, especially IT managers. Some ministries, sectors, and localities organize training courses on ensuring information system security at different levels for dedicated IT and cybersecurity staff in subordinate units, as well as training courses on project management and budgeting for IT application investment. Officials and civil servants in ministries generally meet the knowledge and skills requirements for using e-transactions and implementing digital transformation in their management

areas. In addition, qualified staff are sent for postgraduate IT training under the Central Organization Commission's Project 165, or to overseas training programs and study tours on IT application.

However, only about 30% of graduates meet employers' skill and professional requirements (according to a TopDev recruitment survey). Many graduates require retraining or career changes, causing significant waste of social resources. Another limitation is the lack of digital human resource training tailored to each sector. There is a need to promote technology training within specific industries such as digital healthcare, digital tourism, and digital agriculture. Some job positions with growing recruitment demand—such as data engineers, artificial intelligence specialists, and cloud computing experts—are still under-supplied by the labor market.

5. Inspection, examination, complaint and denunciation handling, and violation settlement related to data

To ensure that data construction, management, and development comply with legal regulations, ministries, sectors, and localities have organized inspection and examination teams to check the implementation of policies, strategies, plans, and regulations in their areas of responsibility.

The main objectives of these inspections and examinations are to:

Monitor compliance with laws and guiding documents for each database;

Assess the real situation and results of policy, strategy, plan, and mechanism implementation;

Evaluate the effectiveness of data and databases in state management and public service delivery;

Identify difficulties and obstacles in database implementation for timely policy adjustments and improvements.

Through inspections, agencies have urged, guided, and proposed solutions to overcome shortcomings and limitations, strengthen the role and responsibility of leaders, and ensure that staff at all levels carry out tasks under Project 06 in alignment with administrative reform and the provincial Digital Transformation Program for 2022–2025, oriented toward 2030.

At the local level, provincial People's Committees have directed departments and agencies to strictly comply with documents on key information security tasks, actively monitor complaints, denunciations, petitions, and citizen feedback on legal violations related to data; promote leader accountability; and improve early settlement of issues at the grassroots level. To date, localities have generally not recorded citizen complaints or denunciations of violations related to data.

The Ministry of Public Security has coordinated with the Ministry of Information and Communications to inspect and assess the cybersecurity of ministries', sectors', and localities' public service systems. Results show that the public service systems of 11 ministries and ministerial-level agencies, as well as all 63 localities, meet security standards under Guidance Document No. 1552/BTTT dated April 26, 2022, of the Ministry of Information and Communications.

III. GENERAL ASSESSMENT OF THE IMPLEMENTATION OF LEGAL DOCUMENTS ON DATA

1. Strengths and achieved effectiveness

In recent years, implementing data-related laws has demonstrated the determination and focus of the National Assembly, the Government, ministries, sectors, and localities in improving the legal framework to foster development in this field, contributing to Vietnam's rapid data growth.

Data has become a valuable resource and a key factor in generating economic value. Data development has provided the foundation for online public services, seamless data sharing among state agencies, provision of high-quality, highly exploitable open datasets, and lawful open data publication for digital government, digital economy, and digital society development.

Many creative models and approaches have emerged; ministries, sectors, and localities have strengthened data connection, integration, and sharing among state agencies, businesses, and localities, especially using national and large-scale information systems from central to local levels. This maximizes data value, improves public service quality, puts citizens and businesses at the center, reduces repetitive manual information provision, avoids duplicate investment, and prevents waste.

The implementation of data laws has helped improve legislation, meet state management requirements for data, enhance Vietnam's position in the global digital technology map, ensure safety and security, and move toward a digital government, digital economy, and digital society that better serves citizens and businesses.

2. Existing limitations

Development of national databases and data management remains fragmented and siloed. Connection and sharing mechanisms are inconsistent, leading to underutilization of national and stored data as a digital resource, making it difficult to provide timely data for administrative and interconnected public services, analysis, statistics, and Government decision-making. The rate of reuse of digitized data is still low (9%). Agencies remain reluctant to use data from other sectors, and

citizens and businesses often still need to request documents from one agency to use at another, hindering the goal of reducing 50% of population-related administrative procedures by 2025.

Some ministries and sectors lack core IT systems for operational tasks, creating barriers to continuous, safe, and secure functioning, especially for systems serving citizens, businesses, and administrative operations.

National, sectoral, and central-to-local foundational databases and IT infrastructure are slow to be implemented and exploited nationwide (e.g., the national land database).

The national data infrastructure is fragmented, uneven in quality, and insufficiently interconnected to form a key national data resource for applying Industry 4.0 achievements. Investment in infrastructure and data centers is not commensurate with results.

The national databases listed in Decision No. 714/QĐ-TTg dated May 22, 2015, of the Prime Minister have not been fully established.

Personal data is still illegally exploited and traded; information security in some agencies is not guaranteed.

Many information systems have security vulnerabilities and cannot connect to the national population database.

IT human resources are limited: lacking in numbers, weak in knowledge and skills for data implementation and digital transformation; digital skills among workers in other industries and among citizens are slow to spread. The number and quality of IT engineers, graduates, and technicians for digital transformation remain insufficient.

3. Causes of limitations

The legal framework on data remains incomplete, lacking:

Provisions on interconnecting national data repositories into a centralized repository and a single access and exploitation mechanism;

Rules for data distribution and reuse to generate new value;

Legal provisions on data strategies, governance, and protection;

Principles for connecting, sharing, exploiting, and using shared national data;

Rules on data fees and pricing for socio-economic development;

Provisions on supplying data for public, security, defense, scientific research, and emergency purposes;

Full legal institutionalization of policies to promote AI, cloud computing, blockchain, data communication technologies, IoT, big data, and other advanced technologies;

Clear regulations on data-related products and services.

Many databases are collected and stored in duplicate and overlapping ways, not standardized or unified, lacking shared data lists, making connection, sharing, and exploitation difficult.

Data centers are inconsistently invested in and lack regular inspection, maintenance, and upgrading, creating security risks.

Some ministries, sectors, and localities lack infrastructure for core IT systems, or hire IT infrastructure services with security risks due to lack of control over state data stored on enterprise infrastructure.

Some ministries and sectors have not completed original data digitization in 2023, affecting data connectivity (e.g., land data, civil status data, labor and employment data).

The workforce for operating and managing information systems is both insufficient and lacks capability.

The development of standards and technical regulations is slow, especially those related to data sharing; open data provision is still below requirements; data governance and sharing practices are not given due attention.

PART B: DATA LAW PROPAGANDA MATERIALS

I. INTERNATIONAL EXPERIENCES RELATED TO DATA REGULATIONS

With the goal of perfecting the legal system on data, ensuring consistency with the Vietnamese legal system and absorbing experiences in data management from countries around the world, the Ministry of Public Security has studied and analyzed legal regulations related to data of a number of countries in the region and around the world to serve the development of the Data Law.

1. European Union (EU) Data Governance Act

The Data Governance Act (DGA) is an important part of EU law to promote data sharing between sectors and countries in the European Union. Regulating the reuse of publicly protected data, focusing on two main areas:

First, facilitating data sharing, including:

- Encouraging the reuse of public agency data: The DGA sets out rules on how governments and public organizations can make their data available for reuse by businesses and other organizations, even if it is protected by commercial confidentiality, intellectual property or personal data regulations.

Stipulating the conditions and categories of data reused by public agencies; regulating the mechanism for charging fees and prices; and competent authorities to support public agencies in accessing and reusing data. The provisions in this Chapter do not create a right to reuse such data but provide a set of harmonized basic conditions for allowing such reuse

(e.g. non-exclusivity requirements). Public sector bodies that enable this type of reuse need to be technically equipped to ensure that data protection, privacy and security are fully respected. Member States will have to establish a single point of contact to support researchers and innovators in identifying suitable data, and are required to put in place structures to support public sector bodies with technical means and legal support.

- Introduction of data intermediaries: The Act provides for entities known as "data intermediaries", which will provide platforms for sharing and aggregating data. These intermediaries must operate according to strict criteria to ensure fair and secure access to data.

- Promotion of a common European data space: The DGA encourages the creation of sector-specific data spaces where data can be shared and used collaboratively, promoting innovation and research.

Second, ensuring trustworthy data governance, including:

- Establishing ethical principles for data sharing: The Act sets out principles such as fairness, transparency, accountability and non-discrimination to guide data sharing activities.

- Regulating data altruism: The DGA allows individuals and organizations to donate their data for public benefit purposes, such as scientific research or environmental monitoring.

- Strengthening enforcement mechanisms: The Act equips EU member states with tools to monitor and enforce compliance with its provisions.

- The DGA regulates data sharing between countries and regions within the EU, aiming to exploit the potential of data through four main sets of measures:

+ Mechanism for data reuse, providing state agency data, data that cannot be provided as open data.

+ Measures to ensure that data intermediaries operate in sharing and aggregating data in the European common data space.

+ Citizens and businesses provide data for social benefit more easily.

+ Facilitate data sharing, especially the use of interoperable data across sectors, regions and countries, and ensure the proper use of data.

2. EU Data Act

This Act is seen as a key pillar, contributing to the creation of a legislative framework on issues affecting the relationship between data economy actors, aiming to create incentives for horizontal data sharing across sectors, encouraging and facilitating greater and fairer data flows across all sectors, from business to business, business to government, government to business and government to government.

The Act will help achieve the broader policy objectives of ensuring that EU businesses across all sectors can innovate and compete, effectively empowering individuals in relation to their data, and better equipping businesses and public sector bodies with appropriate mechanisms to address major policy and societal challenges, including public emergencies and other exceptional situations. Businesses will be able to easily transfer their data and other digital assets between cloud

storage providers and other data processing services. Sharing data within and between sectors of the economy requires a framework of procedural and legal measures to enhance trust and improve efficiency. The creation of a common European data space for strategic sectors of the economy and sectors of public interest will contribute to the creation of a true internal market for data that allows for the sharing and use of data across sectors. The Regulation therefore contributes to these governance and infrastructure frameworks as well as to the sharing of data outside the data space.

The specific objectives of the Act are stated as follows:

- Facilitate access to and use of data by consumers and businesses, while maintaining incentives for investment in solutions that create value through data. This includes increasing legal certainty around the sharing of data generated when using the relevant product or service, as well as operating rules to ensure fairness in data sharing contracts. It is proposed to clarify the application of the relevant rights under Directive 96/9/EC on the legal protection of databases (the Database Directive) in accordance with its provisions.

- Making data held by businesses available to public sector bodies and Union organisations, agencies or bodies in certain situations where there is an exceptional need for the data. This primarily concerns public emergencies, but there are also other exceptional situations where mandatory data sharing between businesses and governments is justified, in order to support public policies and services.

- Facilitating the transition between cloud and edge services. Access to competitive and interoperable data processing services is a prerequisite for a thriving data economy, where data can be shared easily within and across

industry ecosystems. The level of trust in data processing services determines the level of use of those services by users across sectors of the economy.

- Introduce safeguards against unauthorized transfers of data without the cloud service provider's prior notice. This is due to concerns about unauthorized access to data by non-EU/EEA governments. Such safeguards would further enhance trust in the data processing services that are increasingly underpinning the European data economy.

- Provide for the development of interoperability standards for data reuse across industries, in order to remove barriers to data sharing across common European data spaces. The proposal also supports the establishment of standards for "smart contracts." These are computer programs on an electronic ledger that execute and settle transactions based on pre-determined conditions. They have the potential to provide data holders and data recipients with assurance that the terms of data sharing are respected. The bill includes the following major provisions:

First, business-to-consumer and business-to-business data sharing. Manufacturers and designers will have to design products in a way that makes data easily accessible and they will have to be transparent about what data will be accessible and how to access it. The provisions of this Chapter will not affect the ability of manufacturers to access and use data from relevant products or services they provide, where agreed with users. The data holder will be obliged to provide such data to third parties at the request of the user. Users will have the right to authorize the data owner to provide access to the data to third-party service providers, such as after-sales service providers. Micro and small enterprises will be exempt from these obligations. Second, the data owner's obligation to provide data under Union law. Where the data owner is obliged to provide data to the data recipient as provided for in Chapter II or under other Union or Member State law, the common framework

shall address the conditions under which the data is provided and the compensation for providing the data. Any conditions shall be fair and non-discriminatory, and any compensation shall be reasonable. Any compensation for SMEs shall not exceed the costs incurred in providing the data, unless otherwise provided for in sectoral legislation. A dispute resolution body accredited by the Member States may assist the parties in disagreement over compensation or conditions to reach an agreement.

Third, unfair contractual terms relating to data access and use between enterprises. This ensures that contractual agreements on data access and use do not exploit an imbalance in bargaining power between the contracting parties. The unfairness test includes a general clause that determines the unfairness of contractual terms relating to data sharing. In cases where bargaining power is unequal, the instrument protects the weaker contracting party from unfair contracts. Such unfairness impedes the use of data by both parties to the contract. At the same time, the rules ensure a fairer distribution of value in the data economy. The model contractual clauses recommended by the Commission can support commercial parties in concluding contracts on fair terms.

Fourth, providing data to public sector bodies, the Commission, the European Central Bank and Union agencies on the basis of a special need. The objective of this section is to create a harmonised framework for the use by public sector bodies and Union institutions, agencies and bodies of data held by businesses in situations where there is a special need for the requested data.

This framework is based on the obligation to provide data and will only apply in the event of a public emergency or in situations where public sector bodies have an exceptional need to use certain data, but such data cannot be obtained on

the market in a timely manner. Where there is an exceptional need to respond to a public emergency, such as a public health emergency or a major natural or man-made disaster, data will be provided free of charge. In other exceptional needs, including to prevent or assist in recovery from a public emergency, data holders who provide data should have a right to compensation covering the costs associated with providing the relevant data. To ensure that the right to request data is not abused and that the public sector remains accountable for the use of such data, data requests should be proportionate, clearly state the purpose to be achieved and respect the interests of the business generating the data. The competent authorities will ensure transparency and openness of all requests. They will also deal with any complaints that arise.

Fifth, portability between data processing services. This introduces rules applicable to providers of cloud, edge and other data processing services to enable portability between those services.

The Act does not require specific technical standards or interfaces. However, it does require services to be compatible with European standards or open interoperability specifications where available.

Sixth, provisions on unlawful international access and transfer of non-personal data, which refers to unlawful third-party access to non-personal data stored in the Union.

The Act does not affect the legal basis for data access requests made to data held by EU citizens or businesses and does not affect the Union's data protection and privacy framework. It provides specific safeguards, whereby providers must take all reasonable technical, legal and organisational measures to prevent such access from conflicting with competing obligations to protect such data under Union law, unless strict conditions are met. The Regulation complies with the Union's international commitments under the WTO and in bilateral trade agreements.

3. General Data Protection Regulation (GDPR) of the European Union

The General Data Protection Regulation (GDPR) is the most stringent data protection and privacy law in the world. Although drafted and adopted by the European Union (EU), it imposes obligations on organizations anywhere, as long as they target or collect data related to people in the EU. The regulation came into effect on May 25, 2018. The GDPR will impose severe penalties on those who violate its privacy and security standards, with fines reaching tens of millions of euros.

4. South Korea's Open Data Law

This law allows for commercial and non-commercial access, as well as the reuse of government data; frequently used data includes: Data on nationwide stores; lists of social insurance participants; gas production data of the Korea Gas Corporation; information on the results of periodic health check-ups of health insurance participants over the age of 40; information on traffic accidents; Business status information and authenticity verification information for input items - National Tax Agency; weather forecast; information on nationwide stores; information on real estate transactions; information on air pollution...

5. China

In 2020, in the notice "Opinions on Building a More Perfect System and Mechanism for Market-Oriented Factor Allocation", the Chinese government listed data as the "fifth factor of production" after land, labor, capital and technology. In order to promote the role of data factors, China has repeatedly put forward the direction for the development of the data

market in important documents such as the "14th Five-Year Plan (2021-2025)" and "Notice on the Pilot Overall Scheme for Comprehensive Reform of Factor Market Allocation" (2022).

China has promoted the construction of a data governance system with three main pillars: ensuring data security, protecting user rights and releasing data value.

Regarding data security, the "National Security Law", "Cyber Security Law", "Data Privacy Law" and related regulations have been passed; mechanisms such as data classification, decentralization and protection of important data have been established; data security assessment has been conducted

Regarding user rights protection, the "Civil Code (amended)" and "Personal Information Protection Law" have been passed; supplementary regulations have been developed to clarify the rules for processing personal information, cross-border provision of personal information, and the rights of individuals and obligations of processors in processing personal information

Regarding data value liberation, many localities at the provincial and municipal levels have recently issued regulations on data, developed rules for sharing and opening public data, and circulated data transactions. However, at the central level, there is still a lack of a comprehensive legal system to promote the value liberation of data elements. Currently, the integrated big data system China's national data management system is an important strategic initiative to promote the modernization of the national governance system and governance capacity.

Here are some key points about the system:

The government data management function has been clarified, and each province (autonomous region, municipality directly under the Central Government) is responsible for collecting, managing, sharing, opening and protecting the security of government data

The government data resource system has been initially formed, including basic databases and thematic databases, to support the government in performing its tasks.

The government data infrastructure has been built, including the government cloud platform, data sharing center, etc.

China has established a unified national data catalog, unified national data standards, and provided useful and efficient data services to the public/private sectors.

China's national basic databases include the Population Database basic, geospatial databases, macroeconomic databases, organizational databases and other basic objects are gradually being perfected, and the completeness, standardization and accuracy of data are being improved.

China has also gradually improved the central and local data sharing and exchange mechanism, and strengthened the leading responsibility of provincial governments in data sharing and application based on the national data sharing and exchange platform. By establishing a government data coordination and sharing mechanism, the government data agency clarifies and is responsible for formulating big data development policy plans and measures, and organizes and implements data collection, collection, governance, sharing and security protection.

As of December 2022, 29 of the 31 provinces (autonomous regions and municipalities) have established data management or government service agencies at the department, agency and branch levels, and more than 100,000 people have been served by the government. 20 regions have issued planning documents related to digital government or digital transformation.

In addition, China is building a system of specific data governance rules, including: data security protection, personal information protection, public data management and data transaction circulation.

Regarding the data security protection system: Establish a data security protection system based on the "Data Security Law", and issue specific regulations such as "Regulations on Network Data Security Management (draft)", "Regulations on Automobile Data Security Management (trial)" ...

Regarding the specific mechanism, a system for managing data classification, scoring, identifying important data categories that need protection has been established; a mechanism for assessing, reporting, sharing information, monitoring and early warning of data security risks has been established; a mechanism for emergency response to data security has been established ...

Regarding the personal information protection system. Build a system multi-level, multi-field legal system to protect personal information with the "Personal Information Protection Law" as the foundation.

In terms of specific systems, establish a series of rules for processing personal information based on "consensus"; establish rules for cross-border provision of personal information; clarify the rights of individuals in personal information

processing activities, including the right to know, the right to decide, the right to ask, the right to correct, the right to delete, etc.; clarify the compliance management of the personal information processor and the obligations of relevant parties to ensure the safety of personal information.

Regarding the public data management system, the "Data Security Law" sets out requirements for the quality of data provided by the government, stipulates the obligations of state agencies in ensuring the security of government data, and supervises the handling of entrusted parties... In addition, localities have issued separate regulations to specify the "Data Security Law".

Regarding the data transaction circulation system. The "Data Security Law" defines "ensuring the orderly and free flow of data in accordance with the law", requires "the state to establish a sound data transaction management system"; stipulates that organizations participating in data transaction intermediary services must fulfill corresponding legal obligations and responsibilities, and must "require data providers to explain the source of data, verify the identity of the parties participating in the transaction, and keep transaction records".

In terms of local laws, there are "Regulations on Data of Shenzhen Special Economic Zone", "Interim Measures for Data Transaction Management of Tianjin City" which stipulate the transaction objects, trading platforms, transaction security, transaction supervision and management, etc.

Regarding the responsible agency, in March 2023, China discussed the establishment of the National Data Bureau. This agency is responsible for coordinating and promoting the construction of a national basic data system, coordinating the integration, sharing, development and use of data resources.

6. Japan

In June 2021, Japan announced the "National Data Strategy", which is Japan's first comprehensive data strategy, with the following purposes: By ensuring trust and public interest, build a structural framework for the safe and effective use of data; ensure trust in the data itself as well as the methods of creating and circulating Japanese data worldwide; building a society where the world can safely store data in Japan.

To implement this strategy, Japan established the Digital Agency in September 2021. In the "National Data Strategy", Japan envisages a seven-layer data governance architecture:

Layer 1 (infrastructure): 5G, data centers, computer infrastructure, and other infrastructure supporting the digital society;

Layer 2 (data): Starting from basic data of social activities, build the necessary data structure;

Layer 3 (collaboration platform): Provide linkage tools to systematically integrate data;

Layer 4 (use environment): Provide a favorable environment for different subjects to conveniently store personal data and link them to information banks and data trading markets;

Layer 5 (rules): In addition to perfecting the necessary rules for data linkage, it is also necessary to perfect the rules so that subjects can use data with peace of mind;

Layer 6 (organization): Administrative and public service reform;

Layer 7: strategy, policy.

The reason Japan is implementing measures to promote the data industry chain is because the country realizes that it has problems such as incomplete digital infrastructure; lack of basic data; inadequate data sharing between the government, private sector and enterprises; low understanding of data in society and privacy issues.

7. India

India's data governance policy focuses on each type of data, and has established governance frameworks for personal data, non-personal data, and government data.

On personal data, the "Information Technology Rules" passed in 2011 are the basic framework for regulating sensitive personal data. The draft "Personal Data Protection Act" of 2019 focuses heavily on data localization; proposes strict regulations on cross-border data flows, and gives the Indian government the power to obtain user data from companies (an effort to impose stricter regulations on bigtechs).

To enable smooth sharing of personal data, India has proposed the "Data Empowerment and Protection Architecture" (DEPA). In August 2022, India withdrew the 2019 Draft and published a new draft of the “Personal Data Protection Act” 2022.

The 2022 Draft is expected to establish a freer cross-border data flow mechanism, a simpler notification and consent framework, a more comprehensive data protection supervisory authority, and a stronger personal data protection framework…

On non-personal data, India is not only making efforts to share data across the economy and society but also developing rules to promote the circulation and use of government-held data. In 2019, the Ministry of Electronics & Information Technology (IT) convened the Gopalakrishnan Committee to come up with ideas on how to manage non-personal data in India.

In December 2020, the Gopalakrishnan Committee released its report on "A Governance Framework for Non-Personal Data" for public consultation. The Gopalakrishnan Committee defined non-personal data as data that is not linked to an individual and data that was once personal but has been anonymized so that it does not identify an individual. The Committee also recommended the establishment of a non-personal data authority that would function separately from the data protection authority.

On government data, in March 2012, India published the "National Data Sharing and Accessibility Policy" aimed at sharing non-personal and non-sensitive data held by the government in the public interest.

The policy provides for the government to make data available in machine- and human-readable formats through the development of open data platforms. To promote the use of government-managed data, the Ministry of Electronics and Information Technology released a draft of the "India Data Accessibility and Use Policy 2022" in February 2022, which provided that the government could set a price for the data it held, which was widely criticized.

As a result, in May 2022, the Ministry of Electronics and Information Technology released a draft of the "National Data Governance Framework Policy," which is similar in structure to the draft released in February, but removes the controversial data licensing and pricing provisions. The draft calls for the creation of a large dataset repository and the

establishment of an India Data Management Office (IDMO), which will be responsible for formulating rules for data collection, storage, and management of the dataset platform.

In addition, India also proposed a technical legal framework for the use of personal data, specifically the draft "Data Empowerment and Protection Architecture" (DEPA) issued by the National Transformation Research Institute in August 2020. DEPA aims to provide data processors with control over personal data, promoting unified data sharing among data processors.

8. Denmark

To improve the efficiency of data sharing between government agencies and the business community, Denmark has established the "Basic Data Program". The program has built "basic databases" and a centralized "Data Distributor" system to meet public services as well as other government activities, and at the same time provide data services to businesses.

The "basic databases" that Denmark has deployed as "national databases" include:

Database on people;

Database on legal entities;

Property database;

Catalogue database;

Address database;

Geographic database, maps.

The exchange of specific data between government agencies is still conducted through direct connection channels. Denmark does not have centralised systems in place to facilitate data exchange between ministries. However, Denmark has private companies that provide data integration platforms, data exchange in the form of cloud services, allowing government agencies to exchange information.

9. Australia

Australia's Data Availability and Transparency Act 2022 has established a new, best practice scheme for sharing Australian Government data - the DATA Scheme. The DATA Scheme is underpinned by strong safeguards and consistent, efficient processes. It focuses on increasing the availability and use of Australian Government data to deliver simple, efficient and respectful government services, inform better government policies and programs, and support world-leading research and development.

Data that can be shared: Australian Government data includes all data lawfully collected, created or held by or on behalf of a Commonwealth agency. Data can cover a wide range of topics, from weather-related data, personal and business data, through to freight and traffic movements, and agricultural yields.

Participants in the DATA Scheme: Data Custodians, Accredited Users, Accredited Data Service Providers in Commonwealth Government agencies that control public sector data; state and territory government agencies and Australian universities. Entities must register to be accredited as data users, or data service providers.

The DATA Scheme works as follows: Accredited Users can request Australian Government data from the Data Custodian. Accredited data service providers can be used to provide data services to support data sharing projects.

Dataplace is the government's digital platform for DATA Scheme participants and others to manage data requests, develop sharing agreements and monitor their own data sharing activities. It brings together those who want access to Australian Government data (such as researchers and those working on public policy and service delivery) with Commonwealth agencies that are custodians of the data. It is also used by the National Data Commissioner to regulate the DATA Scheme

Dataplace makes it easier for agencies to collaborate on data requests, particularly where there may be multiple custodians of a dataset or where it is not known what data is available, where to find it and who holds the data

The Office of the National Data Commissioner (ONDC) is developing the Australian Government Data Catalogue. The catalogue will act as a central point to facilitate the discovery, use and reuse of government-held data. It will increase transparency of government-held data, reduce duplication and enable greater data reuse and sharing. It will draw on government agency databases resulting from the Data Inventory Pilot Program (DIPP), as well as open data and other data sources to help users find Australian Government data.

A key challenge for data stewards is to provide data with maximum utility to users while maintaining the confidentiality of the information. The Five Elements of Security Framework is a set of principles that provide a multi-dimensional approach to managing disclosure risk. Each element of security addresses an independent but related aspect of disclosure risk. The framework asks specific questions to help assess and describe each risk (or security) aspect qualitatively.

This allows data stewards to put appropriate controls in place, not only on the data itself, but also on how the data is accessed. The framework is designed to facilitate the safe release of data and prevent oversharing of data.

The five elements of the Framework are:

- Safe people: Are users appropriately authorised to access and use the data?

- Safe projects: Is the data used for the appropriate purposes?

- Safe settings: Does the access environment (IT and physical environments) prevent unauthorised use?

- Safe data: Are all appropriate and adequate safeguards applied to the data (e.g. direct identification removal, etc.)?

- Safe outputs: Are statistical results non-disclosure?

Safe elements are assessed independently, but are also considered as a whole. They can be thought of as a series of levers or controls that can be adjusted to effectively manage risk and maximise the usefulness of data releases. The extent to which each security element is controlled is important in assessing the risk of disclosure. This framework has been adopted by the ABS, several other Australian government agencies, and national statistical organizations such as the Office for National Statistics (UK) and Statistics New Zealand.

10. United States

The United States has a number of national databases that serve a variety of functions, from security and law enforcement to statistical analysis and disclosure.

- Integrated Automated Fingerprint Identification System (IAFIS): Managed by the FBI, this system contains fingerprint data for both criminal and civil purposes;

- Next Generation Identification (NGI): Also managed by the FBI, this is an advanced database that includes biometric data such as fingerprints, palmprints, iris scans, and facial recognition;

- Combined DNA Index System (CODIS): A DNA database used by the FBI for criminal investigations;

- National Crime Information Center (NCIC);

- National Address Database (NAD) managed by the U.S. Department of Transportation (USDOT);

- National Bridge Management: Database containing information on the condition of bridges in the United States;

- National Nutrient Database: Managed by USDA, it provides information on the nutritional content of foods;

- National Register Information System: Contains information on historic sites recognized by the National Register of Historic Places.

In the United States, data exchange and sharing activities are governed by a complex framework that includes federal law, state regulations, and international agreements such as:

- Government Data Sharing: The U.S. government has guidelines for sharing data among agencies to improve public operations and services.

- U.S. Data Federation: Simplifies data collection, integration, and exchange across government agencies by leveraging reusable tools and iterative processes.

- International Data Exchange Agreements (IDTAs): The United States participates in international data sharing agreements, such as the Clarifying Lawful Overseas Use of Data (CLOUD) Act, that facilitate bilateral data sharing while ensuring privacy and protecting civil liberties.

11. Russian Federation

In the Russian Federation, there are currently several laws related to information, information technology, personal data in use (the Russian Federation Law on Information, Information Technology and Information Protection and the Russian Federation Law on Personal Data).

According to the provisions of the Russian Federation Law on Information, Information Technology and Information Protection, information is defined as news, data, regardless of their form of presentation. This Law establishes specific regulations related to information, information technology and information protection such as defining information as being divided into publicly available information and information with restricted access. Russian law also specifically defines information owners, rights and obligations of information owners; the right to access information; the activities of hosting service providers, operators of information distribution search systems, news aggregators; the dissemination of information on social networks; restrictions on access to information; responsibilities of state agencies and local authorities in providing information and documents upon request of citizens.

The information systems under Russian law are defined as follows:

- State information systems - federal information systems and regional information systems created on the basis of Federal Laws, laws of the constituent units of the Russian Federation, on the basis of the competence of these agencies. Accordingly, the list of types of information that are required to be provided is prescribed by Federal Laws;

- Municipal information systems created on the basis of decisions of local government agencies;

- Other information systems.

At the same time, the Law on Personal Data of the Russian Federation regulates the processing of personal data by operators within the territory of the Russian Federation and foreign operators in relation to personal data of Russian citizens if this data is collected within the territory of Russia or is related to the provision of goods and services to Russian citizens or monitoring their behavior within Russia. The law applies to all types of personal data, including identity information such as name, address, date of birth, passport number and other personal information, as well as health and financial information.

II. THE NECESSITY OF PROMULGATION OF LAW

1. Political and legal basis

In recent years, the Party and the State have had many policies and solutions to promote the application of science and technology to serve the national digital transformation, building e-Government, digital Government, digital economy, digital society such as:

(1) Official dispatch No. 7455-CV/VPTW dated July 31, 2023 of the Central Party Office announcing the conclusion of the Politburo on the National Data Center Project, accordingly the Politburo agreed on the policy of building a National Data Center and assigned the National Assembly Party Delegation to coordinate in leading and directing the review, amendment, supplementation, and development of relevant legal documents according to its authority.

(2) Resolution No. 23-NQ/TW dated March 22, 2018 of the Politburo on the orientation for building a national industrial development policy to 2030, with a vision to 2045, has identified the science and technology policy for industrial development: "Encouraging investment and development of large data centers; promoting the development of science, analysis, management and processing of large data to create new products and knowledge".

(3) Resolution No. 52-NQ/TW dated September 27, 2019 of the Politburo on a number of policies and strategies to proactively participate in the Fourth Industrial Revolution identifies "Building and developing a synchronous national data infrastructure. Forming a system of national data centers, regional and local data centers with synchronous and unified connections".

(4) Resolution No. 29-NQ/TW dated November 17, 2022 of the 6th Conference of the 13th Party Central Committee on continuing to promote industrialization and modernization of the country by 2030, with a vision to 2045, identifies priority resources and has strong enough incentive mechanisms and policies to develop priority areas; including digital technology development (prioritizing the development of artificial intelligence, big data, blockchain, cloud computing, internet of things, electronic and telecommunications equipment, semiconductor chip design and production). (5) Article 62 of the 2013 Constitution also stipulates: (1) Science and technology development is a top national policy, playing a key

role in the country's socio-economic development; (2) The State prioritizes investment and encourages organizations and individuals to invest in research, development, transfer, and effective application of scientific and technological achievements; ensure the right to scientific and technological research; protect intellectual property rights; (3) The State creates conditions for everyone to participate in and benefit from scientific and technological activities.

(6) Resolution No. 81/2023/QH15 dated January 9, 2023 of the National Assembly on the National Master Plan for the period 2021 - 2030, with a vision to 2050, has determined to "make Vietnam one of the regional data centers. Build data centers associated with dynamic regions, growth poles, economic corridors; develop national data center clusters in the Northern and Southern regions."

(7) Resolution No. 76/NQ-CP dated July 15, 2021 of the Government promulgating the Master Program on State administrative reform for the period 2021-2030 has identified the construction and development of a data system to serve the implementation of e-Government towards digital Government at ministries, branches and localities.

(8) Decision No. 2289/QD-TTg dated December 31, 2020 of the Prime Minister on promulgating the National Strategy on the Fourth Industrial Revolution to 2030 has assigned the Ministry of Public Security to perform the task of "Building and operating the National Data Center. Raising awareness of organizations, businesses and people about personal data protection and data management".

In addition, the Government and the Prime Minister have also issued many important guiding decisions on data development and perfecting the information infrastructure in digital transformation in our country, such as: National data strategy stipulated in Decision No. 142/QD-TTg dated February 2, 2024 of the Prime Minister, Project on building a

National Data Center stipulated in Resolution No. 175/NQ-CP dated October 30, 2023 of the Government, Information and communication infrastructure planning for the period 2021 - 2030, with a vision to 2050 stipulated in Decision No. 36/QD-TTg dated January 11, 2024 of the Prime Minister. Therefore, perfecting the law and stipulating policies on data development and application in state management and socio-economic development is a very urgent requirement; create conditions for all people to benefit from digital transformation activities.

2. Practical basis

Currently, many countries in the world have regulations on data, operation, exploitation, and use of data (data of state agencies, organizations, enterprises, and individuals) such as: Open Data Law (Korea); Data Management Law and European Data Law applied to 27 member countries... Thereby, creating mechanisms and policies to apply data to state management activities and socio-economic development.

In our country, thoroughly grasping and implementing the Party and State's policies and guidelines on science and technology development, especially issues related to building, creating, connecting, and sharing data, has achieved some positive results such as: Initially initiating and forming 07 national databases; some national databases have been connected and shared data, contributing to reforming and simplifying administrative procedures for people; Technology infrastructure for building data centers has initially received more investment... however, there are still many shortcomings and limitations such as:

(1) Some ministries and branches do not have or do not have sufficient infrastructure to deploy core information technology systems to serve professional tasks;

(2) Many databases are collected and stored in duplicate, overlapping, and inconsistent in terms of shared data categories, causing difficulties in connecting, sharing, and exploiting data;

(3) Investment in data centers is not synchronous, inconsistent in terms of technical standards and regulations, and is not regularly inspected, maintained, and upgraded, leading to the risk of not ensuring system security and safety;

(4) Some ministries, branches, and localities hire information technology infrastructure services, which pose many risks to information security and safety because they have not really managed and controlled state data on enterprise infrastructure; (5) Human resources to operate and manage information systems are both lacking and weak;

(6) National databases according to Decision No. 714/QD-TTg dated May 22, 2015 of the Prime Minister have not been fully developed;

(7) Many information systems still have security holes and are not qualified to connect and share data with information systems of other agencies and organizations; (8) Difficulties in exploiting, connecting, and providing timely data to serve the settlement of administrative procedures, connecting public services, analyzing statistics, providing indicators and indicators to serve the direction and administration of the Government... Building a centralized database is a common trend in countries around the world today, such as Denmark, Japan, China, Korea... Therefore, it is very necessary to orient the construction and development of a National General Database as the main data pillar to create a foundation for the development of digital government, promote the digital economy and form a digital society in our country; helping to create and form reliable and stable data systems of the State, thereby implementing connection solutions to share, reuse and develop models, apply in-depth data analysis to create many new values, new products and services and new driving forces

for socio-economic development in the digital transformation period. Investing, upgrading, expanding, and storing information in the National General Database will save a lot compared to investing in separate systems to store this information. Information stored in the National General Database will also be shared to serve the common exploitation of ministries, branches, and localities; data management agencies do not have to set up additional connection and sharing channels for information that has been added and stored in the National General Database. Through review, there are currently many laws regulating databases (including national databases, specialized databases) and many other laws with provisions related to data such as the Law on Electronic Transactions, Law on Cyber Security, Law on Network Information Security, Law on Telecommunications, Law on Information Technology, draft Law on Digital Technology Industry... Through analysis and statistics in the above legal documents, these laws have regulated national databases, specialized databases with contents and elements such as: Information fields in the database (some databases have clearly defined information fields, some databases have regulations but not specific information fields and some databases do not have regulations on information fields); description, definition of the database (some databases have clearly stated descriptions, specific definitions, some databases have regulations but not specific and some databases are not defined); forms of exploitation and sharing (some databases have specific regulations on the forms of exploitation and sharing of data, some databases have regulations but are not specific about the forms of exploitation and sharing, and some databases do not have regulations).

In the reviewed laws, only a few laws have regulations on the responsibilities of the database management agency in building, collecting, managing, operating, connecting, sharing, exploiting, and using information in the database. However, all laws:

(1) There are no specific and unified regulations on data processing and management (such as data collection, digitization, quality assurance, data storage, etc.);

(2) There are no regulations on the development platform and application of high technology in data processing;

(3) There are no regulations on the creation of databases compiled from national databases and specialized databases to serve the direction and administration, planning of policies and guidelines, socio-economic development, administrative procedure reform, public services, and ensuring the interests of organizations and individuals; (4) There are no regulations on data-related products and services that are developing in the world such as data exchanges, data intermediary services, data analysis and synthesis services, etc. Meanwhile, the establishment of a data market, the construction and development of data-related products and services currently play a very important role. It is considered a breakthrough factor to gradually create and promote the opening of the data market, taking the data market as a driving force for data development and stimulating and promoting digital transformation of industries and fields, increasing competitiveness, ensuring the digital transformation process in our country. Resolution No. 175/NQ-CP dated October 30, 2023 of the Government approving the National Data Center Project has determined that by the fourth quarter of 2025, the National Data Center will be put into operation, serving as a place to store, synthesize, analyze, coordinate data, and provide infrastructure for ministries, branches and localities. Therefore, the development of the Data Law is extremely important, necessary and urgent to ensure full coverage of the contents and tasks that the Government has identified in the digital transformation work; enhance the effective use of information in databases to serve state management, both exploit and apply data in socio-economic development, and tighten the management of personal data and non-personal data, ensuring information security and safety.

III. PURPOSE OF THE LAW

The development of the Data Law project aims at the following purposes:

First, to create unity, synchronization and effective use of data to serve state management and socio-economic development.

Comprehensive adjustment of data processing, administration and coordination activities; clearly defining state management of data.

The National General Database Regulation includes aggregated data from national databases, specialized databases, and other databases, which will be the main data pillar to create a foundation for the development of digital government, promote digital economy and form a digital society; form reliable and stable data systems to serve the State, businesses, and people; deploy connection solutions to share, reuse, and develop models and applications of in-depth data analysis to create many new values, new products and services, and new driving forces for socio-economic development in the digital transformation period of our country. Second, serving the development of digital government and reforming and reducing administrative procedures

Providing infrastructure to serve the construction of national databases and synchronous integration and interconnection between national databases to help develop digital government, reduce and simplify administrative procedures, enhance transparency, and increase people's satisfaction with the operations of state management agencies.

Supporting the direction, administration, and policy making of the Government and ministries, branches, and localities on the digital data platform.

Clearly defining responsibilities and assigning specific tasks to ministries, branches, and localities in building, developing, and applying data, ensuring timeliness, consistency, efficiency, and meeting practical requirements.

Third, socio-economic development

Promoting the formation of a data market, supporting the development of data-based products and services, and making commercial transactions in the digital environment more frequent, continuous, safe, and transparent.

Forming and gradually expanding the general data warehouse, open data warehouse for people and businesses to exploit and use to serve innovation, deploy new industries and business fields, contributing to promoting the development of the digital economy and building a digital society.

Fourth, developing the National Data Center

When put into operation, the National Data Center will be a premise to promote the development process and promote the exploitation of national databases to serve socio-economic development; contributing to the goal of raising the level of Vietnam's digital economic development strategy to keep up with countries around the world, ensuring conditions for Vietnam to develop and integrate with the world's digital economy.

IV. GUIDING VIEWPOINTS FOR LAW DEVELOPMENT

Viewpoints for developing the Data Law project:

First, thoroughly grasp and concretize the Party's viewpoints, guidelines, and policies on building and perfecting the legal system on data; in line with the integration process, expanding international exchanges and cooperation; serving the cause of economic, cultural, and social development and ensuring national defense, security, social order and safety.

Second, ensure compliance with the Party and State's policies on national digital transformation, contributing to the building of e-Government, digital Government, and digital society.

Third, the development of the Law project is carried out on the basis of summarizing practices in recent years; overcoming shortcomings, inadequacies, and limitations; Implement uniformity, synchronization, and effective use of information in databases, serving state management and socio-economic development, contributing to the prevention and fight against crimes and law violations.

Fourth, create a complete legal basis for the exploitation and operation of the National General Database and the development of the National Data Center; ensure synchronization and unity in the legal system.

Fifth, selectively refer to the laws on data management of a number of countries, in accordance with the practical conditions of Vietnam.

V. STRUCTURE AND BASIC CONTENT OF THE LAW

The 2024 Data Law has 05 chapters and 46 articles, specifically as follows:

- Chapter I (General provisions) includes 10 articles (from Article 1 to Article 10), regulating: Scope of regulation; subjects of application; interpretation of terms; application of the Data Law; principles of building, developing, protecting, managing, processing, and using data; State policies on data; international cooperation on data; State management of data; building and developing data in Party agencies, the Vietnam Fatherland Front Committee and socio-political organizations; prohibited acts.

Accordingly, the Data Law regulates digital data; building, developing, protecting, managing, processing, and using digital data; National Data Center; National comprehensive database; digital data products and services; state management of digital data; rights, obligations and responsibilities of agencies, organizations and individuals related to digital data activities.

The Law applies to Vietnamese agencies, organizations and individuals; foreign agencies, organizations and individuals in Vietnam; foreign agencies, organizations and individuals directly participating in or related to digital data activities in Vietnam.

The Data Law has provided for the interpretation of terms to clarify a number of terms related to state management of data, ensuring consistency in understanding and convenience in the implementation process, including: Digital data; shared data; private data; open data; original data; important data; core data; data processing; database; National

consolidated database; Data sharing and coordination platform; data subjects; data owners; data owners; data owner's rights to data; data encryption; data decryption; data coordination.

In addition, the Data Law is a new Law and is identified as the original law, regulating and comprehensively regulating activities related to data. Therefore, the Law has stipulated an Article on the application of the Data Law to ensure consistency with the provisions on the application of legal documents in Article 156 of the Law on Promulgation of Legal Documents and similar to the provisions in other laws such as Article 4 of the Capital Law, Article 3 of the Law on National Defense Industry, Security and Industrial Mobilization, Article 4 of the Law on Civil Defense, etc.

In addition, to ensure effective state management of data, the Data Law also stipulates very specifically a number of contents such as: Principles of building, developing, protecting, managing, processing and using data; state policies on data; international cooperation on data; state management of data; building and developing data in Party agencies, the Vietnam Fatherland Front Committee and socio-political organizations; prohibited acts.

The Law stipulates that data is a resource, the State has a policy to mobilize all resources to enrich data, develop data into assets; the rights of data owners to data are property rights according to the provisions of civil law.

Regarding state management of data, the Law stipulates: (1) The Government unifies state management of data; (2) The Ministry of Public Security is the focal agency responsible to the Government for performing state management of data, except for the scope of management of the Ministry of National Defense; (3) The Ministry of National Defense is responsible to the Government for performing state management of data within its scope of management; the Minister of National Defense is responsible to the Government for performing state management of key data within its scope of

management according to the provisions of the law on key data; (4) Ministries, ministerial-level agencies, and government agencies, within the scope of their functions, tasks, and powers, shall build and develop databases; coordinate with the Ministry of Public Security to perform state management of data; (5) Provincial People's Committees shall build and develop databases; perform state management of data at the local level.

Chapter II (Building, developing, protecting, managing, processing, and using data; national data development fund) consists of 19 articles (from Article 11 to Article 29), stipulating: Data collection and creation; data quality assurance; data classification; data storage activities; data administration and management; data access and retrieval; data connection, sharing, and coordination; data provision to state agencies; data analysis and synthesis; data confirmation and authentication; data disclosure; data encryption and decoding; cross-border data transfer and processing; scientific, technological and innovative activities in building, developing, protecting, managing, processing and using data; identifying and managing risks arising in data processing; other activities in data processing; data protection; technical standards and regulations on data; national data development fund.

1. The Data Law stipulates the basic contents that must be complied with in the process of data processing for agencies, organizations and individuals (including more than 20 specific activities); the administration, identification and management of risks arising in data processing; at the same time, to meet the requirements in the management and development of high-tech applications in data processing, which is a development trend in the world today, the Law stipulates scientific, technological and innovative activities in the construction, development, protection, administration, processing and use of data.

2. The Law stipulates the provision of data to state agencies

The Data Law stipulates that domestic and foreign organizations and individuals are encouraged to provide data under their ownership to state agencies. However, in cases of responding to emergencies; when there is a threat to national defense and security but not to the extent of declaring a state of emergency; disaster; In order to prevent and combat riots and terrorism, organizations and individuals must provide data to State agencies when requested by competent authorities without the consent of the data subject. This is a necessary provision to resolve difficulties and problems related to the management, operation, connection, exploitation and use of information in databases; regulate the use of data by enterprises and individuals to promptly handle the above cases.

For state agencies receiving data provided by organizations and individuals, they are responsible for (1) using the data for the right purpose; (2) ensuring data security, safety, data protection, and other legitimate interests of data subjects, organizations and individuals providing data in accordance with the provisions of law; (3) destroying data immediately when the data is no longer necessary for the requested purpose and notifying the data subjects, organizations and individuals who provided the data; (4) Notify the storage and use of data upon request of organizations and individuals providing data, except in cases of protecting state secrets and work secrets.

3. Law on cross-border data transfer and processing

Currently, the buying and selling of data in general and the transfer of data between organizations and individuals are increasingly popular; not only individually but also professionally and regularly, becoming a "service", a business channel; including raw data, processed personal data, non-personal data; including the transfer of data abroad, to foreign

organizations and individuals. This activity has many potential risks affecting security, national defense, social order and safety; especially core data, important data of the country. Many countries in the world have also had regulations to restrict and control the transfer of this data abroad, especially core data and important data to ensure the security of data resources such as the regulations of China, the US and Russia.

Therefore, in addition to the regulations that agencies, organizations and individuals are free to transfer data from abroad to Vietnam, process foreign data in Vietnam, and have their legitimate rights and interests protected by the State according to the provisions of law, the Data Law also stipulates the transfer and processing of cross-border data for core data and important data; at the same time, the Government is assigned to specify the transfer and processing of cross-border data with specific requirements, conditions and procedures to ensure national defense, security, protect national interests, public interests, rights and legitimate interests of data subjects and data owners according to the provisions of Vietnamese law and international treaties to which Vietnam is a member.

4. The Data Law stipulates the National Data Development Fund

Currently, the state budget allocated for digital transformation activities in general and the construction and development of databases in particular is still very limited, there are no resources to support organizations and enterprises in researching and developing technology applications in data processing (such as artificial intelligence, cloud computing, blockchain technology, etc.); meanwhile, data is the core resource for implementing digital transformation. Therefore, to promote the application of data to serve digital transformation in rural, mountainous areas, areas with difficult and especially difficult socio-economic conditions; support research on solutions to increase data protection, transfer of data technology,

development of high-tech applications related to data processing; Support and reward organizations and individuals with achievements in data construction and development... The Data Law has stipulated a national data development fund to mobilize social resources to support the construction and development of national data.

- Chapter III (Construction and development of the national data center; national comprehensive database) consists of 09 articles (from Article 30 to Article 38), stipulating: Infrastructure of the National Data Center; responsibilities of the National Data Center; ensuring resources for construction and development of the National Data Center; construction of the National Comprehensive Database; collection, update, and synchronization of data into the National Comprehensive Database; exploitation and use of the National Comprehensive Database; connection and sharing of data with the National Comprehensive Database; provision of data to the National Comprehensive Database; fees for exploitation and use of data in the National Comprehensive Database and other databases managed by state agencies. 1. The Law on Data specifically regulates the construction and development of the National Data Center, including: Infrastructure of the National Data Center; responsibilities of the National Data Center; ensure resources for the construction and development of the National Data Center.

Accordingly, the National Data Center will be built, managed, exploited and operated by the Government to ensure unity, stability and sustainability. The National Data Center integrates, synchronizes, stores, shares, analyzes, exploits and coordinates data of state agencies in accordance with the provisions of law and provides information technology infrastructure for Party and State agencies, the Vietnam Fatherland Front Committee and socio-political organizations. Accordingly, the National Database must use the infrastructure of the National Data Center according to the roadmap

prescribed by the Government; Databases in the fields of national defense, security, foreign affairs, cryptography and specialized databases, other databases are not required to use the infrastructure of the National Data Center, but if there is a need to use it for exploitation, operation, efficiency improvement, security assurance, information safety in management, administration, data processing, it will be implemented on the basis of agreement with the National Data Center and the Government will also specify in detail the procedures for implementing this content. At the same time, the National Data Center is responsible for (1) supervising data quality assurance, data coordination activities; building measurement and performance evaluation systems for data management activities; (2) implementing data protection measures; (3) scientific research on data, application of technology in data processing, provision of technology infrastructure, products, and services on data; supporting organizations and individuals in data processing; Building an innovation center, supporting innovation in data science; developing innovation activities in data science; developing an innovation startup ecosystem in science and technology on the data platform of the National General Database; (4) Organizing the implementation of international cooperation on data.

2. One of the important contents of the Data Law is the regulation on the construction of the National General Database.

The National General Database is built to serve the exploitation and common use to meet the activities of the Party, State agencies, the Vietnam Fatherland Front Committee and socio-political organizations; serving the implementation of administrative procedures, public services, serving the direction and administration of the Government; serving the work of statistics, policy making, planning, strategy development for socio-economic development, national defense, security,

foreign affairs, cryptography, crime prevention and control, handling of law violations; serving the needs of data exploitation, use and application of organizations and individuals.

Data is collected, updated and synchronized into the National General Database, including: (1) open data; (2) shared data of state agencies; (3) private data of state agencies according to the Prime Minister's decision to serve the tasks of national defense, security, foreign affairs, cryptography, socio-economic development, digital transformation, national interests, public interests; (4) data of Party agencies, the Vietnam Fatherland Front Committee and socio-political organizations when agreed by the data owner; (5) other data provided by organizations and individuals.

Exploiting and using data from the National General Database will positively impact all existing administrative procedures, meeting the requirements of administrative procedure reform, supporting state management activities, and directing and operating the Government such as:

First, on connecting and sharing data between systems: Instead of the system of a ministry, branch, or locality having to connect with the systems of other ministries, branches, and local information systems, it only needs to connect with the National Data Center. Therefore, the number of procedures and the number of times to connect, share, and exploit information between databases from ministries, branches, and localities with other information systems will be reduced; ensuring that data processing in handling administrative procedures is done faster.

- Chapter IV (Data products and services) includes 05 articles (from Article 39 to Article 43), regulating: Data products and services; data intermediary products and services; data analysis and synthesis products and services; data

platforms; responsibilities of organizations providing data intermediary products and services, data analysis and synthesis, and data platforms.

1. The Data Law regulates data-related products and services and assigns the Government to provide detailed regulations for management of organizations providing data-related products and services.

The management and development of new data products and services will contribute to establishing a data market, promoting digital transformation in industries and sectors of the economy, transforming the method of communication between state agencies and organizations, individuals and social relations in the digital environment. 2. The Data Law also stipulates the basic contents of the data floor, the specific contents will be stipulated by the Government in the Decree. Accordingly, the data floor is a platform providing data-related resources to serve research, startup development, innovation; providing data-related products and services to serve socio-economic development; and is an environment for trading and exchanging data and data-related products and services. However, the Law also clearly stipulates the types of data that are not allowed to be traded, including: (1) Data that is harmful to national defense, security, foreign affairs, and cryptography; (2) data that is not agreed to by the data subject, unless otherwise provided by law; (3) other data that is prohibited from trading according to the provisions of law. 3. In addition, the Law also stipulates that organizations providing data intermediary products and services, data analysis and synthesis, and data platforms must be responsible for: (1) Providing services to organizations and individuals on the basis of agreements in service provision contracts; (2) Ensuring smooth and continuous information reception channels and service use; (3) Regularly managing, checking, and monitoring data safety and security; preventing, stopping, and handling data risks; monitoring behaviors that may affect data protection; (4)

complying with the provisions of the law on network information security, the law on network security, the law on electronic transactions, and other relevant legal provisions. At the same time, the Government shall specify these contents in detail to ensure effective implementation.

- Chapter V (Implementation provisions) consists of 03 articles (Articles 44 to 46), regulating: Amendments and supplements to a number of articles of relevant laws; effective date and transitional provisions.

Accordingly, to ensure consistency and synchronization in the legal system in general and data law in particular, the Data Law has stipulated amendments and supplements to Appendix No. 01 on the List of fees and charges issued together with the Law on Fees and Charges to supplement (1) Fees for exploiting and using information in the National General Database; (2) Fees for exploiting and using information in national databases and other specialized databases.

In addition, the Law also stipulates transitional content for the National Database Management Agency that has invested in the construction or leased data infrastructure services before the effective date of the Law to continue using the invested or leased systems and equipment until the National Data Center is qualified to receive and provide infrastructure for the national database according to the provisions of the Data Law and the Prime Minister will prescribe a roadmap for receiving, converting and using the infrastructure of the National Data Center for this national database.

VI. CONDITIONS FOR ENSURING IMPLEMENTATION

1. Regarding human resource assurance

Human resource assurance in implementing the Data Law is basically the team of people working in data processing and management of state agencies, political organizations, and socio-political organizations. The Data Law does not stipulate the staffing and organization of the National Data Center, but assigns the Minister of Public Security to stipulate the functions, tasks, powers, and organization of the National Data Center. The establishment of the National Data Center is decided by the Government and the National Data Center is a new unit under the Ministry of Public Security. In the period from now to 2030, it is expected that the National Data Center will attract, train, coach, and develop a team of human resources to operate and manage the system to meet national and international standards in data management.

2. Regarding financial resources assurance

a) The assurance of resources for the implementation of the Data Law is basically guaranteed by the state budget and revenue from the provision of data-related products and services. The construction of the National Data Center is currently being implemented on the basis of the implementation of Resolution No. 175/NQ-CP dated October 30, 2023 of the Government approving the National Data Center Project, so it will not cause sudden changes in state budget expenditures (the estimated cost of building the National Data Center in phase 01 (until 2025) is about VND 20,000 billion). During the process of implementing the investment in the construction of National Data Center No. 1, based on the actual situation and needs, the Ministry of Public Security will continue to research and propose projects to build National Data Centers in the next investment phases in accordance with the medium-term public investment plan 2026 - 2030 to submit to competent

authorities for approval to ensure savings, efficiency, avoid waste and best suit the development of technology. Therefore, the implementation of the Law will ensure feasibility. The Ministry of Finance and the Ministry of Planning and Investment have promoted their permanent role in guiding and allocating funding for the implementation of Project 06 and have issued many instructions to ministries, branches and localities to arrange funding sources for the implementation of Project 06 within the scope of the assigned medium-term public investment plan for the period 2021-2025 (Official Dispatch No. 933/BKHĐT-QPAN dated February 16, 2022, Official Dispatch No. 4275/BKHĐT-ĐKKD dated June 27, 2022, Official Dispatch No. 3199/BKHĐT-ĐKKD dated April 27, 2023 and Official Dispatch No. 3378/BKHĐT-ĐKKD dated May 5, 2023 of the Ministry of Planning and Investment; Official Dispatch No. 933/BTC dated February 9, 2022 of the Ministry of Finance). Therefore, it is completely feasible to ensure funding for ministries, branches and localities to implement the tasks and contents stipulated in the Law (such as data standardization, equipment procurement, IT infrastructure upgrading, human resource training, etc.). b) Funding for training, coaching, organizing propaganda, dissemination, organizing the implementation of the Data Law and funding for management and maintenance of the National Data Center; investing in infrastructure and technological human resources to ensure the construction and management of the National Data Center. The use of funding must be for the right purposes, contents, regimes and expenditure norms according to the provisions of law on management and use of the state budget for activities in the fields of national defense and security.

VII. FORECASTING IMPACT ON PEOPLE AND SOCIETY

The Data Law is the original law that comprehensively regulates and regulates activities related to data; therefore, in the context that the whole country is moving towards the goal of national digital transformation, the Data Law is an important legal foundation, playing a core role in implementing the contents and tasks that the Government has identified in the digital transformation work, creating favorable conditions for socio-economic development, while protecting the rights of people in cyberspace through data management, protection, processing and exploitation. This helps agencies, organizations and individuals have specific instructions in collecting, managing and using data, thereby enhancing the effectiveness of state management and applying technology to public services; marks an important step forward in the process of building a digital government, digital economy and digital society in our country in the current period.

By requiring all state agencies to synchronize data into a shared system instead of maintaining independent databases, it will not only help to minimize duplication but also increase data accuracy, especially important in areas such as population management, land, and social insurance. Through data synchronization, a ministry or sector when needing information from another agency can directly access it through the common system instead of having to request or build a separate channel.

By institutionalizing the Party and State's policies and guidelines on digital transformation, the Data Law will have a profound impact on the construction of a digital government, especially in improving the ability to share shared databases among ministries, sectors, and localities; ensure increased transparency and efficiency of the government through smart data management, interconnectivity and efficiency of shared databases; create opportunities for organizations and businesses to access support policies of the State, create motivation for research, innovation, investment, development of

products and services related to data, increase economic efficiency through data; at the same time, people will have more opportunities to access, choose, and use products and services related to data in a comprehensive manner, contributing to promoting the development of the digital economy, digital society and digital citizens.

The Data Law has identified the responsibilities of each agency in data administration, management and sharing. This ensures clarity in the assignment of tasks, reduces conflicts or contradictions in data usage rights between ministries and branches; At the same time, it facilitates agencies to quickly coordinate the implementation of cross-sectoral digitalization programs, such as integrating health, education, and financial data, etc. The Data Law also stipulates that data management agencies apply strict security measures to protect shared data from the risk of attack, loss, or misuse, so that data security and confidentiality will be better ensured. The National Data Center will be primarily responsible for monitoring and protecting this data.

The Data Law will make an important contribution to improving online public services and government operational efficiency through data sharing; meeting the requirements of administrative procedure reform, creating conditions for all citizens to benefit from digital transformation activities: When databases are interconnected, online public services will become faster and more efficient. For example, citizens only need to provide information once when carrying out administrative procedures, instead of having to submit the same type of document to many different agencies. Departments that process administrative records can check information in real time, reducing processing time and improving user experience. At the same time, interconnected data helps the government analyze trends, forecast and plan policies better. For example, in healthcare, population and health insurance data can be integrated to build appropriate healthcare programs.

In land management, cadastral information can be combined with planning data for effective monitoring and enforcement. To ensure the effective implementation of the Data Law, close coordination between ministries, branches and localities, as well as the participation of businesses and people, is required to achieve the goal of comprehensive digital transformation. This is a strategic step to help Vietnam move faster on the path of digital transformation. It not only enhances the ability to coordinate and share data among government agencies but also significantly improves the quality of public services and state management. These changes will contribute to building a transparent, effective digital government that better meets the needs of people and businesses.

CONCLUSION

Under the guidance of the Party, the State and the Ministry of Public Security, the contest to learn about the Law on Data in the People's Public Security is not only a purely professional activity, but also a profound, practical and meaningful political activity. Through the journey of research, contemplation and dissemination, each officer and soldier - especially the young generation - has the opportunity to access, understand correctly, understand deeply and enhance their sense of responsibility for the task of protecting the Party's ideological foundation in the digital age. The Law on Data is not only a legal tool, but also a manifestation of strategic vision, affirming the national position and mission of the People's Public Security force in maintaining data sovereignty, protecting network security, information security, for the benefit of the Fatherland and the people. The contest entry focused on clarifying eight core contents, fully demonstrating the spirit of research, responsibility and dedication of a people's public security soldier in response to urgent practical requirements. From studying the legal policies on data in countries around the world to the need to build a legal framework for data in Vietnam, the author deeply understands that data protection is not only about protecting information, but also about protecting the trust and core values of the nation in the digital age. The analysis of rights, obligations and mechanisms to ensure the implementation of data rights clearly shows the approach to human rights in Vietnam's modern legal policies - taking people as the center, data serving people and owned by people. In addition, the contents on prohibited behaviors, innovative activities in the data field, regulations on data exploitation and sharing in the national database or the responsibility of the National Data Center have been thoroughly explained, both demonstrating theoretical depth and closely following the development practice of the national digital infrastructure. From there, it is affirmed that without a unified,

transparent and secure data strategy, Vietnam will find it difficult to transform strongly in the global race for digital economy and smart governance.

In particular, with the People's Public Security force - the leading agency, pioneering in state management of data, the contest entry has highlighted the key role of the Ministry of Public Security and the Public Security of units and localities in performing tasks: from building a National Data Center, deploying secure data products, to participating in international agreements on data sharing, exchanging early warnings and coordinating cross-border incident handling. The key tasks set from now until 2030 are the guiding principles for the Public Security force to constantly innovate, improve technological capacity, and proactively respond to non-traditional security challenges, especially cybercrime and high-tech crimes.

The contest to learn about the Law on Data in the People's Public Security is therefore not simply a broad political activity, but a place where the intelligence, responsibility and desire for innovation of soldiers in the digital age converge. For us - the soldiers of the Ca Mau Provincial Police, the place at the end of the country but always full of will and loyalty - this contest is a valuable opportunity to foster the spirit of learning, practice political qualities, and more clearly identify our role in the comprehensive digital transformation of the force. Each line written not only reflects personal awareness, but also a promise, a commitment to dedicated service, ready to contribute to the cause of building "a unified, synchronous, safe, modern and rich in national identity Vietnamese data" as General Secretary To Lam has directed. The contest will end, but the values, awareness and motivation from it will continue to spread, will continue to fuel the journey of building a revolutionary, disciplined, elite, modern People's Public Security force, capable of mastering the digital space, brave enough to preserve the truth, protect the Party, the State and the People in the data age. That is the honor, the responsibility, the command from the heart of a police officer in the new era.

序言

我们正迈入数字时代的曙光，数据已成为重要的资源和重要的生产资料，是数字经济的“新动能”，更是“命脉”。以数据为核心的数字化转型，正在从根本上重塑我们的生活、工作和发展方式。我们党和国家早已认识到数据的重要性。政治局第52-NQ号决议序言 我们正迈入数字时代的曙光，数据已成为重要的资源和重要的生产资料，是数字经济的“新动能”,更是“命脉”. 以数据为核心的数字化转型，正在从根本上重塑我们的生活、工作和发展方式。我们党和国家早已认识到数据的重要性. 2019年9月27日，政治局第52-NQ/TW号决议关于积极参与第四次工业革命的若干指导方针和政策，提出了“积极参与区域和全球法律框架，发展数字经济；完善数据和数据治理的法律政策，促进数据的创建、连接、共享和利用，确保国家网络安全，旨在与东盟和国际社会对接”的方针。最近，2024年12月22日政治局第57-NQ/TW号决议明确将数据确定为数字化转型的核心和发展的关键驱动力。该决议还概述了试点政策，以建立促进数据开发和利用的初步法律框架。

2024年11月30日，国会以458名代表中的451名（94.15%）的赞成票通过了《数据法》项目。该法共5章46条，自2025年7月1日起施行。在社会生活各个领域广泛数字化转型的背景下，《数据法》的诞生是国家法律体系建设和完善的关键里程碑。该法不仅为数据的管理、开发、使用、共享和保护构建了透明清晰的法律框架，更彰

显了党和国家建设现代高效数字经济、数字社会和数字政府的坚定政治意愿。对于人民公安部队而言，《数据法》具有特殊意义，它既是维护数字时代数据安全和国家数字主权的法律基础，也是全面指南。

人民公安部队《数据法》学习竞赛是全军全面推进数字化转型、推进组织机构现代化建设、提升数据管理和运用能力、服务作战作战和部队建设需要的一项重要政治活动。这不仅是让每一位官兵更好地理解数据在数字时代的作用和地位，也是学习法律知识、增强责任意识、加强自学研修、积极运用数据进行实际工作的机会。通过竞赛，弘扬“法律至上”精神，推动全军认真有效贯彻落实《数据法》，特别是在维护公民合法权益、保障数据安全、维护信息保密、打击网络犯罪、提升应对非传统威胁的快速反应能力等方面取得新成效。特别是，通过竞赛，人民公安部队再次展现了在构建安全、健康、规范的网络空间法治环境方面的先锋模范作用，不愧为数字时代保卫祖国的“钢铁盾牌”。为响应公安部和金瓯省公安厅联合举办的“人民公安数据法学习”征文大赛，“绿色勇士”团队创作了包含四卷正文的参赛作品，解答了主办方提出的八个问题，并附有五个附录。每卷均围绕一个主题，传递不同的信息，突出这部重要法律在数据管理改革、保障人权和公民权利以及顺应数字社会管理趋势方面的优势和突破。具体包括:

- 第一卷：2024年数据法—数字化转型的亮点。

- 第二卷：2024年数据法—具体规定。
- 第三卷：2024年数据法—综合数据库和国家数据中心。
- 第四卷：2024年数据法—数据管理：方向与解决方案。
- 附录1：2024年视障人士数据法。
- 附录2：人民公安数据法竞赛作品及人民公安数据法竞赛作品。
- 附录3：2024年数据法及实施细则。
- 附录4：2024年数据法数字纪录片。

作者不仅编写了纸质作品，还通过每册附带的二维码将其数字化，并建立了一个用于在线调查和更新数据法信息的网站。此外，为了最大限度地发挥2024年数据法的优势，使其惠及更多受众，团队将作品翻译成英文和中文，录制了数据法的音频介绍，并制作了盲文版本，方便视听障碍人士阅读。所有这些都融入到单个项目作品中，凝聚着年轻人民公安部队的自豪感、热情和奉献精神。我们提交此作品参赛，是带着这样的承诺：我们将始终坚守在守护国家数据安全的第一线，始终为国家数字安全和人民幸福而行动，并时刻提醒自己：“保护数据，就是保护我们自己，保护人民，保护国家的未来。”

致以最诚挚的谢意和崇高的敬意!

第一部分：数据法概要报告

2015年5月22日，总理签署了第714/QĐ-TTg号决定，公布了需要优先部署的国家数据库清单，为电子政务发展奠定基础。迄今为止，国家数据库和专业数据库已逐步完善，为部署奠定了基础，为在线公共服务提供数据，促进国家机构间数据顺畅共享，并为发展数字政府、数字经济和数字社会提供高质量、高利用价值的开放数据集。此外，还出台了规范数据的法律文件，以便根据数据发展以及科技在数据处理中的应用，及时调整数据管理。但迄今为止，在取得积极成效的同时，实践也表明，一些与数据相关的法律规定仍然较为滞后、不够完善，导致许多部委、部门和地方在组织实施数据管理职能方面不够统一，效率提升空间有限，没有吸引到高技术人才，没有充分发挥数据在服务群众、服务企业、建设数字政府方面的效能。为评估已取得的成果，指出不足之处、局限性和原因，并提出未来数据建设和发展的方向，公安部于2024年1月24日发出第310/BCA-C06号批示，要求最高人民检察院、最高人民法院、各部委、部级机关、政府机关、政治

组织、社会政治组织、各省和直辖市人民委员会总结评估2016年1月1日至2023年12月31日期间数据相关法律文件的执行情况和成效，并指出：

一、部署、宣传、普及数据相关法律规定，开展数字化转型工作

1.数据相关法规文件的执行情况

为落实数据相关法律，各部委、各部门、各地方组织审查，就制定执行文件进行磋商，并明确了相关规定。有关单位在组织实施数据相关法律、组织审查、安排人力资源、信息技术基础设施等方面的职责，以开发数据在社会经济发展中的应用，加速我国数字化转型进程。

为明确国家数字化转型计划、国家数据战略；关于开发人口、身份识别和电子认证数据应用的06项目，以服务于2022-2025年以及2030年远景的国家数字化转型……各部委、行业部门、省市人民委员会颁布了数百项法律文件、指示、决议、规章，涉及省数据集成中心基础设施系统、应

用程序、共享数据库的管理、运行和开发……一些地方取得了显著成果，例如：—超过50%的部门、行业部门和地方在省数据集成共享平台（LGSP）上提供数据共享服务。

- 超过80%的部门、分支机构和地方在省级行政审批信息系统中部署组织和个人电子数据仓库功能，确保个人和企业在办理网上公共服务时只需向国家机关提供一次信息。

- 收集个人数据的国家机关网站、电子信息门户网站、电子商务平台以及互联网上流行的数字服务提供商100%通过信息安全评估并获得网络信任标签。

- 超过30%的部门、分支机构和地方发布开放数据计划，包括开放数据目录、所辖国家机关开放数据发布计划以及计划各阶段应达到的最低水平，并首次按照计划提供开放数据。预计到2024年，100%的部门、分支机构和地方将发布开放数据计划，并按照省数字化转型指导委员会的目标提供开放数据。

部署信息系统，确保数据在管理、存储、处理和传输过程中的信息安全；数据挖掘机构应根据数据提供机构的规定以及政府2020年4月9日第47/2020/ND-CP号关于国家机关数字数据管理、连接和共享的规定，确保连接和接收共享数据时的信息安全。

2. 宣传和传播数据法规相关法律文件

各部委、行业和地方定期组织法制宣传教育，其中数据领域是重要内容。信息宣传工作、传播数据法规相关法律文件的方式多样、灵活、多维度，形式多样，例如利用大众媒体和数字平台、培训、研讨会、会议、应用程序、互联网软件（如电子信息门户/页面、Zalo、Facebook等）；在机关总部、医院、学校、公共场所散发传单、海报、横幅、标语；举办绘画、摄影展览；法律知识竞赛……以多种语言进行，使法律法规深入人心。这些活动帮助干部、公务员、公职人员、劳动者和人民群众更好地了解党和国家关于数据的重要政策和路线图，逐步提高认识，严格执行国家数据库、专业数据库和数据存储信息系统中关于数据开发和使用的规定。宣传工作侧重于反映数据库建设实施的成果；数据、数据库建设、互联互通在实践中的实际应用和有效性；世界各

国在开发、保障数据、数据库和数据中心安全方面的经验。及时发现和传播数据库部署实施中的典型集体和个人事例、良好模式和创新模式，在各阶层的认识和行动上形成高度共识和一致。组织了许多数据学习竞赛，例如：生命数字数据—Data for life（C06-公安部）、数据科学竞赛—UIT Data Science Challenge 2023（信息技术大学）；2023年DAZONE数据分析大赛、数据科学人才选拔赛（对外贸易大学）、2023年数据达人赛（岘港经济大学）、主题为“彻底改变数据零售业的未来”的2023年越南数据马拉松……旨在推动数据在生活、经济和社会发展中的研究和应用，特别是针对年轻人。

越南在专家级和青年级信息安全国际竞赛中也取得了令人瞩目的成绩，具体包括：Viettel专家队在Pwn2Own专家社区的世界最负盛名的竞赛中获胜；胡志明市国立大学学生队在东盟网络盾牌竞赛中获胜，击败了来自10个东盟国家的37支队伍；河内理工大学学生队在学生信息安全竞赛中获胜，击败了来自10个东盟国家的233支队伍。

二、数据法规法律文件的实施成果

1. 关于数据法规法律文件的颁布

政府、总理、各部委、各地方政府展现决心，注重领导和指导，完善相关机构，打造法律通道，助力数字领域发展，解决近年来数字化转型实践中出现的问题，并突破瓶颈，推动越南数据发展和快速数字化转型。关于数据库，目前已出台69部法律，例如：《居住法》、《身份识别法》、《法制教育普及法》、《公民身份法》、《干部和公务员法》、《公务员法》、《土地法》、《武器、爆炸物及辅助工具管理和使用法》等。特别是，2023年，国会通过了《电子交易法》、《电信法》和《身份识别法》，这些法律为促进数据发展奠定了重要的法律基础。《电子交易法》旨在为各行各业从实体环境向数字环境转型搭建全面、完善、有利的法律通道，积极主动地、优先地、鼓励电子交易的实施；制定全面的电子交易政策，优化流程，缩短电子交易处理时间，使其更加便捷、安全、可靠。

《电信法》旨在将党发展电信基础设施的政策制度化，为数字经济和数字社会的发展奠定基础；补充关于新型电信服务，包括互联网基础电信服务、云计算服务、数据中心服务等的规定；构建适应数字化转型趋势的法律通道，将电信基础设施转化为数字基础设施；及时克服过去在实施和国家管理中遇到的困难，确保遵守现行法律以及越南加入的相关国际条约中的承诺。

- 《身份证法》的出台是人口管理创新的突破，更好地保障了公民的合法权益，加强了科技应用，提升了国家人口和身份证数据库在国家管理、办理行政手续、提供在线公共服务、服务经济社会发展、服务数字公民等方面的效率和价值，符合数字化社会管理的趋势。

一些典型例子：

- “一证多用”的做法。从2023年《电子交易法》的制定成果，以及政府于2022年12月21日颁布的第104/2022/ND-CP号法令，该法令修改和补充了在办理行政手续和提供公共服务时提交和出示纸质户口簿和暂住证的若干条款，可以借鉴加快数字化转型进程的机构建设和完善的经验：“数字化机构必须先行一步，助力国家数字化转型更快、更可持续。”“一份文件调整多份文件”的

方式，“发现不足或落后之处，立即纠正，逐点纠正，更加准确、迅速地纠正，体现生活气息”。- 财政部于2023年10月16日颁布了第63/2023/TT-BTC号通知，修改补充了财政部关于规范收费的若干通知的若干条款，鼓励使用在线公共服务（自2023年12月1日起生效），对组织和个人在线办理公共服务时产生的08项费用，降低10%至50%。预计这项政策每年将为民众和企业带来约1000亿越南盾的支持。

- 广义省颁布了降低使用在线公共服务费用50%的政策；将973项在线公共服务的办理时间缩短20%；试点在97项公共服务中全面实现网上受理和结果反馈；出台《关于提高公共服务在线质量和效率的计划》；通过移动设备（智能手机）构建的应用程序在线提交申请的解决方案有效、实用、可行。

- 老街省人民议会颁布了关于为信息技术和数字化转型领域的公务员和公务员提供优惠政策的决议，适用于在省级和县级机关工作的公务员和公务员，支持金额最高为1.5亿越南盾/人次；支持培训和待遇，支持金额最高为540万越南盾/人/月。

- 河内市在全国率先颁布了市人民议会决议，对组织和个人在线提交市人民议会管辖的82项行政程序文件实行0手续费政策。

2. 数据库

2.1. 数据库现状

2023年，联合国评估越南在开放数据领域的排名较2020年上升了10位。2022年，国际组织“开放数据观察”（Open Data Watch）评估越南开放数据排名，将其位列世界第80位，较2020年（世界第91位）上升11位。尤其是开放数据覆盖率的分项指数大幅提升，位列世界第81位，上升41位（上一年为第122位），东南亚第6位，上升3位（上一年为第9位).

国家机关已投入运行并使用了7个国家数据库。已确定数据库清单的各部委和省份比例达到64%。 2023年，各部委、行业和地方建立的专业数据库数量与2022年相比增长了38.5%，从1280个增至2087个。2023年发布的计划和开放数据目录数量大幅增长了52%。

（1）国家人口数据库：

存储约9900万人的信息，覆盖越南99%以上的人口；与18个部委、行业和63个地方联网。公安部还与司法部和内政部配合，审查和更新了9.2万多起放弃国籍的案件、近500万起户籍信息变更案件，为数据清理提供了服务。

（2）国家企业登记数据库：与13个部委、行业和63个地方联网，存储约4100万笔交易；存储160多万家企业（约90万家在役企业）和20多万家企业下属单位的数据；存储约240万户工商户的登记信息，其中：26万多户工商户拥有标准化数据，存储约3万家合作社和附属单位的数据。工商登记记录通过电子网络调取率达92.58%。自2018年起，计划投资部已部署与各部委、部门和地方进行工商登记数据的互联互通。（3）国家保险数据库：与9个部委、部门和一些关联方互联互通，在全国范围内共享数据；管理约3200万户参保户；约1710万人参加社会保险；约8890万人参加医疗保险；已将国家保险数据库中超过9370万条人口信息与国家人口数据库进行核对，其中：约

有8470万人参加了社会保险、医疗保险和失业保险，占参保总人数的96%（不包括军队、军属）。同时，越南社会保障体系已将超过1.32亿条社会保险、医疗保险信息与国家人口数据库进行同步。

（4）国家电子户籍数据库：已在63个省和直辖市完成部署，用户超过5万，其中：司法-户籍官员账户约1.8万个，乡镇人民委员会领导和书记账户约3.2万个。截至2023年11月，系统拥有出生登记数据约4800万条，其中：约960万名儿童按规定获得个人身份识别号（约530万名出生登记转交社会保险机构发放健康保险卡），约1230万条婚姻登记数据，约1050万条婚姻状况证明发放数据，约820万条死亡登记数据，约29.3万件亲子认定数据，约2.05万件监护登记数据，约1.66万件收养登记数据，约88.94万件更正、变更、增加户籍、重新认定民族数据。（5）国家土地数据库：—中央层面，已建成、投入管理和运行利用4个中央管理的土地数据区块，包括：（1）土地统计、清查数据库；（2）土地利用总体规划数据库；（3）地价数据库；（4）土地调查评估数据库。

- 地方层面：63个省（直辖市）正在建设完善土地数据库。具体而言：705个县级单位中，455个已建成并投入运行土地数据库，数据库总规模超过4600万宗；705个县级单位中，705个已建成

土地统计和清查数据库（2019年清查期）；705个县级单位中，325个已建成土地利用总体规划和计划数据库；705个县级单位中，300个已建成地价数据库。（6）国家财政数据库：财政部为服务国家财政数据库建设项目，已建成13个专业数据库，具体成果如下：

- 13个子数据库中，11个已建成：国家预算收支数据库（国家预算数据仓库）；税收管理专业数据库；国库管理专业数据库；海关管理专业数据库；证券管理专业数据库；价格管理专业数据库；公共债务管理专业数据库；公共资产管理专业数据库；保险专业数据库；企业国有资本管理和监督专业数据库；金融领域共享电子目录数据库。

- 02/13数据库处于投资阶段：金融通用数据库处于软件开发阶段；国家储备管理专业数据库正在完成项目投资政策提交程序。

（7）国家干部、公务员和公职人员数据库：已与96个部委、分支机构、中央和地方机构（33个部委、分支机构、中央机构和63个省市）连接并同步数据，其中：70个部委、分支机构和地方

已同步数据（覆盖率达100%）（包括13个部委、分支机构和57个地方），其余单位正在继续同步数据，以确保第一阶段所需的数据。截至目前，已自动同步到国家数据库的数据总数近230万条，其中：部委、分支机构近21.8万条（覆盖率达80.3%），地方超过200万条（覆盖率达99%）。

2.2. 数据库基础设施部署现状

越南电子政务和数字政府建设进程已持续多年，但各单位信息技术基础设施发展并不均衡。一些部委、地方已部署了现代化信息技术基础设施（包括主数据中心和备份数据中心的信息技术基础设施），并在国家层面部署了许多大型、重要的专业应用系统，例如：公安部国家人口数据库系统、税务机关集成电子发票的税务管理系统、国库预算和国库管理信息系统、海关总署通关系统、税收管理系统、社会保险政策支付管理系统等。

已部署数据中心，利用云计算技术服务数字化转型的部委、地方数量达到71.43%。2022年和2023年，国内外企业对数据中心的投资将不断增加。越南已有9家企业提供数据中心服务，全国共

有43个数据中心，服务器总数达57.1万台，物理核心数达5470万个。在数据中心和云计算基础设施方面，越南有13家企业提供数据中心服务，共计45个数据中心，总计近2.8万个机架。2023年，越南将新增VNPT和CMC两座大型数据中心。预计越南每年将新增1万至1.2万个机架，到2026年，数据中心市场规模将达到约15亿美元。

然而，一些部委、部门和地方缺乏足够的基础设施来部署核心信息技术系统以服务于业务工作。许多数据库的收集和存储存在重复、重叠的情况，在标准和类别方面缺乏标准化或统一，因此无法传承，难以连接、共享和共同利用。

2.3. 保障数据安全

信息系统和数据库安全保障工作受到更多重视，克服了诸多漏洞和不足。网络安全保障专业单位和专家网络已形成。该网络由越南近200个机关和组织参与，其中包括22个部委、8个政府机关、63个省市信息通信厅、17家国有企业和集团、45家银行和金融机构、30家电信和互联网服务提供商（ISP）以及8家其他社会企业和组织。以信息安全局、越南信息安全协会和5家大型企业（

Viettel、VNPT、FPT、BKAV、CMC）为核心的“应对恶意软件和预防网络攻击联盟”已成立，旨在促进国家机关、协会和企业之间的全面合作。信息通信部信息安全局已部署全国性技术系统，为网络安全保障工作提供服务。典型的例子有网络空间信息趋势监测和侦测系统、违法传播信息源协调和处理系统、恶意软件感染监测和统计系统、电子政务信息安全共享和监测系统、电子政务信息安全共享和监测系统等。在国际电信联盟（ITU）评估的全球网络安全国际排名中，越南排名大幅上升，从2017年的第100位上升到2019年的第50位。在卡巴斯基发布的排名中，越南被评估为东南亚手机恶意软件数量第二低，仅次于新加坡。然而，一些部委、行业和地方雇用的信息技术基础设施服务存在许多安全隐患，或尚未完成该系统，其中包括：工业和贸易；教育和培训；计划和投资；科学和技术；自然资源和环境；劳动、伤残军人和社会事务；农业和农村发展；卫生；政府监察局；少数民族、文化、体育和旅游委员会。这导致安全漏洞风险，系统无法保障数据安全连接利用，人员文书工作量减少，无法服务于主管部门的管理，并影响其他使用信息的部门，文书工作量未减少，造成连锁后果，国家管理效率低下。

在安全管理运行保障过程中，各单位还存在以下问题：（1）系统发生变更，导致安全漏洞和薄弱环节风险时，未配合公安部进行检查和重新评估；（2）仅对公共服务系统进行评估，未对核心系统及其他与公共服务系统连接的系统进行评估；（3）未全面落实安全保障工作，未按规定建立和发布规章制度。因此，过去发生了多起数据丢失事件。通过检查工作，各部门、各地方已对违规行为进行了处理和纠正：连接、共享、安全保障……

3. 关于数据库信息的管理、运行、连接、共享、开发和使用

全国范围内的数据创建、连接和共享已取得显著进展，创造了具体的实际价值，使民众、企业和国家机关更加深刻地认识到数据的价值，解决了过去难以彻底解决的跨部门问题，有助于节省社会时间，提高公共服务质量，惠及民众和企业；基于完整、准确和及时的数据，提高管理、指导、运行和履行公共职责的效率。

截至2023年底，所有部委、部门和地方均已根据政府2022年6月24日第42/2022/ND-CP号法令的规定，审查并发布了本部委、部门和地方范围内符合部署在线公共服务的行政程序清单，该法令规范了国家机关在网络环境下提供信息和在线公共服务。在政府和总理的强力领导下，各部委、各地方努力将81%的行政手续实现线上化，其中48.5%的行政手续实现了全流程线上化。截至2023年12月，全国63个省份中，49个省份出台了降低收费标准的政策，13个省份出台了缩短办事时间的政策，鼓励民众使用线上公共服务。—在使用效率方面，所有行政手续中，线上提交的申请占比达到38.5%。通过“数字政府服务提供和使用水平监测系统”（EMC系统）的统计和测算，平均每天约有7.6万份公共服务申请在线提交。根据政府办公厅2017年10月31日第02/2017/TT-VPCP号关于行政流程控制指导意见的通知，每项在线公共服务记录都可节省出行时间，申报时间至少为2小时。NDXP平台（国家数据整合共享平台）已连接103个机关、单位和企业的系统；10个数据库和15个信息系统提供数据共享服务。到2023年，通过NDXP进行的交易总量将达到约6.5亿笔；平均每天通过该平台进行的交易量约为178万笔。自2019年上线以来，通过NDXP进行的交易总量

已超过16.7亿笔。初始效率显著，为社会节省时间和成本，预计节省金额达数千亿越南盾。各地方部署了区域内数据连接和共享平台（省级整合共享平台 - LGSP）。截至目前，已有 45 个地方和 15 个部委部署了 LGSP。部署该对接系统旨在帮助地方减少重复数据输入，降低行政手续处理成本。截至 2023 年 12 月，国家公共服务门户网站注册账户数超过 680 万个，同步记录数超过 1.19 亿条，门户网站在线记录数超过 2900 万条，在线支付交易数超过 2030 万笔，支付金额超过 7.113 万亿越南盾。迄今为止，国家公共服务门户网站已与 150 个机关单位信息系统和数据库对接和集成；公开行政手续数超过 6300 项，其中整合并提供 4591 项在线公共服务；账户数超过 1120 万个；同步记录数超过 2.691 亿条；门户网站在线记录数超过 3540 万条；网上支付交易超过2120万笔，金额超过9.513万亿越南盾。截至2023年底，各部委已削减和简化近2500项商业规章，简化528项（占1086项行政程序的49%），以落实政府关于简化与人口管理有关的行政程序和公民文件的决议；在商业规章咨询和查询门户网站上公布了15700多项商业规章。总理颁布了15项决定，批准削减和简化221份法律文件中近1200项商业规章的计划。

在地方层面：通过开发和使用现有数据库，简化了受理和办理行政手续及公共服务的流程，民众无需提交大量文件，从而节省了等待时间。具体而言：907个行政手续已实现重组，将国家人口数据库中的信息自动填报到表格，并将申请表和申报表数字化，确保在重复使用数字化数据的基础上，至少减少20%的申报信息，无需重复录入；1320个行政手续的处理时间与规定相比有所缩短，减少率达20%或以上；289个行政手续重复使用国家数据库和专业数据库中已有的信息和数据；109个行政手续（主要在金瓯省）实现了跨行政区划的行政手续受理和办理。

以下是一些部委和部门之间有效互联互通和数据共享的典型案例：

- 公安部国家人口数据库已与15个部委、部门和63个地方互联互通。收到超过13亿份信息查询和核实请求，为解决行政手续和清理数据提供服务，为各部委、分支机构和地方节省了5000多亿越南盾。同时，同步了超过5.37亿份公民信息，丰富了人口数据。

- 人口数据与社保数据的结合创造了新的价值，其效果是单个数据无法实现的，具体如下：到2023年11月，100%的医疗保险医疗机构都已部署使用芯片公民身份证进行医疗保险医疗检查和治疗（得益于国家人口数据库的信息查询），成功信息查询超过5400万次；平均办理时间从10分钟节省到几个小时，现在患者在机器上的身份认证时间仅为6-15秒左右（每年有1.7亿人次医疗保险医疗检查和治疗，如果未来全面部署，每年可为患者和社会节省大量时间和成本）；帮助医疗机构节省约1至1.5小时的总接诊时间；有助于提高准确性和数据化管理能力；有利于加强电子环境下的检查和诊疗工作；限制医疗保险诊疗中的欺诈和牟取暴利行为……从而有助于提高国家对医疗保险诊疗的管理效率，更好地保障医疗保险参保人员的权益。

- 事实证明，数据利用和互联互通的在线公共服务比执行单个行政程序更有效。例如，2023年刚刚正式投入使用的02项互联互通公共服务“出生登记-永久居住登记-为6岁以下儿童发放医疗保险卡和死亡登记-注销永久居住登记-丧葬补助、丧葬费用补助”。截至2023年11月20日，已接收并处理了超过34.2万份互联互通的出生登记记录和超过2.6万份互联互通的死亡登记记录。其价值显

著，尤其对越南社会保障而言：（1）有助于将6岁以下儿童领取医疗保险卡的等待时间从5天缩短至2天（34.2万份 x 3天，约合100万个工作日）；（2）将办理丧葬补助的时间从10天缩短至7天（2.6万份 x 3天，约合8.1万个工作日）。

- 根据第122/2020/ND-CP号法令的规定，在企业登记过程中，将国家企业登记数据库与财政部税务登记信息系统、劳动荣军与社会部信息系统和越南社会保障信息系统对接，将4个流程整合为1个流程。因此，企业只需准备1套文件、填写1份表格、到1个机构办理手续并收到1个结果。国家管理机构之间信息交换的全过程实现数字化和电子化，有助于将越南企业开办流程从8道手续、16天压缩至3道手续、6天。截至2023年11月，已根据第122/2020/ND-CP号法令的规定办理了约65万份企业登记文件，这有助于缩短处理时间，为社会节省约650万个工作日。 - 一些地方行政手续办理取得突破性进展。例如，2023年6月，广宁省从投资者通过该省公共服务门户网站在线提交申请之日起，仅用12个工作小时就向2个企业、总资本近2.5亿美元的投资项目颁发了投资许可证，比规定时间缩短了14个工作日。

4. 关于数字人力资源

越南政府出台了多项政策和方案，以促进数字经济发展，而人才是其中的关键因素之一。为了增加高素质信息技术人力资源，越南总理于2022年1月28日颁布了第146/QD-TTg号决定，批准了“提高认识、普及技能、发展人力资源，以实现2025年国家数字化转型，展望2030年”的项目。

越南拥有150万名信息技术和数字技术领域的从业人员。越南拥有168所大学和520所提供信息技术培训的职业学校。为落实《信息技术人力资源发展法》，越南信息技术人力资源结构也根据信息技术产业发展领域进行调整，主要包括：硬件和电子行业人力资源；软件行业人力资源；数字内容行业人力资源；信息技术服务行业人力资源。越南信息技术人力资源的能力和技能在国际上享有盛誉。 2018年Skillvalue公布的编程技能排名中，越南位居全球第29位。2017年，越南学生在ACM/ICPC国际程序设计竞赛中位列128名中的第34位。越南持续位列亚太地区十大最具吸引力的软件外包国家之列。到2021年，根据世界贸易组织（WTO）的统计数据，越南将在业务流程外

包（BPO）领域位居全球55个领先国家中的第5位，在网络游戏领域位居全球100个国家中的第28位，并在智能手机和办公设备出口领域位居全球第二

目前，每年毕业的信息技术专业学生总数超过8.4万人，其中大学毕业生约5万人，大专及中专毕业生3.4万人；招生目标为10万人左右。

各部委、各地方每年都拨出资金，用于培养下属干部，特别是信息技术主管干部的信息技术基础知识和专业知识。一些部委、各地方还为所属单位信息安全和信息技术主管干部举办各级信息系统安全培训班；组织信息技术应用项目规划、管理和投资成本估算培训班。部属单位干部、公务员和公务员基本具备在管理领域实施电子交易应用和数字化转型所需的知识和技能。此外，各部门还根据计划、项目和方案，选派符合条件的干部参加中央组织委员会“165”项目下的信息技术研究生培训班、培训班、培训、学习体验和信息技术应用研究。然而，只有约30%的毕业生能够满足用人单位的技能和专业要求（根据招聘机构TopDev的调查）。不符合要求的学生需要重新培训或转行，造成社会资源的极大浪费。此外，数字人力资源培训的局限性在于，数字人力资源

的培训主要集中在行业和领域。需要推动各行业、各领域的技术培训，例如数字医疗人力资源、数字旅游或数字农业；一些职位的招聘需求越来越高，但市场尚未满足，例如数据工程师、人工智能和云计算。

5. 关于数据相关检查、审查、投诉举报处理和违法违规处理

为确保数据建设、管理和发展工作依法合规，各部委、各部门、各地方组织检查组，对各自领域法规、政策、战略、规划和计划的执行情况进行检查。检查的主要目标是：（1）掌握各数据库贯彻落实法律和指导性文件的情况；（2）评估各自职责范围内各项机制、政策、战略、规划和计划的执行情况和成效；（3）评估数据和数据库对国家管理和服务人民的有效性；（4）发现数据和数据库实施过程中存在的困难和障碍，及时调整补充，完善数据发展机制和政策.

通过检查，及时督促、指导并提出解决方案，克服工作中存在的不足、局限性和困难；加强各机关、单位、地方领导、工作人员、公务员和公职人员在执行06项目任务中的作用和责任感，结合行政改革，落实2022-2025年期间及展望2030年的全省数字化转型计划。

在地方，各省人民委员会指导各部门、各行业深入学习并严格执行信息安全重点任务指导文件，主动掌握公民对数据违法行为的投诉、举报、建议和反映情况；强化领导责任，提高基层接待、解决和处置工作的有效性。截至目前，各地方基本没有接到公民对数据违法行为的投诉或举报。

公安部配合信息通信部对各部门、各行业、地方公共服务系统安全状况进行检查评估。结果：11个部委、部级机关和63个地方的公共服务系统已按照信息通信部2022年4月26日第1552/BTTT号指示确保了安全。

三、数据法规实施效果总体评估

1. 优势与成就

多年来，数据法规的实施体现了国会、政府、各部委、各行业和地方政府在完善机构、构建法律通道、促进该领域发展方面的决心、专注的领导力和方向，为越南数据领域的快速发展做出了贡献。数据已成为宝贵的资源，是创造经济价值的重要因素。数据发展为实施奠定了基础，确保为在线公共服务提供数字数据，确保国家机构之间无缝数据共享，提供高质量、具有开发价值的开放数据集，并依法开放数据，以发展数字政府、数字经济和数字社会。

在实施数据法规的过程中，涌现出许多新颖、富有创意的模式和方法；许多部委、行业和地方推动国家机关、企业和地方之间数据对接、整合和共享，特别是来自国家数据库、从中央到地方的规模化信息系统的数据，有助于最大限度地发挥数据价值，提高向民众和企业提供的公共服务质量，以用户为中心，民众和企业不必手动多次向国家机关和服务提供者提供信息，避免重复投资和

造成浪费。数据相关法律文件的实施有助于完善法律，满足国家数据管理的要求，提升越南在世界数字技术版图上的地位，确保数据安全，迈向数字政府、数字经济、数字社会，更好地服务民众和企业.

2. 存在问题及局限性

（1）国家数据库系统建设和数据管理仍存在碎片化、地方化等问题，各单位之间的对接共享机制不统一、不完善，导致国家数据库数据和已存储数据未能充分发挥其电子数据资源的作用，难以有效利用、对接和及时提供数据，难以服务于行政审批、衔接公共服务，难以服务于分析统计，难以为政府指导和行政管理提供指标和数据。数字化信息数据的利用和再利用率仍然较低（9%）。各部门、各机构在利用和使用其他部门、行业和领域的电子数据方面仍然存在犹豫和顾虑；个人和企业在办理其他部门或领域的业务或手续时，仍需向职能部门申请相关文件和证件。因此，到2025年，将无法完成将50%与人口数据相关的行政手续和公民文件减少的目标……

（2）一些部委和部门没有或拥有但缺乏足够的基础设施来部署服务于业务工作的核心信息技术系统。这在确保系统，特别是服务于民众、企业和行政活动的重要系统的持续、顺畅、可靠和安全运行方面造成了重大“障碍”.

(3）从中央到地方的国家数据库、专业数据库和信息基础设施在全国范围内部署和运行缓慢（典型的是国家土地数据库）

一些部委和部门没有统一的数据管理系统，数据仍然碎片化，分散在从中央到地方的多个垂直管理单元中，只有少数部门发布了原始数据集，例如：国家人口数据库；国家干部、公务员和公职人员数据库；国家工商登记数据库……

（4）国家数据基础设施仍然碎片化、参差不齐且质量低下。与此同时，构建国家重要数据资源的互联互通和数据共享仍然薄弱，缺乏同步性，未能很好地适应推动第四次工业革命成果应用的需要。

各部委、行业和地方在基础设施和数据中心方面的投资成本与实际效果不匹配。

（5）根据总理2015年5月22日第714/QĐ-TTg号决定建立的国家数据库尚未完全建成。

（6）个人数据仍然被滥用和非法交易；一些机构的信息安全得不到保障。

（7）许多信息系统仍然存在安全漏洞，无法接入国家人口数据库……（8）信息技术人力资源匮乏：各部委、行业和地方的公务员和信息技术专业人员数量不足，在数据实施和数字化转型方面缺乏咨询知识和技能；各行各业从业人员和普通民众的数字技能普及仍然缓慢。信息技术和数字化转型领域的工程师、本科生和技师的数量和质量仍然有限，不能满足数字化转型的需要。国家数字化转型人力资源建设工作虽然得到重视和推动，但尚未满足实际需要。

3. 缺陷与局限性的成因

（1）我国数据法律体系尚不完善，具体如下：

- 缺乏关于将国家级数字数据仓库互联互通、形成集中式数据仓库、构建单一数据访问和利用机制的法规。

- Thiếu quy định về phân loại và tái sử dụng dữ liệu, tạo giá trị mới, dẫn đến rủi ro không phân loại được dữ liệu (ví dụ: dữ liệu nhạy cảm chỉ được chia sẻ, dữ liệu ít nhạy cảm có thể chia sẻ và tái sử dụng để phục vụ phát triển kinh tế - xã hội; dữ liệu phục vụ quốc phòng, an ninh...).

- Thiếu quy định về chiến lược dữ liệu, quản trị dữ liệu và bảo vệ dữ liệu.

- Thiếu quy định về kết nối, chia sẻ, khai thác dữ liệu của cơ quan thông tin và dữ liệu phục vụ mục đích quốc gia.

- Thiếu quy định về chi phí và giá dữ liệu phục vụ phát triển kinh tế - xã hội (ví dụ: thiếu quy định về tiêu chuẩn hạ tầng công nghệ thông tin, quy định về cung cấp sản phẩm, tổ chức, cá nhân thu phí/giá dữ liệu).

- Thiếu quy định về dữ liệu phục vụ mục đích công cộng, an ninh, quốc phòng, nghiên cứu khoa học và tình huống khẩn cấp.

- Thúc đẩy phát triển các sản phẩm trí tuệ nhân tạo, điện toán đám mây, công nghệ chuỗi khối, công nghệ truyền thông dữ liệu, công nghệ Internet vạn vật, công nghệ dữ liệu lớn và các công nghệ hiện đại khác... Đảng và Nhà nước đã có chủ trương trong Nghị quyết nhưng chưa hình thành văn bản quy phạm pháp luật để triển khai thực hiện đầy đủ, toàn diện, hiệu quả.

- 缺乏关于数据产品和服务的规定，特别是在经济社会发展活动中数据开发和应用的规定。

（2）许多数据库的收集和存储存在重复、重叠、不规范、标准和技术规范不统一，且没有共享数据目录，导致数据连接、共享和利用困难。

（3）数据中心投资不同步，标准和规范不统一，缺乏定期检查、维护和升级，存在系统不安全的风险。

（4）一些部委、分支机构和地方缺乏足够的基础设施来部署核心信息技术系统以服务于专业任务；由于尚未真正管理和控制企业基础设施上的国家数据，雇佣信息技术基础设施服务商对信息安全构成诸多风险。一些部委和行业在2023年尚未完成原始数据数字化，影响了数据互联互通，例如：自然资源与环境部的土地数据（仅完成450个县级）；司法部的公民身份数据（63个地方正在实施，其中20个地方已将国家人口数据库平台上的数据数字化）；劳动荣军与社会部的劳动就业数据（63个地方中57个地方正在实施）……

（5）信息系统运行和管理的人力资源匮乏且薄弱。

（6）法规/标准/技术规范制定缓慢，尤其是数据共享相关标准；开放数据开放进程未达到要求；依法开展数据管理、共享管理、数据利用活动尚未得到重视。

B 部分：数据法宣传材料

一、数据监管相关国际经验

为了完善数据法律体系，确保与越南法律体系保持一致，并借鉴世界各国数据管理经验，越南公安部研究分析了本地区乃至世界多个国家的数据相关法律法规，为数据法的制定服务。

1. 欧盟数据治理法

《数据治理法》（DGA）是欧盟法律的重要组成部分，旨在促进欧盟各部门和国家之间数据共享。该法案规范了受公共保护数据的再利用，主要侧重于两个方面：

第一，促进数据共享，包括：

- 鼓励公共机构数据的再利用：DGA 规定了政府和公共组织如何将其数据提供给企业和其他组织再利用，即使这些数据受到商业机密、知识产权或个人数据法规的保护。

规定公共机构重复使用数据的条件和类别；规范收费和定价机制；以及主管部门支持公共机构获取和重复使用数据。本章的规定并非赋予重复使用此类数据的权利，而是提供了一套统一的基本条件，以允许此类重复使用（例如非排他性要求）。支持此类重复使用的公共部门机构需要具备技术能力，以确保充分尊重数据保护、隐私和安全。成员国必须建立单一联络点，以支持研究人员和创新者识别合适的数据，并需要建立相应的机制，为公共部门机构提供技术手段和法律支持。

- 引入数据中介机构：该法案规定了被称为“数据中介机构”的实体，这些实体将提供数据共享和聚合的平台。这些中介机构必须按照严格的标准运营，以确保公平、安全地访问数据。

- 推动欧洲通用数据空间建设：《数据法案》鼓励创建特定行业的数据空间，促进数据共享和协同使用，从而促进创新和研究。

其次，确保可靠的数据治理，包括：

- 建立数据共享的伦理原则：该法案规定了公平、透明、问责和非歧视等原则，以指导数据共享活动

- 规范数据利他行为：《数据法案》允许个人和组织出于公共利益目的（例如科学研究或环境监测）捐赠其数据。

- 加强执法机制：该法案为欧盟成员国提供了监督和执行其条款的工具。

- 《数据法案》规范欧盟内部国家和地区之间的数据共享，旨在通过四项主要措施挖掘数据潜力：

+ 数据重用机制，提供国家机构数据以及无法作为开放数据提供的数据。

+ 确保数据中介机构在欧洲通用数据空间中共享和汇总数据的措施。

+ 公民和企业能够更轻松地提供数据，造福社会。

+ 促进数据共享，特别是跨部门、跨地区、跨国家互操作数据的使用，并确保数据的合理使用。

2. 欧盟数据法案

该法案被视为一项重要支柱，有助于建立影响数据经济参与者之间关系的立法框架，旨在激励跨部门横向数据共享，鼓励和促进所有部门之间更广泛、更公平的数据流动，包括企业间、企业间、政府间以及政府间的数据流动。

该法案将有助于实现更广泛的政策目标，即确保所有行业的欧盟企业都能创新和竞争，有效地赋予个人数据使用权，并为企业和公共部门机构提供更完善的机制，以应对重大政策和社会挑战，包括公共紧急情况和其他特殊情况。企业将能够在云存储提供商和其他数据处理服务之间轻松传输其数据和其他数字资产。在经济部门内部和部门之间共享数据需要一套程序和法律措施框架，以增进信任并提高效率。为经济战略部门和公共利益部门创建一个欧洲通用数据空间，将有助于建立一个真正的内部数据市场，从而实现跨部门数据的共享和使用。因此，该法规有助于这些治理和基础设施框架，以及数据空间之外的数据共享。

该法案的具体目标如下：

- 促进消费者和企业访问和使用数据，同时保持对通过数据创造价值的解决方案的投资激励。这包括提高在使用相关产品或服务时产生的数据共享的法律确定性，以及确保数据共享合同公平性的操作规则。建议根据《关于数据库法律保护的第96/9/EC号指令》（《数据库指令》）的规定，明确其相关权利的适用。

- 在某些特殊情况下，当公共部门机构、联盟组织、机构或团体对数据有特殊需求时，向其提供企业持有的数据。这主要涉及公共紧急情况，但也存在其他特殊情况，即企业和政府之间强制共享数据是合理的，以支持公共政策和服务.

- 促进云服务和边缘服务之间的过渡。获得具有竞争力且可互操作的数据处理服务是蓬勃发展的数据经济的先决条件，在这种经济环境下，数据可以在行业生态系统内部和跨行业生态系统轻松共享。对数据处理服务的信任程度决定了各经济部门用户对这些服务的使用程度。

- 引入保障措施，防止未经云服务提供商事先通知而进行未经授权的数据传输。此举源于对非欧盟/欧洲经济区政府未经授权访问数据的担忧。此类保障措施将进一步增强人们对日益支撑欧洲数据经济的数据处理服务的信任。

- 制定跨行业数据重用的互操作性标准，以消除在欧洲通用数据空间共享数据的障碍。该提案还支持建立“智能合约”标准。智能合约是电子账本上的计算机程序，可根据预定条件执行和结算交易。它们有可能为数据持有者和数据接收者提供数据共享条款得到尊重的保证。该法案包含以下主要条款:

首先，企业对消费者 (B2C) 和企业对企业 (B2B) 的数据共享。制造商和设计人员必须以易于访问数据的方式设计产品，并且必须透明地说明哪些数据可以访问以及如何访问。本章的规定不会影响制造商在与用户达成一致的情况下访问和使用其提供的相关产品或服务数据的能力。数据持有者有义务根据用户的要求向第三方提供此类数据。用户有权授权数据所有者向第三方服务提供商（例如售后服务提供商）提供数据访问权限。微型和小型企业将免于这些义务。其次，数据所有者根据

联盟法律提供数据的义务。如果数据所有者有义务根据第二章或其他联盟或成员国法律向数据接收者提供数据，则共同框架应规定提供数据的条件以及提供数据的补偿。任何条件都应公平、非歧视，任何补偿都应合理。除非行业立法另有规定，对中小企业的任何补偿均不得超过提供数据所产生的成本。经成员国认可的争议解决机构可协助双方就补偿或条件产生分歧达成协议。

第三，企业间数据访问和使用相关的不公平合同条款。这确保了数据访问和使用合同协议不会利用缔约方之间议价能力的不平衡。不公平性测试包含一项一般条款，用于确定与数据共享相关的合同条款的不公平性。在议价能力不平等的情况下，该工具保护弱势缔约方免受不公平合同的影响。这种不公平性阻碍了合同双方对数据的使用。同时，这些规则确保了数据经济中价值的更公平分配。委员会建议的示范合同条款可以支持商业方以公平的条款签订合同。

第四，根据特殊需要向公共部门机构、委员会、欧洲中央银行和联盟机构提供数据。本节旨在创建一个统一的框架，供公共部门机构、欧盟机构、机构和组织在特殊需要企业所持有数据的情况下使用。

该框架基于提供数据的义务，仅适用于公共紧急情况或公共部门机构有特殊需要使用某些数据但无法及时从市场上获取此类数据的情况。在应对公共紧急情况（例如公共卫生紧急情况或重大自然或人为灾害）的特殊需要下，数据将免费提供。在其他特殊需要下，包括预防或协助公共紧急情况的恢复，提供数据的数据持有者应有权获得与提供相关数据相关的费用补偿。为确保数据请求权不被滥用，并确保公共部门对此类数据的使用负责，数据请求应适度，明确说明要实现的目的，并尊重生成数据的企业的利益。主管部门将确保所有请求的透明度和公开性。他们还将处理出现的任何投诉。

第五，数据处理服务之间的可移植性。该法案引入了适用于云、边缘和其他数据处理服务提供商的规则，以实现这些服务之间的可移植性。

该法案不要求特定的技术标准或接口。但是，它要求服务在适用的情况下与欧洲标准或开放互操作性规范兼容。

第六，关于非法国际访问和传输非个人数据的规定，这指的是第三方非法访问欧盟境内持有的非个人数据。

该法案不影响对欧盟公民或企业持有的数据提出数据访问请求的法律依据，也不影响欧盟的数据保护和隐私框架。它提供了具体的保护措施，即服务提供商必须采取一切合理的技术、法律和组织措施，以防止此类访问与欧盟法律规定的保护此类数据的竞争性义务相冲突，除非满足严格的条件。该法规符合欧盟在世贸组织和双边贸易协定中的国际承诺。

3. 欧盟《通用数据保护条例》（GDPR）

《通用数据保护条例》（GDPR）是全球最严格的隐私和安全法律。尽管该条例由欧盟起草并通过，但它规定了所有机构的义务，只要它们以欧盟境内人员为目标或收集相关数据，就必须承担相应责任。该条例将于2018年5月25日生效。GDPR将对违反其隐私和安全标准的机构处以严厉的处罚，罚款最高可达数千万欧元。

4. 韩国《开放数据法》

该法律允许商业和非商业访问以及重复使用政府数据；常用数据包括：全国商店数据；社会保险参保人名单；韩国天然气公司的天然气产量数据；40岁以上健康保险参保人定期健康检查结果信息；交通事故信息；国家税务局的经营状况信息和输入项目真实性验证信息；天气预报；全国商店信息；房地产交易信息；空气污染信息……

5. 中国

2020年，中国政府在《关于构建更加完善的要素市场化配置体制机制的意见》中，将数据列为继土地、劳动力、资本、技术之后的“第五大生产要素”。为促进数据要素有效发挥作用，中国在《“十四五”规划纲要》和《关于印发要素市场化配置综合改革试点总体方案的通知》（2022年）等重要文件中，多次提出数据市场化发展的方向。

中国正在推进构建以保障数据安全、维护用户权益、释放数据价值为三大支柱的数据治理体系。

在数据安全方面，《国家安全法》《网络安全法》《数据隐私法》等相关法规相继出台，建立了数据分级分类、分级管理、重要数据保护等机制；数据安全评估已完成

在用户权益保护方面，《民法典（修正案）》和《个人信息保护法》已获通过；配套法规也已出台，明确个人信息处理规则、个人信息跨境提供规则以及个人信息处理者的权利和义务。

在数据价值释放方面，许多省市地方近期出台了数据相关法规，制定了公共数据共享开放规则，并开展了数据交易。然而，在中央层面，仍然缺乏一套完善的法律体系来促进数据要素的价值释放。当前，构建融合大数据体系—中国国家数据管理体系，是推进国家治理体系和治理能力现代化的重要战略举措。

该体系主要内容如下：

政务数据管理职能进一步明确，各省（自治区、直辖市）负责政务数据的归集、管理、共享、开放和安全保障。

包括基础数据库和专题数据库在内的政务数据资源体系初步形成，支撑政府各项工作开展。

包括政务云平台、数据共享中心等在内的政务数据基础设施基本建成。

中国建立了统一的国家数据目录和国家数据标准，为公共部门和私营部门提供高效便捷的数据服务

中国国家基础数据库，包括人口数据库、地理空间数据库、宏观经济数据库、组织机构数据库等，正在逐步完善，数据的完整性、规范性和准确性不断提高。

中国还逐步完善了中央与地方数据共享交换机制，强化了省级政府依托国家数据共享交换平台在数据共享应用方面的主导责任。通过建立政务数据协调共享机制，政务数据管理机构明确并负责制定大数据发展政策规划和措施，组织实施数据采集、汇总、治理、共享和安全保障工作。

截至2022年12月，全国31个省（区、市）中已有29个省（区、市）在部门、机构和分支机构层面建立了数据管理或政务服务机构，服务群众超过10万人。20个地区发布了数字政府或数字化转型相关规划文件。

此外，中国正在构建具体的数据治理规则体系，包括：数据安全保护、个人信息保护、公共数据管理和数据交易流通。

在数据安全保护制度方面：以《数据安全法》为基础，建立数据安全保护体系，出台《网络数据安全管理条例（草案）》、《汽车数据安全管理条例（试行）》等具体规章……

在具体机制方面，建立了数据分类、评分管理制度，识别需要保护的重要数据类别；建立了数据安全风险评估、报告、共享和监测预警机制；建立了数据安全应急响应机制……

在个人信息保护制度方面，以《个人信息保护法》为基础，构建系统、多层次、多领域的个人信息保护法律体系.

在具体制度方面，建立一系列基于“共识”的个人信息处理规则；建立个人信息跨境提供规则；明确个人在个人信息处理活动中的权利，包括知情权、决定权、询问权、更正权、删除权等；明确个人信息处理者的合规管理和相关方的义务，保障个人信息安全。

6. 日本

2021年6月，日本公布了日本首个综合数据战略—“国家数据战略”，其目标是：通过确保信任和公共利益，构建安全高效使用数据的结构框架；确保全球对数据本身以及日本数据生成和流通方式的信任；构建一个世界可以安全地在日本存储数据的社会。

为了实施这一战略，日本于2021年9月成立了数字机构。在“国家数据战略”中，日本计划构建一个七层数据治理架构:

第一层（基础设施）：5G、数据中心、计算基础设施以及其他支撑数字社会的基础设施；

第二层（数据）：从社会活动的基础数据入手，构建必要的数据结构；

第三层（协作平台）：配备链接工具，系统地整合数据；

第四层（使用环境）：为不同主体提供便利的个人数据存储环境，并将其链接到信息库和数据交易市场；

第五层（规则）：除了完善数据关联所需的规则外，还需要完善相关规则，使主体能够安心使用数据；

第六层（组织）：行政和公共服务改革；

第七层：战略、政策。

日本之所以采取措施推动数据产业链发展，是因为该国意识到自身存在数字基础设施不完善、基础数据缺乏、政府、私营部门和企业之间数据共享不足、社会数据素养低下以及隐私问题等问题。

7. 印度

印度的数据治理政策侧重于各类数据，并建立了个人数据、非个人数据和政府数据的治理框架。

在个人数据方面，2011年通过的《信息技术规则》是规范敏感个人数据的基本框架。2019年的《个人数据保护法》草案重点关注数据本地化；提议对跨境数据流动进行严格监管，并赋予印度政府从企业获取用户数据的权力（旨在对大型科技公司实施更严格的监管）。

为了使个人数据共享更加顺畅，印度提出了“数据赋能与保护架构”（DEPA）。2022年8月，印度撤回了2019年草案，并发布了2022年《个人数据保护法》的新草案。

2022年草案预计将建立更自由的跨境数据流动机制、更简化的通知和同意框架、更全面的数据保护监管机构以及更强有力的个人数据保护框架……

在非个人数据方面，印度不仅在努力实现经济和社会数据共享，还在制定规则，促进政府持有数据的流通和使用。2019年，电子和信息技术部（IT）召集了Gopalakrishnan委员会，就如何在印度管理非个人数据提出建议。

2020年12月，戈帕拉克里希南委员会发布了关于“非个人数据治理框架”的报告，征求公众意见。戈帕拉克里希南委员会将非个人数据定义为未关联到个人的数据，以及曾经属于个人数据但已匿名化，无法识别个人身份的数据。委员会还建议设立一个独立于数据保护机构运作的非个人数据管理机构。

在政府数据方面，印度于2012年3月发布了“国家数据共享和可访问性政策”，旨在共享政府为公共利益持有的非个人和非敏感数据。

该政策规定政府通过开发开放数据平台，以机器和人类可读的格式提供数据。为促进政府管理数据的使用，电子和信息技术部于2022年2月发布了《2022年印度数据可访问性和使用政策》草案，该草案规定政府可以为其持有的数据定价，此举引发了广泛批评。

因此，2022年5月，电子和信息技术部发布了《国家数据治理框架政策》草案，该草案的结构与2月份发布的草案相似，但删除了备受争议的数据许可和定价条款。该草案呼吁建立一个大型数据集存储库，并设立印度数据管理办公室（IDMO），负责制定数据集平台的数据收集、存储和管理规则。

此外，印度还提出了个人数据使用的技术法律框架，具体而言是国家转型研究所于2020年8月发布的“数据赋能与保护架构”（DEPA）草案。DEPA旨在赋予数据处理者对个人数据的控制权，促进数据处理者之间统一的数据共享。

8. 丹麦

为了提高政府机构与企业之间数据共享的效率，丹麦建立了“基础数据计划”。该计划构建了“基础数据库”和集中式“数据分发器”系统，以满足公共服务以及其他政府活动的需求，并向企业提供数据服务。丹麦作为“国家数据库”实施的“核心数据库”包括：

人员数据库；

法人数据库；

财产数据库；

目录数据库；

地址数据库；

地理数据库、地图。

对于政府机构之间具体数据的交换，仍然通过直连渠道进行。丹麦没有实施集中式系统来满足各部门之间的数据交换。然而，丹麦拥有提供数据集成平台和云服务形式数据交换的私营公司，允许政府机构交换信息。

9. 澳大利亚

澳大利亚2022年《数据透明度和可用性法案》建立了一个用于共享澳大利亚政府数据的全新最佳实践计划—DATA计划。DATA计划以强有力的保障措施和一致有效的流程为基础。它致力于提高澳大利亚政府数据的可用性和使用率，以提供简洁、高效和尊重的政府服务，为更好的政府政策和计划提供信息，并支持世界领先的研发。

可共享的数据：澳大利亚政府数据包括由联邦机构或代表联邦机构合法收集、创建或持有的所有数据。数据涵盖范围广泛，从天气相关数据、个人和商业数据，到货运和交通流量以及农业产量。

DATA计划的参与者：控制公共部门数据的联邦政府机构中的数据保管人、认证用户和认证数据服务提供商；各州和领地政府机构以及澳大利亚大学。实体必须注册才能获得数据用户或数据服务提供商的认证。

DATA 计划的运作方式如下：获得认证的用户可以向数据托管人请求澳大利亚政府数据。获得认证的数据服务提供商可以提供数据服务，以支持数据共享项目。

Dataplace 是政府的数字平台，供 DATA 计划参与者和其他人员管理数据请求、制定共享协议并监控自身的数据共享活动。该平台将希望访问澳大利亚政府数据的人员（例如研究人员以及从事公共政策和服务交付工作的人员）与作为数据托管人的联邦机构联系起来。国家数据专员办公室 (ONDC) 也在使用该平台来协调 DATA 计划。

Dataplace 使各机构更容易协作处理数据请求，尤其是在数据集可能有多个托管人，或者不清楚哪些数据可用、在哪里可以找到以及谁拥有数据的情况下。

国家数据专员办公室 (ONDC) 正在开发澳大利亚政府数据目录。这将成为一个中心点，促进政府持有数据的发现、使用和再利用。该目录将提高政府持有数据的透明度，减少重复数据，并促进

数据再利用和共享。该目录将利用数据清单试点项目（DIPP）产生的政府机构数据库，以及开放数据源和其他数据源，帮助用户查找澳大利亚政府数据。

数据管理员面临的一个关键挑战是如何在维护信息机密性的同时，最大限度地发挥数据对用户的效用。安全框架的五个要素是一套原则，它提供了一种多维度的方法来管理数据泄露风险。每个安全要素都针对一个独立但相关的数据泄露风险方面。该框架提出了具体问题，以帮助定性地评估和描述每个风险（或安全）方面。这使得数据管理员能够对数据本身以及数据的访问方式实施适当的控制。该框架旨在促进数据的安全发布，并防止数据过度共享。

该框架的五个要素是：

- 人员安全：用户是否获得适当的授权来访问和使用数据？

- 项目安全：数据是否用于适当的目的？

- 环境安全：访问环境（IT 和物理环境）是否能够防止未经授权的使用？

- 数据安全：是否已对数据采取所有适当且充分的保护措施（例如，直接身份识别删除等）？

- 安全输出：统计结果是否保密？

安全因素既可独立评估，也可作为一个整体进行考量。它们可以被视为一系列杠杆或控制措施，可通过调整来有效管理风险并最大限度地提高数据发布的有效性。每个安全因素的控制程度对于评估数据泄露风险至关重要。该框架已被澳大利亚统计局（ABS）、澳大利亚其他一些政府机构以及英国国家统计局和新西兰统计局等国家统计机构采用。

10. 美国

美国拥有多个国家数据库，功能多样，涵盖安全和执法、统计分析和公开披露等。

- 综合自动指纹识别系统（IAFIS）：该系统由联邦调查局（FBI）管理，包含用于刑事和民事用途的指纹数据；

- 下一代身份识别 (NGI)：同样由联邦调查局管理，这是一个先进的数据库，包含指纹、掌纹、虹膜扫描和面部识别等生物特征数据；

- 联合DNA索引系统 (CODIS)：美国联邦调查局 (FBI) 用于刑事调查的DNA数据库；

- 国家犯罪信息中心 (NCIC)；

- 美国交通部 (USDOT) 管理的国家地址数据库 (NAD)；

- 国家桥梁管理：包含美国桥梁状况信息的数据库；

- 国家营养数据库：由美国农业部 (USDA) 管理，提供食品营养成分信息；

- 国家名录信息系统：包含国家史迹名录所认可的历史遗迹信息。

在美国，数据交换和共享活动受一个复杂的框架管辖，该框架包括联邦法律、州法规和国际协议，例如:

- 政府数据共享：美国政府制定了各机构间数据共享的指导方针，以改进公共运营和服务。

- 美国数据联盟：通过使用可重复使用的工具和迭代流程，简化政府机构间的数据收集、集成和交换.

- 国际数据交换协议（IDTA）：美国参与了国际数据共享协议，例如《澄清数据合法海外使用法案》（CLOUD），该法案促进双边数据共享，同时确保隐私和保护公民自由。

11. 俄罗斯联邦

俄罗斯联邦目前有多项与信息、信息技术和个人数据相关的法律（《俄罗斯联邦信息、信息技术和信息保护法》和《俄罗斯联邦个人数据法》）。

根据《俄罗斯联邦信息、信息技术和信息保护法》的规定，信息是指新闻、数据，无论其呈现形式如何。该法制定了与信息、信息技术和信息保护相关的具体规定，例如将信息分为可公开获取的信息和限制访问的信息。俄罗斯法律还明确规定了信息所有者、信息所有者的权利和义务；访

问信息的权利；托管服务提供商、信息分发搜索系统运营商、新闻聚合器的活动；社交网络上的信息传播；信息访问的限制；国家机关和地方当局根据公民要求提供信息和文件的责任。

俄罗斯法律规定的信息系统定义如下：

- 国家信息系统 - 根据联邦法律、俄罗斯联邦各主体法律以及各机构的职权范围建立的联邦信息系统和区域信息系统。因此，需要提供的信息类型清单由联邦法律规定；

- 根据地方政府机构决定建立的市政信息系统;

- 其他信息系统。

同时，《俄罗斯联邦个人数据法》规范了俄罗斯联邦境内运营者和外国运营者对俄罗斯公民个人数据的处理，前提是这些数据是在俄罗斯境内收集的，或与向俄罗斯公民提供商品和服务或监控其在俄罗斯境内的行为有关。该法律适用于所有类型的个人数据，包括姓名、地址、出生日期、护照号码等身份信息和其他个人信息，以及健康和财务信息。

二、颁布法律的必要性

1. 政治法律基础

近年来，党和国家出台了多项政策措施，推动科技应用服务于国家数字化转型，建设电子政务、数字政府、数字经济和数字社会，例如：

（1）中央党委办公厅于2023年7月31日发布第7455-CV/VPTW号批示，宣布中央政治局就国家数据中心项目达成一致意见，同意建设国家数据中心的方针，并责成国会党代表团在其职权范围内协调领导和指导相关法律文件的审查、修改、补充和制定工作。

（2）2018年3月22日，越共中央政治局关于制定面向2030年和2045年国家工业发展政策方向的第23-NQ/TW号决议，明确了工业发展的科技政策："鼓励投资和发展大型数据中心；促进大数据科学、分析、管理和处理的发展，以创造新产品和新知识"。

（3）2019年9月27日，越共中央政治局关于积极参与第四次工业革命的一系列政策和战略的第52-NQ/TW号决议，明确指出："建设和发展同步的国家数据基础设施。形成同步统一连接的国家数据中心、区域数据中心和地方数据中心体系"。

（4）2022年11月17日越共十三届六中全会通过的第29-NQ/TW号决议，决定继续推进2030年国家工业化、现代化建设，展望2045年，确定了优先发展资源，并制定了强有力的激励机制和政策，以发展包括数字技术发展在内的优先领域（优先发展人工智能、大数据、区块链、云计算、物联网、电子和电信设备、半导体芯片设计和生产）。 （5）2013年《宪法》第62条还规定：（1）发展科学技术是国家最高政策，在国家经济社会发展中发挥着关键作用；（2）国家优先投入，鼓励组织和个人对科技成果的研究、开发、转让和有效应用进行投入；保障科技研究的权利；保护知识产权；（3）国家为每个人参与科技活动并从中受益创造条件。 （6）2023年1月9日国会第81/2023/QH15号决议，关于2021-2030年国家总体规划（展望2050年），确定"将越南打造成为区

域数据中心之一。建设与活力地区、增长极和经济走廊相结合的数据中心；在北部和南部地区发展国家数据中心集群”。

（7）2021年7月15日政府第76/NQ-CP号决议，颁布了2021-2030年国家行政改革总体规划，确定建设和发展数据系统，为各部委、行业和地方实施电子政务、迈向数字化政府服务。

（8）政府总理于2020年12月31日颁布的第2289/QD-TTg号决定，关于颁布《至2030年第四次工业革命国家战略》，其中责成公安部履行“建设和运营国家数据中心，提高组织、企业和个人对个人数据保护和数据管理的认识”的任务

此外，政府和总理还颁布了许多关于发展数据、完善我国数字化转型过程中信息基础设施的重要指导性决定，如：政府2024年2月2日第142/QD-TTg号决定中提出的国家数据战略、政府2023年10月30日第175/NQ-CP号决议中提出的国家数据中心建设项目、政府2024年1月11日第36/QD-TTg号决定中提出的2021-2030年及展望2050年信息通信基础设施规划。因此，完善法律、制定政策，

促进数据发展及其在国家管理、经济社会发展中的应用是十分紧迫的任务，必须为全民从数字化转型活动中受益创造条件。

2. 实践基础

目前，世界各国均已出台关于数据（国家机关、组织、企业和个人数据）运营、开发和使用的法规，例如：韩国的《开放数据法》；适用于27个成员国的《数据管理法》和《欧洲数据法》……从而建立了将数据应用于国家管理活动和社会经济发展的机制和政策。

我国深入贯彻落实党和国家关于科技发展的方针政策，特别是关于数据建设、生成、连接和共享的问题，取得了一些积极成果，例如：初步建成并形成了7个国家级数据库；部分国家级数据库实现了数据互联互通，为改革和简化行政程序做出了贡献；用于建设数据中心的技术基础设施初步获得了较多的投入……然而，仍然存在许多不足和限制，例如：

1）一些部委和部门缺乏或缺乏足够的基础设施来部署核心信息技术系统以服务于业务任务；

2）许多数据库在共享数据类型方面存在重复、重叠和不一致的情况，导致数据连接、共享和利用困难；

3）数据中心投资不同步，技术标准和法规不一致，未定期检查、维护和升级，存在无法保障系统安全的风险；

4）一些部委、部门和地方租用信息技术基础设施服务，由于没有真正管理和控制企业基础设施上的国家数据，对信息安全构成诸多风险；（5）信息系统运行管理人力资源匮乏且薄弱；

6）根据总理2015年5月22日第714/QĐ-TTg号决定建立的国家数据库尚未完全建设；

7）许多信息系统仍然存在安全漏洞，无法与其他机构和组织的信息系统连接和共享数据；

8）难以开发、连接和及时提供数据，以服务于行政手续的办理、公共服务的衔接、统计数据的分析，以及为政府的指导和管理提供指标和数据支持……

建设集中式数据库是当今世界各国的普遍趋势，例如丹麦、日本、中国、韩国……因此，非常有必要将国家通用数据库的建设发展定位为主要数据支柱，为我国发展数字政府、推动数字经济、建设数字化社会奠定基础；帮助创建和形成可靠稳定的国家数据系统，从而实施互联互通解决方案，共享、重用和开发模型，应用深度数据分析，在数字化转型时期创造众多新价值、新产品、新服务，推动社会经济发展的新动力。与投资于单独的系统来存储这些信息相比，在国家通用数据库中投资、升级、扩展和存储信息将节省大量成本。存储在国家通用数据库中的信息也将共享，以服务于各部委、行业和地方的共同利用；数据管理机构无需为已新增并存储于国家通用数据库的信息另行设立连接共享通道。经梳理，目前规范数据库的法律较多（包括国家数据库、专业数据库），其他与数据相关的规定也较多，如《电子交易法》、《网络安全法》、《网络信息安全法》、《电信法》、《信息技术法》、《数字技术产业法（草案）》等。通过对上述法律文书的分析统计，这些法律对国家数据库、专业数据库进行了规范，其内容和要素包括：数据库中的信息字段（有的数据库对信息字段有明确规定，有的数据库有规定但没有具体信息字段，有的数据库没有对信息字段

进行规定）；数据库的描述、定义（有的数据库有明确的描述、具体的定义，有的数据库有规定但没有具体定义，有的数据库没有定义）；利用共享的形式（有的数据库对数据的利用共享形式有具体的规定，有的数据库有规定但没有具体利用共享的形式，有的数据库没有规定）。

在审查的法律中，只有少数法律规定了数据库管理机构在数据库信息建设、收集、管理、运行、连接、共享、开发和使用方面的职责。然而，所有法律：

（1）缺乏关于数据处理和管理（如数据收集、数字化、质量保证、数据存储等）的具体统一法规；

（2）缺乏关于数据处理开发平台和高科技应用的法规；

（3）缺乏关于利用国家数据库和专业数据库构建数据库，服务于指导和行政管理、政策方针规划、社会经济发展、行政程序改革、公共服务以及保障组织和个人利益的法规；

（4）缺乏关于全球正在发展的数据相关产品和服务（如数据交换、数据中介服务、数据分析和综合服务等）的法规。与此同时，建立数据市场、建设和发展数据相关产品和服务在当前发挥着至关重要的作用。逐步创建和推动数据市场的开放，将数据市场作为数据发展的驱动力，刺激和推动各行业和领域的数字化转型，提高竞争力，保障我国的数字化转型进程，被认为是突破性的因素。

政府于2023年10月30日颁布的第175/NQ-CP号决议批准了国家数据中心项目，并确定国家数据中心将于2025年第四季度投入运营，作为存储、汇总、分析和协调数据，并为各部委、行业和地方提供基础设施的场所。因此，制定《数据法》至关重要、必要且紧迫，以确保全面落实政府在数字化转型工作中确定的内容和任务；加强数据库信息的有效利用，服务于国家管理，在经济社会发展中开发和应用数据；加强个人数据和非个人数据的管理，确保信息安全。

三、法律制定目标

数据法项目制定的目标如下：

首先，实现数据的统一、同步和有效利用，服务于国家管理和经济社会发展。

全面调整数据处理、管理和协调工作；明确国家数据管理职能。

明确国家通用数据库包含来自国家数据库、专业数据库和其他数据库的汇总数据，并将作为主要数据支柱，为数字政府发展奠定基础，促进数字经济发展，构建数字化社会；构建可靠稳定的数据系统，服务国家、企业和人民；部署互联互通解决方案，共享、复用和开发模型，开展深度数据分析应用，在我国数字化转型时期创造新价值、新产品、新服务，为社会经济发展注入新动力。

二、服务数字政府建设，改革简化行政程序

提供基础设施，服务国家数据库建设及国家数据库之间的同步集成和互联互通，助力数字政府建设，简化行政程序，提高透明度，提升人民群众对国家行政机构运作的满意度。

支持政府、各部委、各地方在数字数据平台上开展工作、指导工作和制定政策。

明确各部委、各地方在数据建设、开发和应用方面的职责，并具体安排任务，确保数据的及时性、一致性和高效性，满足实际需求。

三、促进经济社会发展

推动数据市场建设，支持基于数据产品和服务的开发，使数字环境下的商业交易更加频繁、持续、安全和透明。

逐步形成并扩展综合数据仓库和开放数据仓库，供个人和企业开发利用，服务于创新，拓展新兴产业和业务领域，为促进数字经济发展和建设数字化社会做出贡献。

四、建设国家数据中心

国家数据中心投入运营后，将成为推动发展进程、促进国家数据库服务社会经济发展的前提，有助于实现越南数字经济发展战略与世界其他国家同步的目标，为越南发展和融入世界数字经济创造条件。

四、法律建设指导思想

数据法项目建设的指导思想：

第一，深入学习贯彻党关于建立健全数据法律体系的观点、路线和政策；顺应国家一体化进程，扩大国际交流与合作；服务于经济、文化和社会发展事业，保障国防安全、社会秩序和安全。

第二，贯彻落实党和国家关于国家数字化转型的政策，为电子政务、数字政府和数字社会建设作出贡献。

第三，法律项目的建设在总结近年来实践的基础上进行，克服存在的缺点、不足和局限性，实现数据库信息的统一、同步和有效利用，服务于国家管理和经济社会发展，为预防和打击违法犯罪作出贡献。

第四，为国家通用数据库的开发运行和国家数据中心的建设奠定完备的法律基础。确保法律体系的同步统一。

第五，根据越南的实际情况，有选择地参考一些国家的数据管理法律。

五、法律的结构和基本内容

2024年《数据法》共5章46条，具体如下：

- 第一章（总则）共10条（第1条至第10条），规定了：监管范围；适用主体；术语解释；《数据法》的适用；数据的建立、开发、保护、管理、处理和使用原则；国家数据政策；国际数据合作；国家数据管理；党机关、越南祖国阵线委员会和社会政治组织的数据建立和发展；禁止行为。

因此，《数据法》规范了数字数据；数字数据的建设、开发、保护、管理、处理和使用；国家数据中心；国家通用数据库；数字数据产品和服务；国家对数字数据的管理；与数字数据活动相关的机构、组织和个人的权利、义务和责任。

该法适用于越南的机构、组织和个人；在越南的外国机构、组织和个人；直接参与或与在越南的数字数据活动相关的外国机构、组织和个人。

《数据法》对一些与国家数据管理相关的术语进行了解释，以确保理解的一致性和实施过程中的便利性，这些术语包括：数字数据；共享数据；私人数据；开放数据；原始数据；重要数据；核心数据；数据处理；数据库；国家数据库；数据共享和协调平台；数据主体；数据所有者；数据所有者对数据的权利；数据加密；数据解密；数据协调。

此外，《数据法》是一部新法律，被认定为原始法律，全面规范和规范与数据相关的所有活动。因此，该法专门设立了关于数据法适用问题的条款，以确保与《法律文件颁布法》第156条关

于法律文件适用的规定相一致，并与《首都法》第4条、《国防工业、安全和工业动员法》第3条、《民防法》第4条等其他法律的规定相一致。

此外，为确保国家对数据的有效管理，数据法还明确规定了一些内容，例如：数据的建立、开发、保护、管理、处理和使用原则；国家数据政策；数据国际合作；国家数据管理；党机关、越南祖国阵线委员会和社会政治组织的数据建立和发展；禁止行为。

该法规定，数据是一种资源，国家有政策调动一切资源丰富数据，将数据发展为资产；数据所有者对数据的权利是民法规定的财产权。关于国家数据管理，该法规定：（1）政府统一管理国家数据；（2）除国防部的管理范围外，公安部是向政府负责国家数据管理的具体机构；（3）国防部在其管理范围内向政府负责国家数据管理；国防部部长在其管理范围内，根据密码法的规定，向政府负责密码数据的国家管理；（4）各部、部级机构和政府直属机构在其职能、任务和权限范围内，建立和发展数据库；配合公安部开展国家数据管理工作；（5）省级人民委员会建立和发展数据库；在地方开展国家数据管理工作。

第二章（数据的建立、开发、保护、管理、处理和使用；国家数据发展基金）共19条（第11条至第29条），规定了：数据的收集和创建；数据质量保证；数据分类；数据存储活动；数据管理和管理；数据访问和检索；数据连接、共享和协调；向国家机构提供数据；数据分析和综合；数据确认和认证；数据披露；数据加密和解码；跨境数据传输和处理；建立、开发、保护、管理、处理和使用数据的科技创新活动；识别和管理数据处理中出现的风险；其他数据处理活动；数据保护；数据技术标准和法规；国家数据发展基金。1.《数据法》规定了机关、组织和个人在数据处理过程中必须遵守的基本内容（包括20多项具体活动）；数据处理中出现的风险的管理、识别和管理；同时，为了满足当今世界数据处理领域高科技应用的管理和发展需求，该法对数据建设、开发、保护、管理、处理和使用中的科技创新活动进行了规定。

2. 该法规定了向国家机构提供数据

《数据法》规定，鼓励国内外组织和个人向国家机构提供其拥有的数据。但是，在应对紧急情况；国防安全受到威胁但未达到宣布紧急状态的程度；灾难；为防止和打击骚乱和恐怖主义时，

组织和个人必须在主管部门要求时向国家机构提供数据，而无需数据主体的同意。这是解决与数据库信息的管理、运行、连接、开发和使用相关的困难和问题的必要规定；规范企业和个人数据的使用，以便及时处理上述情况。

对于接收组织和个人提供数据的国家机关，其责任如下：（1）将数据用于正当目的；（2）依法保障数据安全、保障数据安全、保护数据主体、提供数据的组织和个人的其他合法权益；（3）当数据不再需要用于所请求的目的时，应立即销毁数据，并通知提供数据的组织和个人；（4）除涉及国家机密和工作机密的情况外，应根据提供数据的组织和个人的要求，告知其数据的存储和使用情况。

3. 跨境数据传输和处理法

目前，数据买卖以及组织和个人之间的数据传输日益盛行；不仅个人之间，而且职业化和定期化，已成为一种“服务”和一种商业渠道；数据传输包括原始数据、经过处理的个人数据和非个人数据；包括将数据传输到国外，传输给外国组织和个人。此类活动存在诸多潜在风险，影响国家

安全、国防安全、社会秩序和安全，尤其是国家核心数据和重要数据。因此，除了规定机构、组织和个人可以自由地将数据从国外传输到越南、在越南处理外国数据，并且根据法律规定其合法权益受到国家的保护之外，《数据法》还对核心数据和重要数据的跨境传输和处理作出了规定；同时，责成政府根据越南法律和越南加入的国际条约的规定，对跨境数据传输和处理制定具体的要求、条件和程序，以确保国防安全，保护国家利益、公共利益以及数据主体和数据所有者的权利和合法利益。

4.《数据法》设立国家数据发展基金

目前，国家用于数字化转型活动，尤其是数据库建设和发展方面的预算仍然非常有限，缺乏资源支持组织和企业研发数据处理技术应用（例如人工智能、云计算、区块链技术等）；而数据是实现数字化转型的核心资源。因此，应推动数据应用服务农村、山区、经济社会条件艰苦地区和特困地区数字化转型；支持研究加强数据保护的解决方案、数据技术转让、开发与数据处理相关的高科技应用；支持和奖励在数据建设和发展方面取得成就的组织和个人……《数据法》设立国家数据

发展基金，以动员社会资源支持国家数据建设和发展。- 第三章（国家数据中心建设和发展；国家综合数据库）共9条（第30至38条），规定：国家数据中心基础设施；国家数据中心的职责；确保国家数据中心建设和发展所需的资源；建设国家综合数据库；收集、更新和同步国家综合数据库的数据；开发和使用国家综合数据库；与国家综合数据库连接和共享数据；向国家综合数据库提供数据；开发和使用国家通用数据库和其他国家机关管理的数据库中数据的费用。

1.《数据法》专门规定国家数据中心的建设和发展，包括：国家数据中心的基础设施；国家数据中心的职责；确保国家数据中心建设和发展所需的资源。

据此，国家数据中心由政府建设、管理、开发和运营，以确保一致性、稳定性和可持续性。国家数据中心根据法律规定整合、同步、存储、共享、分析、开发和协调国家机关的数据，并为党和国家机关、越南祖国阵线委员会和社会政治组织提供信息技术基础设施。因此，国家数据库必须按照政府规定的路线图使用国家数据中心的基础设施；国防、安全、外交、密码等领域的数据库和专用数据库，其他数据库无需使用国家数据中心的基础设施，但如果需要将其用于开发、运营、提

高效率、保障安全、管理、行政、数据处理中的信息安全，则应在与国家数据中心达成协议的基础上实施，政府还将详细规定实施这些内容的程序。同时，国家数据中心负责（1）监督数据质量保证和数据协调活动；建立数据管理活动的测量和绩效评估体系；（2）实施数据保护措施；（3）开展数据科学研究、数据处理技术应用、提供数据技术基础设施、产品和服务；支持组织和个人进行数据处理；建设创新中心，支持数据科学创新；开展数据科学创新活动；在国家通用数据库的数据平台上发展科技创新创业生态系统；（4）组织开展国际数据合作。

2.《数据法》的重要内容之一是关于国家通用数据库建设的规定。

国家通用数据库的建设旨在服务于党、国家机关、越南祖国阵线委员会和社会政治组织的活动开发和共同使用；服务于行政程序的执行、公共服务，服务于政府的领导和管理；服务于统计工作、政策制定、规划、发展社会经济发展战略、国防、安全、外交、密码、预防和打击犯罪、处理违法行为；服务于组织和个人在开发、使用和应用数据方面的需求。

首先，在系统间数据连接共享方面：各部委、分支机构或地方政府的系统无需与其他部委、分支机构和地方信息系统连接，只需与国家数据中心连接即可。因此，这将减少各部委、分支机构和地方政府数据库与其他信息系统连接、共享和利用信息的程序数量，从而确保行政程序中的数据处理速度更快。其次，通过与国家通用数据库的同步、更新和补充，减少了许多涉及更新、调整和补充其他数据库信息的行政程序（当数据管理机构更改数据时，该数据将更新到国家通用数据库，并自动同步到其他国家数据库和专业数据库，从而帮助人们无需根据各个国家管理领域进行信息调整的行政程序）。

第三，减少行政程序中的文书和文件：对于行政程序中需要文书和文件，且国家通用数据库中有相关信息的，公民无需出示文书和文件进行证明。行政手续办理流程也得到简化，无需像以前那样申报大量信息。

第四，提高信息提供效率，服务于国家管理活动，例如减少与分类、统计调查、统计报告、分析、综合、规划、计划等相关的程序和流程，以及国家机构内部的许多其他行政程序。

- 第四章（数据产品和服务）包含5条（第39条至第43条），规范：数据产品和服务；数据中介产品和服务；数据分析和综合产品和服务；数据平台；提供数据中介产品和服务、数据分析和综合以及数据平台的机构的职责。

1. 《数据法》规范与数据相关的产品和服务，并责成政府制定提供数据相关产品和服务的机构的详细管理规定。新型数据产品和服务的管理和开发将有助于建立数据市场，促进各行各业的数字化转型，并改变国家机构和组织之间、个人之间以及数字环境下社会关系之间的沟通方式。

2. 《数据法》还规定了数据平台的基本内容，具体内容将由政府在法令中规定。数据平台是提供数据相关资源以服务于研究、初创企业发展和创新的平台；提供数据相关产品和服务以服务于社会经济发展的平台；以及作为数据及数据相关产品和服务的交易和交换环境的平台。然而，该法也明确规定了禁止交易的数据类型，包括：（1）危害国防、安全、外交和密码的数据；（2）未经数据主体同意的数据，除非法律另有规定；（3）法律规定禁止交易的其他数据。

3. 此外，该法还规定，提供数据中介产品和服务、数据分析和综合的组织以及数据平台必须负责：（1）根据服务提供合同的约定向组织和个人提供服务；（2）确保信息接收和使用服务的渠道畅通无阻；（3）定期管理、检查和监测数据安全；预防、制止和处理数据风险；监测可能影响数据保护的行为；（4）遵守《网络信息安全法》、《网络安全法》、《电子交易法》和其他相关法律的规定。同时，政府应将这些内容具体化，以确保其有效实施。

- 第五章（实施细则）共3条（第44至46条），规定了对相关法律若干条款的修改和补充；生效日期和过渡期规定

因此，为确保法律体系，特别是数据法的一致性和同步性，《数据法》对与《费用和收费法》同时发布的附录1《费用和收费清单》进行了修改和补充，以补充（1）开发和使用国家通用数据库信息的费用；（2）开发和使用国家数据库和其他专业数据库信息的费用。

六、实施保障条件

1. 关于人力资源保障

《数据法》实施的人力资源保障主要指国家机关、政治组织和社会政治组织中从事数据处理和管理工作的人员队伍。《数据法》并未规定国家数据中心的人员配备和组织机构，但授权公安部部长规定国家数据中心的职能、任务、权限和组织机构。国家数据中心的设立由政府决定，国家数据中心是公安部下属的一个新设单位。从现在到2030年，预计国家数据中心将吸引、培训、指导和发展一支人力资源队伍，以运营和管理系统，使其达到国家和国际数据管理标准。

2. 关于财政资源保障

a) 《数据法》实施的资源保障主要由国家预算和提供数据相关产品和服务的收入来保障。目前，国家数据中心建设工程是根据政府2023年10月30日第175/NQ-CP号决议批准国家数据中心项目实施情况而实施的，因此不会引起国家预算支出的突然变化（国家数据中心建设第一阶段（至2025

年）预计成本约为20万亿越南盾）。在实施国家数据中心建设一号投资过程中，公安部将根据实际情况和需求，按照2026-2030年中期公共投资计划，继续研究提出下一投资阶段的国家数据中心建设项目，报请主管部门批准，确保节约、高效、避免浪费，最适合技术发展。因此，该法的实施将确保可行性。财政部和计划投资部不断发挥在指导和分配实施06号项目的资金方面的作用，并多次指示各部委、行业和地方在2021-2025年中期公共投资计划范围内安排实施06号项目的资金来源（计划投资部2022年2月16日第933/BKHĐT-QPAN号批示、2022年6月27日第4275/BKHĐT-ĐKKD号批示、2023年4月27日第3199/BKHĐT-ĐKKD号批示和2023年5月5日第3378/BKHĐT-ĐKKD号批示；因此，完全可以保证各部委、行业和地方为落实本法所规定的任务和内容（如数据标准化、设备采购、信息技术基础设施升级、人力资源培训等）提供资金。

b）培训、指导、组织宣传、推广、组织实施《数据法》以及国家数据中心管理和维护的资金；投资基础设施和技术人力资源，确保国家数据中心的建设和管理。资金的使用必须符合国防安全领域国家预算管理和使用法律的规定，用于正确的目的、内容、制度和支出标准。

七、对民众和社会影响的预测

《数据法》是一部全面规范和规范数据相关活动的原创性法律。因此，在全国上下朝着国家数字化转型目标迈进的背景下，《数据法》是重要的法律基础，在落实政府在数字化转型工作中确定的内容和任务方面发挥着核心作用，为社会经济发展创造了有利条件，同时通过数据管理、保护、处理和利用，保障了公民在网络空间的权利。该法有助于机构、组织和个人在数据收集、管理和使用方面获得明确的指导，从而提高国家管理的有效性，并将技术应用于公共服务；标志着当前我国在建设数字政府、数字经济和数字社会的进程中迈出了重要一步。

通过要求所有国家机构将数据同步到共享系统中，而不是维护独立的数据库，这不仅有助于最大限度地减少重复，还能提高数据的准确性，这在人口管理、土地和社会保障等领域尤为重要。通过数据同步，一个部门或行业在需要其他机构信息时，可以直接通过公共系统访问，无需另行申请或搭建渠道。

《数据法》将党和国家关于数字化转型的政策和指导方针制度化，对数字政府建设将产生深远影响，特别是提高各部门、各行业、各地方共享数据库的能力；通过智能数据管理、互联互通和共享数据库的效率，确保政府工作更加透明高效；为组织和企业创造机会获取国家支持政策，激发研究、创新、投资和数据相关产品和服务的开发动力，通过数据提高经济效率；同时，人们将有更多机会全面获取、选择和使用数据相关产品和服务，为促进数字经济、数字社会和数字公民的发展做出贡献。

《数据法》明确了各机构在数据管理、管理和共享方面的责任，确保任务分工明确，减少各部门和各机构之间数据使用权的冲突或矛盾；同时，该法有利于各机构快速协调实施跨部门数字化项目，例如整合卫生、教育和金融数据等。《数据法》还规定，数据管理机构应采取严格的安全措施，保护共享数据免受攻击、丢失或滥用的风险，从而更好地保障数据的安全和保密性。国家数据中心将主要负责监控和保护这些数据。

《数据法》将通过数据共享为改善在线公共服务和政府运行效率做出重要贡献；满足行政程序改革的要求，为所有公民创造条件，使他们都能从数字化转型活动中受益：当数据库互联互通时，在线公共服务将变得更快、更高效。例如，公民在办理行政手续时只需提供一次信息，而不必向许多不同的机构提交同一类型的文件。处理行政记录的部门可以实时查看信息，从而减少处理时间并提升用户体验。同时，互联互通的数据有助于政府更好地分析趋势、预测和规划政策。例如，在医疗保健领域，可以整合人口和医疗保险数据，以制定合适的医疗保健计划。在土地管理领域，可以将地籍信息与规划数据相结合，以实现有效的监测和执行。为确保《数据法》的有效实施，需要各部委、各行业和地方之间密切协调，以及企业和民众的参与，以实现全面数字化转型的目标。这是帮助越南加快数字化转型步伐的战略性举措。它不仅增强了政府机构之间协调和共享数据的能力，而且显著提高了公共服务和国家管理的质量。这些变化将有助于建立一个透明、有效的数字政府，更好地满足民众和企业的需求。

结语

在党和国家以及公安部的领导下，人民公安部队学习《数据法》的竞赛，不仅是一次纯粹的专业活动，更是一次意义深远、实践性强、意义深远的政治活动。通过研读、思考和传播，每一位官兵，特别是年轻一代，都有机会接触、正确理解、深刻领悟，增强在数字时代守护党的思想根基的责任感。《数据法》不仅是一项法律工具，更是战略眼光的体现，它明确了人民公安部队在维护数据主权、保障网络安全、信息安全、造福祖国和人民方面的国家地位和使命。竞赛作品重点阐明了八项核心内容，充分展现了人民公安战士在紧迫实际需要下，勇于钻研、担当奉献的精神风貌。从研究世界各国数据法律政策到构建越南数据法律框架的必要性，作者深刻理解数据保护不仅关乎信息保护，更关乎在数字时代维护国家信任和核心价值。对权利、义务以及保障数据权利落实机制的分析，清晰地展现了越南现代法律政策中人权理念—以人为本、数据服务于人、数据归人所有。此外，对数据领域的禁止行为、创新活动、国家数据库数据开发与共享规章制度以及国家数据中心的职责等内容进行了深入阐释，既展现了理论深度，又紧扣国家数字基础设施建设的实践。由此，作者断言，如果没有统一、透明和安全的数据战略，越南将难以在全球数字经济和智能治理的竞争中实现强劲转型。

特别是，人民公安部队作为国家数据管理的先行先试的领导机关，此次大赛突出展现了公安部、各单位和地方公安机关在执行任务中的关键作用：从建设国家数据中心、部署安全数据产品，到参与数据共享、预警交换和协调跨境事件处置等国际协议。从现在到2030年确定的重点任务是指导公安部队不断创新、提升技术能力、主动应对非传统安全挑战，特别是网络犯罪和高科技犯罪的指导方针。因此，人民公安数据法学习大赛不仅仅是一项广泛的政治活动，更是数字时代军人智慧、责任感和创新精神的汇聚之地。对于我们—金瓯省公安部队的战士们—我们身处祖国的尽头，却始终充满意志和忠诚—来说，这次比赛是培养学习精神、锻炼政治素质、更明确我们在部队全面数字化转型中的角色的宝贵机会。每一行字不仅体现着个人的觉悟，更体现着一份承诺，一份全心全意服务的承诺，随时准备为建设“统一、同步、安全、现代化、富有民族特色的越南数据”事业贡献力量，正如苏林总书记所指示的那样。比赛终将结束，但从中汲取的价值观、意识和动力将继续传播，将继续激励我们建设一支革命的、纪律严明的、精锐的、现代化的人民公安部队，一支能够驾驭数字空间、勇于维护真相、在数据时代保卫党、国家和人民的队伍。这是新时代公安干警的荣誉、责任和发自内心的号召。