

Information on Doctoral thesis of Fellows Nguyen Thi Thuy

1. Full name: Nguyen Thi Thuy
2. Sex: Female
3. Date of birth: 15th of December, 1997
4. Place of birth: Ha Noi
5. Admission decision number: number 3611/QĐ-SĐH of the Director of Hanoi National University, dated on 22nd of October, 2009
6. Changes in academic process: No
7. Official thesis title: The Vietnamese model of criminal procedure and the issue of applying adversary procedure
8. Major: Criminal Law
9. Code: 62.38.40.01
10. Supervisors: Professor, Doctor of Science: Dao Tri Uc
11. Summary of the new findings of the thesis:

The Thesis is the first study to raise comprehensive requirements to the Vietnamese model of criminal procedure towards adopting elements of adversarial proceedings in an appropriate manner. For this purpose, the Thesis has studied systematically and comprehensively about model of criminal procedure in general and in Vietnam in particular which are expressed in some specific content, as follow:

- Based on the methodology of dialectical materialism and historical materialism, combined with methods such as such as statistic, synthesis, analysis, comparison, the Thesis has analyzed systematically, theoretical issues about criminal procedure's model; put forward its concept; analyzed systematically, highlighted the characteristics and key features of each model formed and developed in history, the experienced lessons from reforms of criminal procedure in a number of countries was conceived and developed in history, the lessons of the reform of the criminal proceedings in some countries.

- Combined with many different research methods, the Thesis has clarified the characteristics of Vietnamese criminal procedure's model and asserted that Vietnamese criminal procedure's model is the mixed one but basically has characteristics of inquisitorial system; evaluated strengths, shortcomings in the operation of the criminal proceedings.

- The Thesis has systemized fully the policies, the orientations of the Party and the State on judicial reform in general and on criminal procedure's reform in particular; analyzed and clarified conditions and challenges to the application of adversarial criminal procedure in Vietnam. On that basis, the Thesis proposes content and

degree to apply reasonable factors of adversarial procedure to Vietnamese criminal procedure's model; also, proposes measures to protect the institutions and to apply successfully innovations in the Vietnamese model of criminal procedure.

12. Practical applicability, if any:

Study of the criminal procedure's model is a component of criminal justice system's theory. The Thesis has contributed to clarify the nature, content and characteristics of the basic elements which establish the appearance of the criminal procedure's system in a country; they are also the criteria to evaluate the model proceedings of that system. These research results can contribute to assessing comprehensively and scientifically form, content and characteristics of the Vietnamese criminal proceedings which are used as basis for proposing renewal contents of criminal procedure to meet requirements of judicial reform in our country today, which are clearly stressed in the documents of the Party: "Reforming strongly judicial proceedings towards democracy, equality, public, transparency, coherence but convenience... to ensure the quality of adversary at the trial; taking the results obtained in court proceedings to use as important bases of critical judgment, considering its as breakthrough to improve the quality of judicial activity.

Theoretical points and proposals of the Thesis have practical significance for conducting amendments and supplements to the Criminal Procedure Code of 2003 as well as the law on organization, operation of the judicial institutions, recommending solutions to strengthen their organization and operation.

The content and results of the Thesis can also be used as references for teaching issues of criminal justice and criminal proceedings, service for disseminating and educating law.

13. Further research directions, if any:

To continuing develop the results of the Thesis, the PHD student plans directions for further research are to design specific provisions representing the acceptance of reasonable factors of adversarial model; modify the rules in Criminal Procedure Code of 2003 to ensure reasonable match between inquisitorial proceedings and adversarial proceedings.

14. Thesis-related publications:

- Nguyen Thi Thuy (2011), "Some the requirements set for the reform of criminal justice in our country", Journal of Law and State, (7), p.48 - 53.
- Nguyen Thi Thuy (2011), "Typical models on the world and tendency towards perfecting the model of criminal procedure in our country today", Journal of procurators, (9), p .41 - 46.
- Nguyen Thi Thuy (2011), "Typical models on the world and tendency towards perfecting the model of criminal procedure in our country today", Journal of procurators, (10), p.41 - 48.
- Nguyễn Thị Thủy (2011), "Some important points noted in the process of researching the project of renovating Procuracy to answer requests of judicial reform" Journal of procurators (11), p. 11-15.

- Nguyen Thi Thuy (2012), "Model of criminal procedure and the issue of defining rights and obligations of subjects in criminal proceedings", Journal of procurators, (9), p.46 - 51.
- Nguyen Thi Thuy (2012), "Amending and supplementing the Criminal Procedure Code to implement the Party's policy of strengthening prosecutors' responsibilities in investigative activities, to implement mechanisms of associating prosecution with the investigation", Journal of procurators, (21), p. 16-22.
- Nguyen Thi Thuy (2013), "Antecedents and challenges to applying adversary procedure in our country", Journal of procurators, (15), p.30 - 36.