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PROMOTION VULNERABLE GROUPS TO PARTICIPATE IN GOOD STATE GOVERNANCE THROUGH TECHNOLOGIES APPLICATIONS – REFLECTION ON PEOPLE WITH DISABILITIES IN VIETNAM.

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State Governance is understood to be all aspects of the exercise of power through the formal and informal institutions that manage the state’s resources. For good governance, it is necessary to ensure the following aspects: Promoting the citizen’s participation in state management activities; protection of a fair legal framework for the people; protection of transparency; … The development in the era of digital technologies also brings challenges related to the good governance, such as cybersecurity, information security, labours, human rights, …With purpose of the Good governance is to build a transparency, dynamic and efficient administration, promotion the vulnerable groups in general, and the People with disabilities in particular have full rights and opportunities to participate in the state management. The right to participate in the State management of people with disabilities is also clearly stipulated in the Constitution of Vietnam in 2013. With certain limitations, like difficulty in mobility, in information accessing, but it is possible through the technologies applications to participate better in the state management. The author argues that promoting People with disabilities to participate in state governance through technology applications will protect their rights and contribute to the effectiveness of state governance, contribute to ensuring transparency, reducing corruption and confirms the role of people’s monitoring. The author argues that the Government should have issued regulations, and build an E-government in a synchronized manner.

1. State Governance and the basic characteristics of good governance

State Governance is understood as all aspects of the exercise of power through formal and informal institutions governing state resources. Thus, the quality of governance is determined by the impact of the exercise of this power on the quality of life of citizens [11, page 39]. The change from state management to state governance is also a change in theoretical public management. State management is understood as the exercise of state power performed by state agencies in order to establish social order according to the set objectives; the state plays the role of management subject, with regard to "state governance", the state appears to be both the subject of social governance, and also subject to the governance of institutions and the people. That is why accountability does not only apply to lower-level agencies with superiors, but it is also accountability of state management agencies to citizens and society. Thus, governance has basic characteristics such as clearly recognizing power, determining who is given to, how to use it, planning and implementing policies as well as providing provide effective public services, ensuring the participation and supervision of the people. It can be seen that, for good governance, it is necessary to pay attention to factors such as the capacity of the state to solve problems of state agencies, the ability to respond in issuing policies, the institution meets the needs and ensures the rights of the people or not, the responsibility of civil society, the people in monitoring policy implementation as well as the responsibility of the state agencies.

Good State governance model includes basic features, recognized by many countries around the world, such as the World Bank (WB), United Nations Development Organization (UNDP) and OECD countries , in particular, characteristics such as Towards consensus, ensuring participation, transparency, accountability, the rule of law, effectiveness and efficiency, responsiveness, fairness and attraction.

Firstly, the mobilization of the people's participation in state governance is the mobilization of the people to participate in the process of formulating, drafting and implementing policies. This participation must ensure equality, regardless of gender, ethnicity or status in society. People have the right to participate in state governance through different forms such as direct and indirect (representation mechanism).

Secondly, Vietnam is affirmed as a state of the people, by the people and for the people. Therefore, only when the people really play an important role in state management and governance will the rule of law be ensured. Currently, with the development of Vietnamese society, gradually integrating with the world, the promotion and more sure participation of the people in state management and governance needs to be promoted. and fully implemented. People's participation in policy-making processes, decision-making ... contributes significantly to building a fair, democratic, political stable society, and promoting economic development - society. This is clearly reflected in the 1946 Constitution “*All authority in the country belongs to the collective of the Vietnamese people, regardless of race, girl, boy, rich, poor, caste and religion*” [1, art 2], or “All Vietnamese citizens are equal in all aspects of politics, economy and culture” [1, art 6]. The Constitution 1992 of Vietnam also regulated “*The Socialist republic of Vietnam is a state of the people, from the people and for people*”, “*The citizen has the right to participate in the administration of the State and management of society, the discussion of problems of the country and the region; comment to the State organs and vote in referendums organized by the State*” [1, art 2,53]

*Thirdly*, to ensure transparency, is shown in terms of ensuring compliance with the law on the promulgation and implementation of policies. The State must ensure the right to access information for the people, information related to Government activities should be fully disclosed, publicly and easily accessible to the people.

Fourth, Towards consensus, is the need to ensure the consensus, voluntary of everyone with the Government, not be imposed or influenced by anyone. When formulating policies, it is necessary to consult with the people, ensure that people understand and agree with the undertakings, policies as well as plans to improve and support the society when the policy is issued.

Fifth, justice needs to be done effectively, through fair service to all different people of society. The Government needs to encourage and create conditions for all people in society to participate in management activities, especially for the vulnerable groups. On that basis, the members of society can see that they are benefiting, not separated from the general development of society.

Sixth, accountability. The reality shows that, usually only the accountability of lower agencies to higher agencies is performed, this is internal responsibility. In addition, it is necessary to ensure responsibility of public authorities to society (external responsibility).

Thus, for good State governance, it is necessary to ensure the implementation of the aforementioned characteristics, because these characteristics are interrelated and not separated. If one characteristic is missing, it will also affect other properties and affect the effectiveness of State governance.

**2. The participation of people in State governance in general and the participation of the people with disabilities through technology applications**

**2.1. The participation of people in State governance**

Recognizing the global development, Vietnam has reformed institutions and administrative structures, built a system of indicators to evaluate performance of state agencies, and improved professionalism in policy formulation, especially Especially, the State develops projects and programs to implement e-Government, e-administration, apply technology applications to make people more accessible to the State and public services, and at the same time replace change management style, encourage more participation of people.

People's participation in the State governance is regulated by legal mechanisms. It is the legal system that ensures the effective participation of people in the state governance process, is the provisions of the law on rights, obligations, forms, methods, order and procedures for People participate in this governance, as well as the obligation of the people, state agencies, when people participate in state governance must be specified in the law.

The forms and modes of participation of people in state governance are specified quite specifically in the above-cited legal documents. Citizens can participate through i) representatives in representative agencies (National Assembly, People's Councils), socio-political organizations in which they participate themselves, or through means of mass media, ii) directly involved in deciding national issues when the state requested referendum, or directly in deciding on issues of the establishment in accordance with the law. Citizen participation is carried out throughout the policy-making process, and depending on the nature of specific policies, people can participate directly or through representation mechanisms, at various levels. different.

Ensuring the participation of the people in state governance is stipulated in the Constitution and a number of specialized laws such as the Law on Election of the National Assembly and People's Councils, the Law on Organization of the National Assembly, the Law on Government organization , Law on Organization of People's Councils and People's Committees, Law on Complaints, Law on Denunciations, Law on Promulgation of Legal Documents, Law on Anti-Corruption, ... including specific provisions on conditions and forms for people to participate in state management and governance such as the fact that people have the right to complain, denounce, send recommendations, propose amendments, supplements or replacement of appropriate policies than with the national context. In addition, the delegates, state management agencies must accept and resolve complaints and denunciations of the people, absorb and explain the problems that the people request. In 1998, the Government issued Decree No. 29/1998 / ND-CP promulgating the Regulation on Grassroots Democracy Practices, which clearly defines the areas where grassroots governments must publicly seek opinions of the people, as well as provisions on specific things that people have the right to make locally.

The rights of people to access justice in State governance matters are expressed through the people's right to protect themselves according to the provisions of the law, the right to complain, denounce or request lawsuits state agencies if could finds violations or violations of the rights of the people concerned.

**2.2. The State regulations ensure people's participation in State management**

To ensure people's participation in state governance, we must include the provisions in the Law on Access to Information No. 104/2016 / QH13, which clearly stipulates equal rights in access information of the people, information must be provided to people in a timely, transparent, correct order and in accordance with the legal order and procedures [2, art 3], as well as the limitations of accessing this information. People access information through information publishing by state agencies or through direct supply requests from state agencies. Most of the information that people are provided with will not have to pay fees, but only have to pay costs such as printing, copying, sending information. For simple and readily available information, it can be immediately provided to the requester to see, read, record, copy ... and for complicated information, not available, or what kind of information is required. With comments from the relevant agencies, within 10 working days from the date of receiving the valid request, the state agency must notify the requester to the head office to read, watch, listen and copy. capture documents, or receive copies of documents, or receive written responses in connection with the provision of information. The provision of this information by state agencies can be done via electronic network, via postal and fax services [2, art 30,31]. In addition to regulation the rights, methods, order and procedures for people to access information, the Law on Access to Information also details the responsibilities of information providers, detail are: i) disclose and provide information in a timely, accurate and sufficient manner; ii) Actively setup, update and disclose lists of information subject to mandatory disclosure and upload such lists on websites and portals of information-providing agencies; iii) ensure the accuracy and sufficiency of information; iv) Check, classify, examine and ensure the secret of information before it is provided [2, art 34]. Governments, ministries, national agencies and People's Committees at all levels should have specific responsibilities in ensuring the exercise of people's right to access information, as well as ensuring institutions handling of violations of the law on access to information.

In addition to the Law on Access to Information, the Law on Complaints 2011, which specifically regulates complaints and settlement of complaints about administrative decisions and administrative acts of state administrative agencies, of competent persons in state administrative agencies ... Accordingly, people have the right to complain about administrative decisions, administrative acts, and the settlement of complaints must comply with the provisions of law; ensure objectivity, openness, democracy and timeliness. Agencies and individuals within the scope of their functions shall have to receive and promptly and lawfully settle complaints and strictly handle violators. Relevant agencies are not allowed to obstruct, cause troubles, threats,… to complainants; or lack of responsibility in resolving complaints, covering up the complainant.

The complaint process is specified in Article 7 of the Law on Complaints 2011, specifically if have information to think that the administrative decision or the administrative action is illegal, infringing upon the rights and direct interests, citizens have the option to i) the first complaint to the person who has made the administrative decision or the agency with the person committing the administrative act, or ii) to initiate an administrative lawsuit in accordance with the provisions of the Law on Administrative Procedures. If disagreeing with the first settlement decision, the complainant has the right to lodge a complaint to the immediate superior of the person competent to settle the first complaint or to initiate an administrative lawsuit; If still disagree with this second settlement decision, the complainant has the right to initiate an administrative lawsuit [4, art 7]. The complainant can file a complaint or a direct complaint, with the first time limit to settle the complaint not exceeding 30 days from the date of acceptance for a simple case, not exceeding 45 days for complicated cases. ; In remote areas, no more than 45 days from the date of acceptance for simple cases, no more than 60 days from the date of acceptance for complicated cases.

In the process of people participating in state governance, if people detect illegal acts of agencies, organizations or individuals in the performance of tasks, public duties or state management in the field, people have the full right to denounce with competent agencies, organizations and individuals. Denunciations must be settled in a timely, accurate, objective, and strictly according to competence, order, procedures and time limit as prescribed by law; The handling of denunciations must ensure the safety of the denouncers as well as ensure the legitimate rights and interests of the accused in the denunciation settlement process. The whistleblower's personal information such as full name, address, autograph or other personal information is kept confidential. The whistleblower is informed of the acceptance or non-acceptance of the denunciation, or to refer the denunciation to the competent authorities for processing [4, art 9]. Conclusion of denunciation contents, decisions on handling of denounced violations, denunciation settlers must be responsible for publicly concluding denunciation contents through some form of i) announcement at the mechanical meeting the agency or organization where the denounced person works; ii) Post up at the head office or citizen reception of the person who has settled the denunciation; iii) Posting on the electronic portal or internal information network of the person who has settled the denunciation or iv) Announcing on the mass media [4, art 40].

The denouncer is protected not only for personal information, but also the working position, employment, life, health, property, honor and dignity of the denouncer as well as relatives. of the denouncers, with specific measures to protect information confidentiality, working position, employment, life and health, honor and dignity. State management agencies have specific responsibilities in the settlement of denunciations (the Government Inspector, ministries, ministerial-level agencies, People's Committees at all levels, people's courts, people's procuracies ...)

Good State governance also means ensuring people's participation in this process, also ensuring openness, transparency and accountability of the organization's own operations, State units, specifically agencies, organizations and units must disclose information about their organization and operations (except for confidential contents as prescribed by law). This transparent disclosure must ensure accuracy, clarity, completeness and timeliness, with specific public and transparent contents as follows [3, art 10]:

- The implementation of policies and laws with contents related to the legitimate rights and interests of cadres, civil servants, public employees, employees, officers and soldiers in the armed forces and citizens

- The arrangement, management and use of public finance, public assets or funds mobilized from other legitimate sources

- Organization and personnel work of agencies, organizations and units; code of conduct of people with positions and powers

- The implementation of policies and laws requires publicity

In the form of publicity, including i) Announcing at meetings of agencies, organizations and units; ii) posted at the headquarters of the agency, organization or entity; iii) notify in writing to relevant agencies, organizations, units and individuals; iv) publication; v) announcement on mass media; vi) posting on electronic portals and websites; vii) hold press conferences and viii) provide information at the request of agencies, organizations, entities or individuals.

The Law on Anti-Corruption also affirms that citizens have the right to request information from state agencies in accordance with the law, and in accordance with the law on access to information. Agencies, organizations, units and individuals shall have to explain their decisions and acts in performing their assigned tasks and duties at the request of agencies, organizations or units. , individuals are directly affected by that decision or behavior. The person performing the accountability is the head of the agency, organization, unit or person assigned or legally authorized to perform the due diligence; Accountability requester means an agency, organization or individual that requests an explanation from a state agency or a competent person about the contents related to the exercise of his / her rights and obligations. The implementation of due diligence must comply with the principles such as publicity, transparency, completeness, timeliness, compliance with authority, protection of legitimate rights and interests of the State, organizations and individuals [5, art 4].

In practice, accountability often applies in vertical relationships, between lower agencies and superior agencies. This is a long-standing, most common practice in administrative management, with the top-down distribution of power with clear rules and responsibilities from subordinates to superiors. However, the accountability in governance is not only limited to the accountability between the subordinates and superiors, but also the explanation of the superiors and subordinates, the explanation of the state management agencies and the commune. Festival. This social accountability is implemented by many mechanisms such as consulting people before deciding policies, or listening to the people in resolving complaints and denunciations after administrative decisions have been or are being made. be executed.

With the above analysis, it’s seems that promoting the people to participate in state governance has been regulated in many legal documents and under the law. The forms and modes of people's participation are also specified very specifically, through two mechanisms, a direct one and one through representation. With these mechanisms, it allows people to express their aspirations to state agencies in the formulation of legal policies as well as law enforcement. However, the effectiveness of these mechanisms has not yet achieved high efficiency. As for indirect participation, it depends a lot on the representative. In fact, the relationship between the representative and the people is still limit. During their position as representatives of the people, according to law, these delegates meet with voters before and after the meeting to get people's opinions, but the mechanism requires delegates to This deals with specific problems of people that do not yet have.

In addition to the mechanism of indirect participation, people directly participate in state management activities, have the right to decide important issues of the country through referendum and directly decide related issues. related to basic life. However, in reality, the people's right to participate in state management is limited, unable to mobilize the people's power in state management.

**2.3.** **The participation of the people with disabilities through technology applications**

As defined by the United Nations, the vulnerable groups in society include the poor, people in extremely difficult circumstances, mainly women, children, the elderly and people with disabilities. People with disabilities are part of the population, a constituent group in society. In any society, there are also people with disabilities. According to statistics of the World Health Organization (WTO), people with disabilities now account for about 10% of the total number of human members [12]. As for Vietnam, according to statistics from the Ministry of Labor, War Invalids and Social Affairs, there are about 7.2 million people with disabilities aged 5 years and older, accounting for 7.8% of the population out of a total of more than 95 million people (in 2017).

In 1981, the United Nations launched the International Year of Persons with Disabilities through its 1982 Action Program for Persons with Disabilities, with the goal of establishing an equitable society for all by 2010. Up to now, the United Nations and many other international organizations have issued many documents to promote the rights of people with disabilities, especially the International Convention on the Rights of Persons with Disabilities (approved by the United Nations General Assembly. passed on December 13, 2006, with the aim to protect the rights and dignity of people with disabilities [7, page 21]

The rights of people with disabilities are also reflected in the United Nations Action Program on Disability (1982) and the organization's document titled "Equal Opportunity Standards for People with Disabilities" (1993). At the regional level, the Americas have the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities (1999).

According to statistics from the Ministry of Labor, Invalids and Social Affairs, by the end of 2018, Vietnam has about 7.2 million people with disabilities aged 5 years and over, accounting for 7.8% of the population, of which people with extremely severe disabilities account for about 28, 9%; About 58% of the PWD are female, 28.3% of the PWD are children, 10.2% of the PWD are the elderly; about 15% of people with disabilities belong to poor households. Since the Law on People with Disabilities was adopt, replacing the Ordinance on Persons with Disabilities, especially after Vietnam officially ratified its participation in the international convention on the rights of people with disabilities, Policies to support people with disabilities are implemented very effectively, people with disabilities have more opportunities to participate in social and economic development activities, to access scientific and technical advances, use artificial intelligence products to improve life as well as participate in the state supervision process. Since then, the barrier to PWDs has been gradually removed.

As we know, the 4.0 industrial revolution, with the emergence of artificial intelligence robots, has brought many applications in society, contributed to improving the quality of life for people, and also raised many opportunities as well as challenges for governance. With the changes of this 4.0 revolution, it forces the state to make adjustments in its policies to meet the requirements of building a good state governance system to serve the interests of the people. In addition to the positive effects of the 4.0 industrial revolution, this revolution also brings many challenges that need to be addressed, with detail is below:

Regarding cybersecurity, with database breach, which can lead to the theft, alteration of information data, or the destruction of important information is a constant risk of agencies and individuals. This poses challenges for the security process, ensuring network safety and security.

Regarding socio-economic security, with the explosion of digital technology, promoting the development of electronic transactions in all fields such as economics, finance, commerce ... this is potential. hide information security risks.

4.0 Technology development also creates labor disparities, forming groups of highly skilled and low-skilled workers, as well as the potential risk of disrupting the labor market. mobility to replace humans in most production activities.

However, with the general development, the application of technology 4.0 and artificial intelligence to promote the socio-economic development of the country is a must to do. As analyzed above, the Government has developed an e-Government program, applying scientific and technical advances, and artificial intelligence in national governance, increasing connection with the people.

On September 23, 2020, the Minister of Information and Communications issued Circular No. 26/2020 / TT-BTTTT regulating the application of technology standards to assist people with disabilities in accessing and using products, information and communication services. The Circular has regulations for enterprises producing and distributing information and communication products and services; State agencies, People's Committees at all levels and non-business units must design and build websites and public service portals to ensure that standards and technologies to assist people with disabilities can access.

In fact, with the development of technology, People with disabilities have been better integrated into society. Previously, people with mobility impairment were often only indoors, if they wanted to go out, they needed help, especially when they had to go through the steps, now, with the advent of electric wheelchairs , wheelchairs keep stable balance even when climbing stairs has helped People with disabilities become more independent and move themselves to their desired places. The blind / visually impaired, with the advent of the smart stick, can detect obstacles and use vibrations to warn the user, helping the blind to actively and confidently join the traffic. In public buildings, there are Braille boards and voices in the elevator to guide the blind to get where they needed.

The achievements of technology have supported people with disabilities a lot in working, studying, living and integrating into the community. With the advent of technology applications, easy-to-use electronic software via phones, computers, the internet ... has become the arm of the motor disabled, the ears of the hearing impaired, the eyes of visually impaired people. Access to information is much easier. People with disabilities may not have to move to government offices but can still complete public administrative procedures, or participate in monitoring and evaluating the effectiveness of the state management of regulatory government agencies.

State management agencies from local to central levels have built information channels to receive feedback and feedback from the people in general and the disadvantaged in particular. For people with mobility impairment, it is possible to evaluate the effectiveness and working attitude of government officials through the online application, or send feedback letters through the e-mail to the national agencies. The text-to-speech application is completely suitable for the visually impaired to use, even the visually impaired can choose natural intonation or region, gender. It can be affirmed that the participation of people with disabilities in state management through technology applications is a new step in the development of artificial intelligence, and is also in line with the strategy of building e-Government of Vietnam, shown in the following specific advantages is below:

Firstly, people with disabilities can access government services more easily, without time constraints, and people with disabilities can enjoy public services wherever they are.

Secondly, people with disabilities have easier access to government services, administrative procedures can be accessed through electronic means such as the internet, mobile phones, ...

Thirdly, ensure publicness and transparency in the management of state agencies.

Fourth, government agencies have many opportunities to listen to people with disabilities in the process of planning, implementing and monitoring government policies.

Fifth, Ensuring equal rights of People with disabilities in accessing public services as well as affirming the role of People with disabilities in the process of participating in supervising work performance of state agencies.

**3. Some recommendations to promote the participation of people with disabilities in state governance to ensure the effectiveness of a good State governance in Vietnam.**

In fact, the people's and people with disabilities participation in state governance still faces many difficulties and challenges. Vietnam is building a socialist rule-of-law state of the people, by the people and for the people, but the correct perception of this idea is still a gap. The existing legal regulations are not strong enough for state agencies to implement, building a good mechanism for people to participate more and more effectively in state governance. For a example, Article 199 of the 2013 Land Law clearly stipulates the rights of the people to monitor and evaluate the implementation of the 2013 Land Law, but there is no basic guidance system on the contents. / specific criteria of monitoring and evaluation, so far, the thorough implementation of this clause is still on the paper. Moreover, the people's and people with disabilities intellectual level is also limited, so when participating in state management, people face many confusion, lack of confidence, not science ... Regulations to ensure the rights of people to participate in state governance are in place, but in reality, the implementation of these regulations is not really effective. The Law on Access to Information has taken effect, but it is not easy for people to access information. State agencies do not regularly disclose information actively, or do publicity often in a summary manner, procedures for people to access information are complicated, and it is not clear what information is. information about state secrets (which is information not made public). Democracy at the grassroots level, at first glance, it has been regulated very fully, but in reality, people are constrained by regulations related to what people are required to participate in. indirect mechanism, representation mechanism, so people cannot fully exercise their rights. State agencies still believe that People with disabilities are low of their capacity and ability to participate in state monitoring. The Law on anti-corruption, the accountability institution is set out quite aggressively, but it is still mainly the accountability between subordinates and superiors, the vertical relationship, which limits the resolution of superior agencies. submit to subordinates, or state management agencies to carry out the accountability to society ...

Thus, in order to promote people's participation in the process of state governance, it is necessary to continue to improve the institutional system, improve the mechanism to mobilize people to participate in the process of State management. To further ensure the participation of people with disabilities in state management, the following specific points should be noted:

Firstly, it is necessary to take on more accountability of the state. Clearly define the responsibilities of state agencies and must comply with the provisions of the law.

Secondly, complete the administrative apparatus, improve the capacity and adjust the staff to suit the job position. Complete the national information system on administrative procedures and operations of state administrative agencies. This is to ensure accessibility, avoid inconveniences for people with disabilities, simplify administrative procedures, and promote the process of publicity and transparency in the activities of state management agencies.

Thirdly, Increase opportunities to access information for people in general and people with disabilities in particular. There is a need to broaden the consultation mechanism for persons with disabilities in policy formulation, promulgation and implementation, including specific policies for people with disabilities.

Fourth, Improve the ability of people with disabilities to access accurate and timely information, and ensure the State's response to requests for information from people in general and people with disabilities in particular. The right to access information is one of the fundamental rights for people with disabilities to protect their own legitimate rights and interests, as well as increase the efficiency, transparency and accountability of state agencies, contributing to part of implementing the State's undertakings and policies on expanding democracy and ensuring human rights

Fifth, to ensure the transparency of information, especially for information not on the list of information banned from disclosure.

Sixth, promote the development of information technology and artificial intelligence, encourage artificial intelligence initiatives to support people with disabilities to access state services.

Seventh, based on actual conditions, state agencies set up their own web portal, which provides basic functions to assist people with disabilities to access and use information technology. information for accessing information or completing administrative procedures, assessing service quality of the government.

4**. Conclusion**

State governance is the exercise of power towards serving the people, assuring the role and voice of the people, building a streamlined and dynamic administration. From there, people have the right to exercise their ownership through an indirect or direct mechanism. To do this, the state must ensure opportunities for people to participate in state management, especially creating opportunities for the vulnerable and the disabled to participate in this process. The participation of people with disabilities through technology applications, artificial intelligence, will contribute to building the confidence of people in general, people with disabilities in particular in the leadership of the government; People with disabilities have more opportunities to voice their wishes, as well as increase oversight and criticism over state agencies.

In addition to capacity building and improvement, the state needs to coordinate closely with organizations, businesses and people in general, people with disabilities in particular in management activities to build governance for people, as well as promoting the creativity of artificial intelligence to increase opportunities to participate in state management of disadvantaged groups in society, ensuring the rights of all citizens.

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