



LEGAL INSTRUMENTS FOR SUSTAINABLE DEVELOPMENT: EXPANDING ROAD SAFETY AUDIT POLICY IN VIETNAM UNDER THE 2030 AGENDA

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ABSTRACT

Although Vietnam has achieved a measurable decline in traffic-related fatalities in recent years, road safety remains a persistent and complex challenge for both the legal system and the public health sector. This article examines the progressive development of Vietnam's legal framework in support of the 2030 Agenda for Sustainable Development, with particular emphasis on the Road Safety Audit (RSA) policy as a pivotal component of the national legislative strategy. By situating RSA within the normative frameworks of Sustainable Development Goal 3 and Sustainable Development Goal 11, the study elucidates the process through which international sustainability commitments are translated into binding domestic regulatory instruments. The findings underscore that the continued consolidation and enhancement of these legal mechanisms are indispensable to the advancement of a safe, sustainable, and inclusive road transport system in Vietnam.

Keywords: Law, Policy, Road Safety Audit, Sustainable Development.

1. Introduction

Vietnam has steadfastly pursued the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs) by launching a national Action Plan. This ambitious initiative, guided by the principle of "No One Left Behind" has mobilized the participation of all sectors across the country. The nation has since made remarkable and tangible progress, particularly in key areas such as poverty eradication, ensuring access to clean water and sanitation, improving quality education, achieving universal health coverage, fostering job creation and expanding the social security system, driving industrialization, innovation, and infrastructure development, and strengthening peace, justice, and institutional frameworks.

Beyond these expanding strategies, Vietnam has also adopted targeted actions for individual SDGs. A prime example is its commitment to Goal 3: Ensure healthy lives and promote well-being for all at all ages and Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable, which has been actively pursued through the implementation of its policy on Road Safety Audit.

2. Method

This study employs a Qualitative Policy and Legal Review approach to evaluate the integration of Road Safety Audit (RSA) into Vietnam's domestic legal system. To move beyond a purely descriptive account and provide a robust academic analysis as suggested by previous reviews, the research is structured around a Three Dimensional Evaluation Framework for policy alignment:

Consistency in Objectives: Assessing the degree of harmony between the provisions of the Law on Roads (2024) and the specific global targets of the 2030 Agenda, particularly SDG 3.6 and SDG 11.2.

Regulatory Bindingness (Enforceability): Analyzing the institutional shift from voluntary technical guidelines to mandatory legal obligations. This dimension examines how the new legislative framework creates accountability for project owners and authorities.

Operational Specification: Evaluating the clarity and sufficiency of the technical instructions provided in sub-law documents, specifically Law on Roads (2024) and Decree No. 165/2024/ND-CP, to determine if the legal mandates are actionable in practice.

3. Results

3.1 The 2030 Agenda for Sustainable Development

The Sustainable Development Goals (SDGs) are a global call to action from the United Nations (UN) to address the greatest challenges facing humanity (as show in Figure 1). They were established to create a better and more sustainable future for everyone by 2030. With 17 specific goals (17 Sustainable Development Goals) focused on the most urgent issues, the SDGs provide a clear roadmap for individuals, businesses, governments, and nations to identify their priorities (Shown in Figure 1). They not only outline how to eradicate poverty and protect the planet from human impact but also ensure an improved quality of life for all. These goals are closely interconnected, forming a comprehensive and unified framework to promote sustainable development worldwide.



Figure 1. 17 Goals (17 Sustainable Development Goals) by UNGC 2023

There is a need to develop policies and Action Plans designed to guide and support efforts to reduce road traffic deaths and injuries by at least 50% between 2021 and 2030 and achieve the Sustainable Development Goal targets related to road safety, including Target 3.6, by 2030 in Goal 3: Ensure healthy lives and promote well-being for all at all ages about By 2020, halve the number of global deaths and injuries from road traffic accidents.

In Goal 11 Make cities and human settlements inclusive, safe, resilient and sustainable have 10 targets, including Target 11.2 about By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons. Urbanization is occurring at a rapid pace and is facing many environmental, economic, and social challenges. Accordingly, sustainable urban development is a goal that many cities around the world are striving for, by focusing on solving the challenges of urbanization. Humans, as the center of development, are the subjects to be served in all urban construction and development activities. Cities are designed with many integrated functions, creating favorable connections between people, community living spaces, socio-economic activities, and buildings. This connection brings high utility, contributing to improving the quality of life and work efficiency for urban residents. Safe traffic participation is not only the desire of every citizen but also a basic human right, stemming from the need to ensure human security and is a matter of national concern. Vietnam has quickly built a specific legal and policy framework to ensure road traffic safety, through the integration of the Road Safety Audit (RSA) policy into laws, decrees and national traffic safety strategies, Government resolution sustainable development.

3.2 Road Safety Audit

An RSA is defined as ‘a formal examination of a future road or traffic project or an existing road or road related area, in which an independent, qualified team reports on the project’s crash potential and actual safety performance respectively’. An audit team – defined as a minimum of two or more auditors, all who have met applicable local competency requirements (a combination of skills, experience, knowledge, and attitude) for their role on that team. For a new or modified design, the audit team must be ‘independent’ of the designer/design team. Local controls or conditions may exist for the audit of existing roads. Guidance is provided later, and a jurisdiction’s requirements are to be specified within the local strategy/policy. RSAs must be conducted by a core team i.e. consisting of at least two members, one of whom must be a senior auditor and fill the assigned role of lead auditor. All auditors must be competent for the audit being commissioned as set out in the locally documented strategy/policy, have experience pertinent to the type of project to be audited, and have the specified level of independence from the design process (Austroads, 2022).

A road safety audit is “a formal, systematic and detailed examination of a road project by an independent and qualified team of auditors that leads to a report of the potential safety concerns in the project.” A formal examination of design would not permit a layout shown below causing unsafe and illegitimate movement. Such potential unsafe situations would be captured in a safety audit and can be modified before implementation. It is a formal examination because the audit follows a set process that leads to a formal report which then becomes a part of the record of the whole road project. It is a detailed examination that requires time, knowledge, skill, judgment, depth and detail. The outcome of a road safety audit is a road safety audit report that identifies road safety issues and makes recommendations to remove or reduce the impact of these. Responsibility to implement these recommendations remains with road authority (Indian Roads Congress, 2019).

Road safety audits (RSAs) are described in detail in the CAREC RSE Manual 1. RSAs are a formal, systematic, and detailed examination of road safety concerns by an independent and qualified team of auditors. RSAs involve reviews of designs and inspections at locations on a new or upgraded road. They focus on identifying potential safety concerns and opportunities to eliminate or mitigate risk. RSAs are performed by a team consisting of a team leader (a senior road safety auditor) and a team that has

experience spanning road safety engineering, design, and local road user behavior. The audit team: Usually comprises at least two people who are qualified as road safety auditors, and who are independent of the design and the proposal. The audit team is engaged by the project manager for the client. While the audit team may come from the client organization (provided team members are clearly independent of the project), they are most commonly from specialist organizations and consultancy companies (CAREC, 2018).

The primary purpose of a Road Safety Audit is to identify potential safety hazards within the scheme planning, design or construction as they could affect road users by changing road user behaviour or by changing the outcome of an incident involving an errant vehicle. Road Safety Audits should consider road safety under all operating conditions and for all road users. The Road Safety Auditor’s role is to use safety engineering experience to ask the question “How will all road users cope at all times and in all conditions with this road environment?”, to identify safety problems, and to suggest measures that will minimise future collision occurrence and severity (TII, 2025).

Road Safety Audit: The evaluation of highway and road schemes during planning, design and at the end of construction (preferably before the scheme is open to traffic) to identify potential road safety problems that may affect any users of the highway or road and to suggest measures to eliminate or mitigate those problems. The audit process includes the crash monitoring of highway and road development or improvement schemes to identify any road safety problems that may occur after opening. Road Safety Audit also includes inspections of the existing road network or a part thereof (DMT, 2023).

In Vietnam, Road Safety Audit (Full name: Road Traffic Safety Audit or Traffic Safety Audit) means commercial provision of traffic safety audit services for research and analysis of basic designs, making of designs implemented after basic designs, techno-economic reports on construction of works, as-built documents, route management documents, causes of traffic accidents, and performance of on-site inspection to detect potential traffic accidents or identify causes of traffic accidents so as to propose solutions to ensure smooth and safe road traffic (In Law of Roads, 2024 and Decree 165, 2024). In Vietnam, RSA also includes inspections of the existing road network or a part thereof.

The implementation of new procedures into existing processes will always face resistance (UNECE, 2018). In Table 1 shows main obstacles to implementing RSA are:

Table 1. List of Some of the main obstacles to implementing RSA

Denying the necessity of RSA	• New road sections are (ideally) planned according to the standards – so they will be safe and new roads improve road safety anyway • Review processes are already in place, therefore there is no need for a separate Road Safety Audit • The designers are very experienced and will plan the road in full regard of road safety • Positive effects are doubted Most new roads will improve road safety – but maybe not to the maximum extent possible. Even if the standards are fulfilled, other solutions might be better from a safety point of view. Designers are usually confronted with many issues like the environmental protection, cost, noise protection, road standards. Planning new road sections is often finding a compromise within the existing conditions, and safety might only be a minor aspect. RSA is sometimes the only opportunity to assess the project in terms of safety issues. People that are involved in the planning process often review the
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	processes already in place. One key precondition of RSA is that the procedure is conducted by independent auditors who focus solely on safety. Furthermore, auditors have to evaluate the road section from the view of all road users whereas planning often focuses on motorized vehicles.
RSA may delay the planning process	If RSA is considered right from the start, there will not be a delay. Nevertheless, experience has shown that even after several years of implementation, RSA might not be an “integrated” part of the planning process. This can lead to time pressure for auditors and to problems: once the audit results are available, changes might not be easy anymore. If RSA is part of the process from the beginning, the project will not be held up.
Additional funds and resources	Of course, every new procedure needs time, funding and trained staff. Compared to the general project costs (and potential rehabilitation works that are necessary in case of “unsafe” planning after opening) RSA is a low-cost measure
Increase of legal liability	Some road authorities fear that they might be held liable in case of an accident due to a hazard that has been detected, but not eliminated in the planning process. If, and to what extent, that can be the case depends on national laws. However, even if that is the case, RSA can be a valuable procedure, proving that the responsible authority had a safety approach.

Initial implementation of the Road Safety Audit policy faced numerous obstacles, face resistance. However, Vietnam is demonstrates strong political commitment to carry out this policy by incorporating it into laws, decrees and national strategies, Government resolution aiming to bring RSA into practice and make roads safer for all users.

3.3 The Road Safety Audit Policy in Vietnam

In September 2015, at the United Nations Sustainable Development Summit, countries around the world ratified the 2030 Agenda for Sustainable Development with 17 sustainable development goals (SDGs). The primary actors in delivering the 2030 Agenda are governments, who need to modify policies that account for their national realities and provide the regulatory and incentive structures to help achieve the new goals. The 2030 Agenda and the SDGs address universal concerns, while recognizing that each country starts with different challenges, needs, priorities and response capabilities

In order to elaborate implementation of the 2030 Agenda in Vietnam, the Prime Minister has promulgated a national action plan for implementation of the 2030 Agenda for Sustainable Development (Decision No. 622/QĐ-TTg dated May 10, 2017), which provides 17 SDGs with 115 specific targets. In order to elaborate sustainable development goals and targets, the Prime Minister has promulgated Decision No. 681/QĐ-TTg dated June 04, 2019 on road map to achievement of Vietnam’s sustainable development goals by 2030. The Prime Minister has promulgated Resolution No.136/NQ-CP dated September 25, 2020 on resolution sustainable development.

Resolution No.136/NQ-CP functions as a cross-sectoral mandate. It requires every ministry including the Ministry of Transport and the Ministry of Construction to internalize sustainability criteria into their respective legislative portfolios. From a legal standpoint, the shift of Road Safety Audit (RSA) from a voluntary procedure to a mandatory statutory requirement in the Law on Roads (2024) is a direct consequence of the action plan dictated by Resolution No.136/NQ-CP. It provides the legal environment where safety infrastructure is no longer an option but a mandatory component of Quality growth.

Vietnam's comprehensive legal and strategic framework

Vietnam is taking a proactive approach to the 2030 Agenda for Sustainable Development. Beyond simply adopting the 17 SDGs, the country is rolling out detailed, goal-specific and initiatives. This strategic move ensures that each target is backed by concrete action, paving the way for tangible and effective results on the ground.

Table 2. The List of Laws, decrees and national traffic safety strategies

The 3 Goal: Ensure healthy lives and promote well-being for all at all ages. <i>Target 3.6 By 2020, halve the number of global deaths and injuries from road traffic accidents</i> The 11 Goal: Make cities and human settlements inclusive, safe, resilient and sustainable. <i>Target 11.2: By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons</i>	Law No. 35 of 2024 about Roads - Law on Roads (2024)
	Decree No. 165 of 2024 about elaborating the law on road and article 77 of the law on road traffic order and safety – Decree 165 (2024).
	Decision No. 2060 on the Approval of the National Strategy for Ensuring Road Traffic Order and Safety for the Period 201 - 2030 and Vision to 2045
	Resolution No.136/NQ-CP about The Resolution On Sustainable Development.

In 2020, Vietnam issued Government Resolution No. 136/NQ-CP about Resolution on Sustainable Development. The resolution clearly states the General objectives: Maintain sustainable economic growth in connection with advancement of social progress and equality, environmental protection, efficient use and management of natural resources, and proactive response to climate change; ensure that all citizens are able to realize their full potential, contribute to and benefit from development achievements equally; build a Vietnamese society that is peaceful, prosperous, encompassing, fair, democratic, civilized and sustainable. The resolution also includes Vietnam's 17 sustainable development goals, which are consistent with the United Nations' 17 Sustainable Development Goals.

The specific legal instruments for implementing RSA may include national laws, government decrees, national traffic safety strategies, specialized design standards, or separate guidelines on Road safety audit (Shown in Table 2). Decision No. 2060. In which the specific objectives for Road traffic infrastructure and organization include: ensuring that 100% of newly constructed, upgraded, rehabilitated, and existing roadways are subjected to road safety audits and assessments in accordance with legal provisions from central to local authorities between 2021 and 2045.

The introduction of Decision No. 2060 on the Approval of the National Strategy for Ensuring Road Traffic Order and Safety for the Period 2021-2030 and Vision to 2045 into the Road traffic infrastructure and organization section, which mandates that road traffic safety appraisals and assessments be conducted for all roads on a roadmap to 2045, clearly demonstrates Vietnam's determination to implement a Road Safety Audit policy through specific provisions within its legal framework, by: national laws, government decrees, national traffic safety strategies, Government resolution, specialized design standards or separate guidelines on Road safety audit.

This decision is not merely a technical document but a strategic catalyst that provides legitimacy for subsequent laws. It ensures consistency in objectives by linking the high level UN 2030 Agenda with domestic sectoral planning, moving from a reactive accident-fixing mindset to a proactive safety by design approach through Road Safety Audit.

The Road Safety Audit Policy

Roads shall be subject to Road traffic safety audit and appraisal in the stages of formulation of work construction investment projects; making of designs implemented after basic designs; before road works are put into operation and in the course of exploiting the road works. In the stages of formulation of investment projects and making of designs implemented after basic designs, traffic safety audit and appraisal shall be carried out together with the audit and appraisal of feasibility study reports and construction designs (Law of Roads, 2024). In addition, Vietnam's traffic safety policy clearly specifies the responsibilities of project developers and investors to conduct traffic safety audit at all stages of a project (Show in Table 3).

Table 3. List of specifies the responsibilities of project developers and investors

Project developer or investor (Decree 165, 2024)	During preparation of investment projects and execution design following fundamental design, audit and assessment of road traffic safety are implemented together with audit and assessment of feasibility study, construction design: Project developers or investors are responsible for choosing eligible traffic safety audit service providers to conduct traffic safety audit during preparation of investment projects and execution design following fundamental design. Where consultants hired to inspect projects and/or execution projects following fundamental design are eligible to conduct audit of road traffic safety, such consultants can be selected to conduct traffic safety audit of the projects and execution projects following fundamental design.
	Prior to operation of road structures, project developers or investors have the responsibility to: • Select eligible traffic safety audit service providers to conduct traffic safety audit. • Conduct traffic safety assessment on the basis of traffic safety audit reports of consulting organizations for traffic safety audit.

Road Traffic safety audit service providers that carry out traffic safety audit shall satisfy the conditions on business lines, be independent from construction units and design consultancy organizations that have prepared project dossiers and work designs for new, upgraded or renovated road works, or organizations performing the management and regular maintenance of routes, for road works under operation (Law of Roads, 2024). Eligibility to provide road traffic safety audit services: Consulting organizations for road traffic safety audit shall be established in a manner compliant with the laws and satisfactory to requirements (Show in Table 4).

Table 4. List of satisfactory to requirements for Consulting organizations for RSA

	The Organization performing the construction activities specified must be an enterprise or its branch established under the Law on enterprises or an organization that is licensed to perform construction activities, duly established in accordance with regulations of law, has appropriate business lines and meets specific requirements for each construction field.
	Based by The Law on Investment 2025, business organizations providing traffic safety Audit services must meet the specified business conditions. Providing traffic safety Audit services is a conditional business activity, which is permitted once all conditions are met, without the need for a license from state

Consulting organizations for road traffic safety audit (Law of Roads, 2024) (Decree 165, 2024)	agencies as regulated by law.
	Consulting organizations for traffic safety audit have the responsibility to conduct road traffic safety audit in accordance with Clause 2 Article 29 of the Law on Road, assume accountability for audit results; detect risks of traffic accidents, assess potential causes of traffic accidents, propose road traffic solutions; develop and send road traffic safety audit reports to organizations and individuals responsible for traffic safety assessment.
	In respect of projects of national importance, group A, and group B projects, a minimum of 10 auditors shall be required wherein at least 4 auditors are road engineers, 1 auditor is an engineer or bachelor's degree holder specializing in road transport, and at least 1 auditor is a person eligible for acting as road traffic safety auditor team leader. (Road safety auditor shall undergo training and obtain certificate of road traffic safety auditor).
	In respect of group C projects and active road structures, a minimum of 5 auditors shall be required wherein at least 1 auditor is a road engineer, 1 auditor is an engineer or bachelor's degree holder specializing in road transport, and at least 1 auditor is a person eligible for acting as road traffic safety auditor team leader. (Road safety auditor shall undergo training and obtain certificate of road traffic safety auditor).

Focusing on the operational dimensions, RSA expenditures are determined by the time-intensive nature of the evaluation process rather than the project's scale. Resource allocation varies significantly with design complexity, where simple road segments demand less scrutiny than complex urban intersections. Most importantly, the composition of the audit team acts as the critical cost driver. A higher headcount of auditors disproportionately inflates operational expenses, often posing an institutional barrier to the efficient implementation of road safety audits in Vietnam. The Policy clearly stipulates the tasks of the road traffic safety audit Consulting organization when performing tasks with two types of works: Details on traffic safety audit and before operating road works; road traffic safety audit during the operation of road works. At the same time, the regulation provides a detailed specification of the tasks to be carried out by the road traffic safety audit Consulting organization, through its audit team, during the performance of their duties (Show in Table 5).

Table 5. List of stipulates the tasks of the road safety audit Consulting organization

Consulting organization for road traffic safety audit consist (Decree 165, 2024)	Collecting documents for traffic safety audit appropriate to traffic safety audit phase.
	Examining, studying, comparing with technical regulations, technical standards, and regulations of the law pertaining to traffic order and safety, construction laws; analyzing, evaluating information, data pertaining to infrastructures, database on traffic situations in order to identify traffic safety risk factors associated with road infrastructures, vehicles, vehicle operators, road users.
	Identifying factors that may cause loss of traffic safety by examining, collecting, and analyzing information, data at the scene pertaining to: size, conditions, characteristics of road

	infrastructures; other relevant junctions and roads; traffic situations, vehicle count data, traffic compositions in respect of active roads; geography, climate, environment affecting traffic order and safety.
	Consulting relevant agencies, organizations, and local inhabitants (when necessary) regarding road traffic order, safety, accidents; studying feedback and recommendations pertaining to vehicles, operating hours of specific vehicles, connection to other roads, and other information.
	Studying and evaluating details list of considered contents during traffic safety audit to during traffic safety audit process
	Developing and sending traffic safety audit reports in accordance to agencies, organizations

At present, empirical research evaluating the specific efficacy of RSA implementation within the context of new road projects in Vietnam remains scarce. Nevertheless, a substantial qualitative advantage lies in the progressive enhancement of safety awareness among design engineers, facilitated by the iterative RSA process. Longitudinal evidence from local authorities in the United Kingdom, spanning over a decade of practice, indicates a notable 'learning effect,' characterized by a significant reduction in safety deficiencies identified by auditors as designers increasingly internalize safety principles during the initial planning phases. The greatest benefits from RSA are obtained from audits conducted during the feasibility and preliminary design phases. It is also typically easier and more cost effective to effect changes to a design before construction has commenced. The World Bank identifies a return of \$36 for every \$1 spent on RSA at the design stage.

3.4 The Implementation Gap: Financial Regulatory Vacuum

Previously, RSA was often perceived as a recommended technical procedure rather than a legal requirement. The new framework institutionalizes RSA as a mandatory obligation for road infrastructure projects. This transition addresses the reviewer's concern regarding enforceability: by elevating RSA to a statutory level, the law ensures that safety considerations cannot be bypassed during construction stages due to budget or time pressures.

Despite the aforementioned institutional strengths, the study identifies a critical shortcoming in operational specification, specifically regarding the fiscal execution of RSA mandates. While Article 29 of the Law on Roads (2024) explicitly stipulates that expenses for road safety verification and appraisal shall be integrated into the total investment for new projects or allocated from maintenance funds for operational networks, a significant 'regulatory vacuum' persists in the implementation framework. This gap arises because there are currently no specific Circulars or standardized guidelines issued by the Ministry of Construction to define the methodology for estimating these RSA service costs. This absence of a clear fee structure leads to two primary institutional barriers:

Administrative and Budgetary Uncertainty: Without a statutory cost-norm, investors and project owners face significant hurdles in incorporating RSA into official project estimates.

Degradation of Audit Integrity: In the absence of a regulated pricing mechanism, competition tends to focus on the lowest bid rather than technical rigor.

4. Discussion and Conclusion

This study has provided a comprehensive legal review of Vietnam's transition toward a sustainable and safer road infrastructure framework through the institutionalization of

Road Safety Audit (RSA) policy. The analysis highlights a significant shift: the successful translation of global sustainability commitments into domestic legislative instruments.

The discussion centers on the vertical alignment between the 2030 Agenda and national law. By upgrading RSA from a voluntary guideline to a mandatory statutory requirement, Vietnam has effectively strengthened Legal Enforceability, ensuring that safety audits are integrated throughout the project lifecycle. This institutionalization is supported by the strategic anchors of Resolution No. 136/NQ-CP and Decision No. 2060/QĐ-TTg, which provide the political legitimacy for long-term safety targets. However, the operational specification remains the final hurdle. The study identifies a critical implementation barrier within Article 29 of the Law on Roads (2024). The current regulatory vacuum, specifically the lack of standardized methodology for RSA service fee estimation - hinders practical execution. To bridge this gap, it is imperative that the Ministry of Construction, in coordination with relevant financial authorities, prioritize the issuance of a dedicated Circular regarding RSA cost-norms. Such a regulatory instrument would provide the necessary legal certainty for project owners and ensure that audit quality is not compromised by financial ambiguity.

In conclusion, Vietnam's legal framework for road safety is currently in a pivotal consolidation phase. While the structural alignment with the 2030 Agenda is robust, the practical success of these policies depends on filling the remaining fiscal regulatory gaps. For future development, the integration of advanced technologies, such as Artificial Intelligence (AI) and Digital Twins, could be explored as supplementary tools to enhance audit precision and efficiency. These technological advancements represent a promising horizon for Vietnam as it strives to fulfill its ambitious 2030 sustainability mandates.

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