

*Research Article*

# How Public Procurement Policies Influence Sustainable Development Goals in Developing Countries: A Case Study in Vietnam

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**ABSTRACT:** This research explores the role of public procurement in promoting sustainable development in Vietnam and examines how procurement policies align with the United Nations' Sustainable Development Goals (SDGs). As public procurement is a significant tool for achieving sustainable development, this study investigates the effectiveness of Vietnam's Law on Bidding, No. 22/2023/QH15, in integrating sustainability into public procurement practices. The study employs a qualitative case study method, utilizing primary data from document analysis, interviews with key procurement sector stakeholders, and secondary data from existing literature and governmental reports. The results indicate that although Vietnam has made progress in fostering green public and social procurement, the legal framework remains fragmented, with limited integration of comprehensive sustainability criteria across all procurement sectors. Challenges such as limited institutional capacity, market unpreparedness, financial constraints, and corruption continue to impede the effective implementation of sustainable procurement. In comparison with other developing countries like South Africa, India, and Brazil, Vietnam's approach is still in its early stages of development. The study concludes that while Vietnamese public procurement policies have the potential to generate greater sustainability, they require stronger regulations, enhanced institutional capacity, and greater market support. Strengthening the link between procurement and the SDGs is essential for achieving Vietnam's long-term environmental, social, and economic sustainability goals.

**KEYWORDS:** Economic growth, Government spending, Procurement regulations, Procurement system, Public procurement.

## I. INTRODUCTION

Public procurement is a key government activity through which authorities purchase goods, services, and works from private entities. It is increasingly seen

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as a strategic instrument for achieving sustainable development.<sup>1</sup> In many developing countries facing financial limitations, procurement is strategically positioned to integrate sustainability principles into governmental operations, thereby influencing broader societal, economic, and environmental outcomes.<sup>2</sup> The 2030 Agenda for Sustainable Development is a key global framework adopted by the United Nations to promote sustainable development.<sup>3</sup> This agenda includes 17 Sustainable Development Goals (SDGs) aimed at eradicating poverty, protecting the planet, and ensuring prosperity for all. However, the relationship between public procurement activities and the achievement of the SDGs in developing countries remains limited. Public procurement policies have the potential to encourage sustainable practices across various sectors; however, to date, the specific mechanisms through which they promote the SDGs in practice require further clarification and stricter monitoring.<sup>4</sup> In this regard, Vietnam provides a particularly valuable context for a case study.

During the last decade, as one of the fastest-growing economies in the world, Vietnam has brought millions out of poverty, but it is also struggling with many social issues, such as inequality, environmental destruction, and resource conflicts.<sup>5</sup> In this context, effective public procurement is vital for promoting sustainable development in Vietnam, as the country seeks to balance economic

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<sup>1</sup> Peter Adjei-Bamfo, Theophilus Maloreh-Nyamekye & Albert Ahenkan, “The Role of E-Government in Sustainable Public Procurement in Developing Countries: A Systematic Literature Review” (2019) 142 Resources, Conservation and Recycling; *The Integration of Vietnam in the Global Economy and Its Effects for Vietnamese Economic Development*, Working Paper, by Hansjörg Herr, Erwin Schweissshelm & Minh Huy Vu Truong, www.econstor.eu, Working Paper 44 (Global Labour University Working Paper, 2016) at 3.

<sup>2</sup> Ama Amponsah Appiagyei et al, *Barriers to the Implementation of Environmentally Sustainable Procurement in Public Universities* (Lagos, Nigeria: International Journal of Procurement Management, 2018) at 24; Otilia P Manta et al, “Public Procurement, a Tool for Achieving the Goals of Sustainable Development” (2022) 24:61 *Amfiteatru Economic* at 85.

<sup>3</sup> The United Nations, “Transforming Our World: the 2030 Agenda for Sustainable Development A/RES/70/1” (2015), online: *United Nations* <<https://sdgs.un.org/2030agenda>>.

<sup>4</sup> Jan Bebbington & Jeffrey Unerman, “Achieving the United Nations Sustainable Development Goals: An enabling role for accounting research” (2018) 31:1 *Accounting, Auditing & Accountability Journal*; Tridib Sengupta & Satyendra Shukla, “Conceptual Framework in Sustainable Procurement: Sustainable Development Goals (SDGs) Focused Content Analysis Approach” in *Sustainable Procurement in Supply Chain Operations* (Boca Raton, FL: CRC Press, 2019) at 3.

<sup>5</sup> Herr, Schweissshelm & Truong, *supra* note 1 at 25.

growth with environmental and social sustainability.<sup>6</sup> This study investigates the extent to which public procurement supports the SDGs in Vietnam,<sup>7</sup> with particular attention to the consistency of practices with key sustainability goals. Although the potential of public procurement to stimulate sustainable development in Vietnam has been recognized in policy discourse, there is little research on the effectiveness of these policies to achieve the SDGs.<sup>8</sup> This gap is the focus of the current study, which seeks to provide a deeper understanding of how procurement practices in Vietnam align with and contribute to sustainable development.

Specifically, this study delves into certain aspects of this relationship, including the integration of sustainability considerations in the public procurement process, the role that procurement plays in promoting social and environmental objectives, and some risks and opportunities facing Vietnam when attempting to align sustainable procurement policies with its own SDG strategies.<sup>9</sup> It aims to provide empirical contributions for other similar studies, showing that public procurement can be utilized as a tool for achieving long-term sustainable development goals in a fast-growing economy.<sup>10</sup> The body of research on sustainable procurement has been expanding rapidly, and this study contributes through a case study of Vietnam, a country experiencing rapid growth alongside significant development challenges. The results are meant to guide both policymakers and academics on the contributions of public procurement in

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<sup>6</sup> Thi Thu Anh Cao & Dang Thi Giang, “Public Procurement for Innovation in Vietnam: Rationales and Perspectives” (2016) 7:1 Policy Review; Hoang Tien Nguyen & Vuong Hoang Do, “Government Procurement Clause in EVFTA and Implications for Vietnam” (2020) 4:4 VNUHCM Journal of Economics - Law and Management; Hai Pham, Soo-Yong Kim & Truong-Van Luu, “Managerial Perceptions on Barriers to Sustainable Construction in Developing Countries: Vietnam Case” (2020) 22:4 Environment, Development and Sustainability at 2981.

<sup>7</sup> ARC Group, “Vietnam’s Sustainable Development Journey from MDGs to SDGs” (2024), online: <<https://arc-group.com/vietnam-sustainable-development/>>.

<sup>8</sup> Agapto Kajimbwa Monsiapi, “Public Procurement and Performance” in *in Ali Farazmand, ed, Global Encyclopedia of Public Administration, Public Policy, and Governance* (Cham: Springer International Publishing, 2023) at 108.

<sup>9</sup> “Achieving Sustainable Development Goals in Viet Nam: Assessing Progress and Estimating Required Efforts - An Average Annual Rate of Reduction (AARR) Analysis Across Social Sectors” (2022), online: UNICEF Viet Nam <<https://www.unicef.org/vietnam/reports/achieving-sustainable-development-goals-viet-nam>> at 24.

<sup>10</sup> Nannan Wang et al, “The Role of Government Procurement in Sustainable Industry Development—The Trends and Research Agenda” (2025) 17:3 Sustainability at 131.

realising the SDGs within developing countries, along with its achievements as well as shortcomings.<sup>11</sup> Thus, the study purposefully answers the following questions:

- a) How do Vietnam's public procurement policies align with the Sustainable Development Goals?
- b) What role does public procurement play in advancing sustainable development in Vietnam?
- c) What challenges hinder the integration of sustainability in Vietnam's public procurement practices?

## II. METHODOLOGY

This study employs a qualitative research case study approach, as proposed by Yin, to investigate the relationship between public procurement policies and the achievement of SDGs in Vietnam.<sup>12</sup> Specifically, the research examines Vietnam's Law on Bidding, No. 22/2023/QH151,<sup>13</sup> alongside secondary resources related to public procurement regulations. The case study method is useful for examining complex phenomena in real-life settings, offering an in-depth understanding of how procurement practices are operationalized and what their sustainability implications are. Thus, the study focuses on this case to assess whether sustainable development is incorporated into the legal framework for public procurement, and to what extent the framework promotes the SDGs. Through a review of both primary and secondary sources, the research provides an overview of procurement policies in Vietnam, identifying areas for improvement to better align with SDG targets. Ultimately, the results are expected to contribute to the available knowledge on public procurement and

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<sup>11</sup> Sanjay Kumar, "Brief Overview of Sustainable Public Procurement" in *Understanding Sustainable Public Procurement, Public Administration, Governance and Globalization* (Cham: Springer, 2022); Pedro Infante Mota, "Government Procurement and Sustainable Development in the WTO" in *R Saraiva & PA Pardal, eds, Sustainable Finances and the Law, Economic Analysis of Law in European Legal Scholarship* (Cham: Springer Nature Switzerland, 2024); Meshack Siwandeti, Leticia Mahuwi & Baraka Israel, "How Public Procurement Can Help Societies Achieve SDGs: A Conceptual Model" (2023) 15:1 *Management of Sustainable Development* at 36.

<sup>12</sup> Robert K Yin, *Case Study Research and Applications: Design and Methods* (Washington DC: Sage Publication, 2018) at 241.

<sup>13</sup> The National Assembly of Vietnam, *Law on Bidding, Law No 22/2023/QH15*, 2023.

sustainability and provide practical suggestions for policymaking in Vietnam and other developing countries.

### III. DISCUSSION

#### *A. The Correlation between Public Procurement and Sustainable Development*

Public procurement is an essential government function that involves the acquisition of goods, services, and works from the private sector. It accounts for a substantial share of government expenditure, in many countries representing around 13% of GDP.<sup>14</sup> Because of its scale, public procurement is widely acknowledged as a powerful policy instrument for shaping broader economic, social, and environmental outcomes.<sup>15</sup> In recent years, the potential of public procurement to foster sustainable development has received greater academic and policy attention. Sustainable development was defined by the Brundtland Commission (1987) (cited in Keeble) as development which meets the needs of the present without compromising the ability of future generations to meet their own needs.<sup>16</sup> This involves mainstreaming environmental sustainability and social inclusion across all areas of policymaking. The impact of public procurement on sustainable development is highly pertinent in both developed economies and emerging countries since the procurement process may influence economic growth and social and environmental sustainability.<sup>17</sup> Governments can incentivise sustainable practices, promote social equity, and reduce environmental impacts through the strategic design and implementation of procurement policies. For example, governments might take measures to favour green procurement (GP), which aims at industrial production complying with sustainable regulations, or social procurement, which seeks to create opportunities for disadvantaged groups within local communities.<sup>18</sup> Procurement

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<sup>14</sup> Organisation for Economic Co-operation and Development (OECD), “About the 2025 Global Public Procurement Forum (2025)”, online: *OECD* <<https://www.oecd-events.org/global-public-procurement-forum/en>>.

<sup>15</sup> Raquel Carvalho, “Public Procurement and Sustainable Development” (2021) 20:78 *Revista de Direito Publico da Economia*; *The Role of Public Procurement Policy in Driving Industrial Development*, by Kamala Dawar & Seung Chul Oh, (University of Sussex, 2017) at 23.

<sup>16</sup> Brian R Keeble, “The Brundtland Report: “Our Common Future”” (1988) 4:1 *Medicine and War* at 18.

<sup>17</sup> Kumar, *supra* note 11.

<sup>18</sup> Conghu Wang, Yuhua Qiao & Xiaoming Li, “A Systems Approach for Green Public Procurement Implementation” (2020) 20:3 *Journal of Public Procurement* at 287.

is seen as a powerful tool to drive demand for sustainable products and services, support local growth areas, reduce carbon emissions, and generate social benefits. It is considered a key delivery mechanism for the UN SDGs.

### *B. Some Key Takeaways about the United Nations' 2030 Agenda for Sustainable Development and Sustainable Development Goals*

The 2030 Agenda for Sustainable Development (hereinafter referred to as the Agenda), adopted by the General Assembly in 2015, establishes a framework of standards and targets that can be applied to the realization of sustainable development solutions.<sup>19</sup> Under the Agenda, 17 Sustainable Development Goals (SDGs) have been outlined to address a range of pressing global challenges to eradicate poverty, reduce inequality, mitigate climate change, protect the environment, and promote peace and justice.<sup>20</sup> Together, these SDGs provide a clear and structured list of targets and approaches for measuring progress, offering countries specific targets and methods to develop and implement national strategies. For developing countries, the need to harmonize economic development with social inclusion and environmental conservation poses certain challenges. However, the SDGs together highlight the need for a forward-looking approach to integrated development. Although each SDG may appear as a separate aspiration, they are closely linked, meaning progress in one area often depends on progress in the others.<sup>21</sup> Thus, efforts to eradicate poverty (SDG 1) can be undermined by environmental degradation (SDG 13), while initiatives to deliver gender equality (SDG 5) can act as a catalyst for economic growth (SDG 8). Because of its transparency and openness to global competition, integration of sustainable procurement standards in public policy can make public procurement a strategic tool that can advance multiple SDGs simultaneously. This enables standards to be included in core procurement lists that underpin SDGs such as climate action, responsible production and consumption, and gender equality. These include mechanisms that would support SDG 13 on climate action (Green Public Procurement) and provisions for social

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<sup>19</sup> The United Nations, *supra* note 3.

<sup>20</sup> *Ibid.*

<sup>21</sup> Bebbington & Unerman, "Achieving the United Nations Sustainable Development Goals", *supra* note 4.

procurement, which could feed into SDG 1 on reducing global poverty and shared prosperity and SDG 5 on gender equality. When embedding these synergistic instruments, procurement entities must rigorously ensure that every procurement outcome delivers balanced environmental and socio-economic dividends.

### *C. The Overview of Public Procurement Policies in Achieving Sustainable Development Goals in Vietnam*

During the last thirty years, Vietnam has transformed from one of the world's poorest countries into an emerging economy with significant development and growth. Regardless, it continues to be confronted by issues like inequality, environmental degradation, and resource scarcity. This implies that public procurement could be harmonised with inclusive and green growth, embedding sustainability within public procurement in Vietnam.<sup>22</sup> The public procurement system in the country has been reformed significantly with the Law on Bidding, No. 22/2023/QH15,<sup>23</sup> previously the 2013 Law on Public Procurement, which aims to enhance transparency, competition, and accountability.<sup>24</sup> However, the emphasis has been placed on efficiency above all else. Thus, in this difficult context, public procurement in Vietnam is still regarded as having the potential to driven by the SDGs.<sup>25</sup> Public procurement, for example, can support SDG 12 (Responsible Consumption and Production) by stimulating the market for greener products and services. Green public procurement (GPP) is acknowledged as an approach to limit the impact of government spending on the environment; in this respect, Vietnam has achieved certain results. Nonetheless, the extent and depth of GPP are small in volume, and other sectors may require solid strategies to bring sustainability into procurement in all its categories.<sup>26</sup> Public procurement can also contribute to SDG 8 (Decent Work and Economic Growth) if it gives priority to local suppliers, resulting in more inclusive growth.

<sup>22</sup> Herr, Schweishelm & Truong, *supra* note 1; Pham, Kim & Luu, *supra* note 6.

<sup>23</sup> *Law on Bidding, Law No 22/2023/QH15*, *supra* note 13.

<sup>24</sup> Nguyen & Do, *supra* note 6; Thi Lan Huong Phan & Nguyen Thi Thanh Tu, "Public Procurement: Current Issues and Solutions towards Good Governance in Viet Nam" in *in Fiona David et al, eds, Good Governance and Anti-Corruption: Opportunities and Challenges in the Era of Digital Technology* (Vietnam: Social Sciences Publishing House, 2020) at 477.

<sup>25</sup> Sengupta & Shukla, *supra* note 4 at 5.

<sup>26</sup> Carvalho, *supra* note 15; Mota, *supra* note 11 at 221.



Procurement can help to reduce inequalities and foster social inclusion, such as the provision of fair wages, employment of marginalised groups, and promotion of gender equality. In this way, procurement can contribute to reducing inequality and promoting social inclusion. Public procurement can also spur innovation by rewarding innovative technologies and services that satisfy environmental and social goals.<sup>27</sup> Vietnam must address several challenges to fully realize the potential of public procurement for sustainable development. These entail better alignment of procurement policies with the SDGs, greater capacity and training for procurement officers, and more transparent legal frameworks that consider environmental, social, and economic factors.<sup>28</sup> The political will and political leadership to mainstream sustainability in procurement are also essential to ensure that procurement decisions are undertaken within the larger context of national development priorities.

#### *D. Current Situation of Sustainable Procurement in Vietnam*

Sustainable procurement refers to the process by which public entities select goods, services, and works that provide value for money while benefiting society and minimizing environmental harm. In Vietnam, sustainable procurement has gained increasing attention as a policy tool for achieving the SDGs. The country has integrated environmental, social, and economic sustainability into its procurement system, with increasing emphasis on GPP, social procurement, and inclusive procurement. GPP is a crucial pillar of sustainable procurement in Vietnam. GPP is the purchase of products and services with diminished environmental impact compared to better performance product or service substitutes, with consideration of the entire life cycle and overall environmental impact. This includes the purchase of energy-efficient products, renewable energy technologies, low-carbon infrastructure, and green building materials. The Vietnamese government has taken many steps towards promoting GPP through instruments such as the Green Growth Strategy (2021) and by setting up the

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<sup>27</sup> Elvira Uyarra et al, “Public Procurement, Innovation and Industrial Policy: Rationales, Roles, Capabilities and Implementation” (2020) 49:1 Research Policy at 3.

<sup>28</sup> Foster Abrampa Opoku-Mensah, Albert Ahenkan & Francis Adane, “The Dilemma of Sustainable Procurement: An Exploration of Challenges in the Context of Multi-Theoretical Perspective” (2024) Green and Low-Carbon Economy; Siwandeti, Mahuwi & Israel, *supra* note 11 at 37.



Vietnam Green Building Council,<sup>29</sup> encouraging green building practices and the use of energy-efficient materials in public infrastructure.<sup>30</sup> They have therefore also commanded the integration of environmental specifications in procurement via regulatory measures. For instance, Decision No. 280/QĐ-TTg requires agencies to procure energy-efficient products, including lighting, office equipment, and vehicles.<sup>31</sup> This step is required to reduce public sector carbon emissions and promote energy-saving technologies. Additionally, the government has encouraged local businesses to adopt sustainable practices by integrating environmental standards into procurement contracts that incentivise companies to supply green products and services. Social procurement is another important component of greener procurement policies in Vietnam. Social procurement involves the inclusion of social outcomes in the selection of suppliers and contractors, such as poverty reduction, job creation, gender equality, and inclusion of marginalized groups. Vietnam already had procurement policies that mainstreamed social factors through policies prioritising local employment, fair wages, and procurement that supports disadvantaged communities. Recently, social procurement has been recognised as a vital instrument for realizing SDGs related to poverty alleviation (SDG 1), decent work and economic growth (SDG 8), and gender equality (SDG 5).<sup>32</sup> This includes a growing trend in public procurement contracts that increasingly require contractors to provide training and hire locally, particularly in rural and underserved areas. Furthermore, the Vietnamese government has introduced policies encouraging women-owned enterprises and vulnerable groups to participate in public procurement, thereby promoting inclusive growth. In addition, inclusive procurement in Vietnam is gaining a lot of attention. This type of procurement aims to address social inequalities by ensuring that procurement decisions also promote social uplift, such as supporting economically weaker groups. Inclusive procurement comprises activities to assist small and medium-

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<sup>29</sup> The Prime Minister of Vietnam, “The Decision No. 1658/QĐ-TTg on Approving the National Green Growth Strategy for 2021-2030, Vision Towards 2050” (2021), online: *Socialist Republic of Viet Nam Government News* <<https://en.baochinhphu.vn/national-green-growth-strategy-for-2021-2030-vision-towards-2050-11142515.htm>>.

<sup>30</sup> “Vietnam Green Building Council (VGBC)”, online: <<https://www.vgbc.vn/en/>>.

<sup>31</sup> The Prime Minister of Vietnam, *Decision No. 280/QĐ-TTg of the Prime Minister: Approving the National Program on economical and efficient use of energy for the period 2019–2030*, 2019.

<sup>32</sup> *Law on Bidding, Law No 22/2023/QH15*, *supra* note 13.

sized enterprises (SMEs), social enterprises, and those businesses operated by women and ethnic minorities. Programs introduced by the government to support these businesses have included helping them compete more effectively for public contracts.

### *E. Challenges and Limitations in Implementing Procurement Policies Aligned with Sustainable Development Goals in Vietnam*

Public procurement is now widely recognized as one of the most important instruments for fostering sustainable development, particularly for developing countries such as Vietnam. However, although there is an increasing focus on harmonizing public procurement with the United Nations' SDGs,<sup>33</sup> Vietnam faces substantial challenges and limitations in fully integrating sustainability into its procurement policies and practices. These embedded challenges have implications for legislative, institutional, financial, and market aspects, and their resolution is critical to ensuring that Vietnam's public procurement system can effectively contribute to the achievement of the SDGs.

#### *1. Legal and Regulatory Challenges*

One of the main challenges in aligning procurement policies with the SDGs in Vietnam lies in the existing legal and regulatory framework. Although the 2023 Law on Bidding, which came into effect in 2024,<sup>34</sup> is a step forward, it still lacks detailed provisions for integrating sustainability criteria into procurement. While the law has provisions related to efficiency, transparency, and fairness, it does not consistently incorporate criteria for environmental sustainability, social inclusion, and responsible economic growth. In the absence of clear and enforceable standards, procurement officials may lack guidance to balance sustainability with objectives such as cost-effectiveness and timeliness. Furthermore, there is a lack of comprehensive and specific green procurement policies. While the government has promoted energy-efficient procurement and initiated certain green procurement measures through decisions like Decision No. 280/QD-

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<sup>33</sup> *The Sustainable Development Goals Report 2024*, by The United Nations (New York: United Nations, 2024) online: <<https://unstats.un.org/sdgs/report/2024/>> at 24.

<sup>34</sup> *Law on Bidding, Law No 22/2023/QH15*, *supra* note 13.

TTg,<sup>35</sup> on energy-efficient products, these initiatives remain fragmented, with no overarching framework to comprehensively guide sustainable procurement. This lack of coherence in regulations makes it difficult to implement consistent, nationwide, sustainable procurement practices. It also limits officials' ability to take a comprehensive approach to embedding sustainability in purchasing decisions.

## 2. Institutional Capacity and Governance Issues

Limited institutional capabilities and governance challenges in the framework of procurement arise as an additional barrier to embedding the SDGs further into public procurement in the case of Vietnam. In Vietnam, public procurement responsibility belongs to the MPI directly, but sustainable procurement requires multi-sectoral collaboration, which is difficult to achieve. Sustainable procurement integrates environmental, social, and economic factors into purchasing decisions to deliver value beyond just cost savings, requiring expertise across multiple disciplines. Nevertheless, the purchasing workforce in Vietnam may not have the necessary expertise and experience to evaluate sustainability motives adequately.<sup>36</sup> As a result, cost-efficiency often outweighs sustainability benefits in the decision-making, resulting in 'non-green' options being chosen. Some features, for instance, the capability to monitor and evaluate environmental effects as well as social drawbacks of a procurement decision, are missing.<sup>37</sup> In Vietnam, municipal public procurement, a major source of public spending, is particularly under-resourced in terms of technical capacity to assess suppliers' compliance with sustainability criteria. The absence of monitoring capabilities makes sustainability procurement policies ineffectual, even if they are established.<sup>38</sup> In the absence of strong monitoring and enforcement mechanisms, public procurement often become price-driven, with little recognition of broader

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<sup>35</sup> *Decision No. 280/QĐ-TTg of the Prime Minister: Approving the National Program on economical and efficient use of energy for the period 2019–2030*, *supra* note 31.

<sup>36</sup> Manta et al, *supra* note 2; Pham, Kim & Luu, *supra* note 6.

<sup>37</sup> Monsiapi, *supra* note 8; Phan & Tu, *supra* note 24.

<sup>38</sup> Tam Thanh Tran et al, "The Impact of Public Procurement Rules and the Administrative Practices of Public Procurers on Bid Rigging: The Case of Vietnam" (2018) 26:1 Asia Pacific Law Review at 38.

social or environmental impacts.<sup>39</sup> In Vietnam, corruption and inefficiency in procurement remain major problems. Despite some improvements through the VNEPS, abuses persist. Corruption in the procurement processes can also be particularly detrimental to ensuring the inclusion of sustainability objectives, as contracts are often awarded based on political connections rather than sustainability performance. The absence of a fully transparent and accountable procurement system makes it difficult to ensure that procurement decisions are aligned with the SDGs.<sup>40</sup>

### 3. Market Readiness and Supply Chain Issues

Vietnam faces significant challenges in aligning its procurement policies with the SDGs. There is increasing demand for sustainable products and services, but supply is still constrained, especially in certain sectors. Vietnam's domestic market for green technologies, energy-efficient products, and sustainable services remains underdeveloped. Local suppliers may lack the capacity or financial liquidity to provide products that meet environmental and social sustainability standards, preventing the government from purchasing such products. The price premium associated with sustainable products often becomes a burden for both procurement officers and suppliers, creating obstacles to effective GPP. Furthermore, small businesses and local suppliers might not have the financial and technical capacities to achieve sustainability standards established for government procurement policies, reducing the population of possible eligible bidders. Nevertheless, Vietnam's supply chains have not been fully integrated with international sustainability requirements, as many companies are only beginning efforts to reduce carbon emissions, minimize waste, and ensure fair labour practices. However, Vietnam's aspiration to advance the SDGs through

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<sup>39</sup> Brandsford Kwame Gidigah et al, "Construction Procurement and the Sustainable Development Goals (SDGs)" in *Alexander Opoku, ed, The Elgar Companion to the Built Environment and the Sustainable Development Goals* (Cheltenham, UK: Edward Elgar Publishing, 2024); Irina Zapatrina, "Sustainable Development Goals for Developing Economies and Public-Private Partnership" (2016) 11:1 *European Procurement & Public Private Partnership Law Review* at 40.

<sup>40</sup> Raquel Carvalho, "How Can Green Public Procurement Contribute to Social Sustainability?" (2025) 43 *Foro: Law Journal*; Jorge Hochstetter et al, "Transparency and E-Government in Electronic Public Procurement as Sustainable Development" (2023) 15:5 *Sustainability* at 2.

public procurement is constrained, as most local suppliers do not yet meet sustainability objectives aligned with national goals.

#### 4. Financial Constraints

Financial constraints are a further major barrier to implementing SDG-aligned procurement policies. Like many developing countries, Vietnam faces of budgetary and public expenditure constraints. This financial pressure often leads to a focus on short-term, cost-saving measures rather than long-term sustainability. However, in many cases, procurement officers are required to deliver public services and infrastructure with diminishing budgets, which can result in a focus on the lowest initial cost rather than the total lifecycle cost or environmental impact of products and services. This creates a barrier, as sustainable products and services require upfront investment, difficult in a context of persistent budget constraints. While it is widely recognised that sustainable procurement can deliver long-term savings and environmental benefits, the upfront cost premium remains a considerable barrier to wider adoption among both procurers and suppliers. Furthermore, the more constrained such access to financing is for green technologies or sustainable initiatives, the worse off both the public sector and private suppliers are in terms of their current capacity, even to initiate investment in sustainability. Without sufficient funding and support for sustainable solutions, public procurement will continue to prioritise short-term cost savings over the long-term benefits associated with sustainability.

#### 5. Lack of Public Awareness and Stakeholder Engagement

Low public awareness and weak engagement of all stakeholders also remain challenges for developing consistent, sustainable procurement policies in Vietnam. Although government officials and policymakers have begun acknowledging the importance of sustainable development and sustainability goals, neither the public nor enterprises are very enthusiastic. The private sector, in particular, tends to be hesitant to commit to sustainability without sanctions or tax incentives. Furthermore, companies may be unaware of sustainability regulations or discouraged by cumbersome tendering processes. Public procurement also frequently fails to engage civil society organisations, environmental advocates, and other stakeholders. These groups can serve as a

means to stimulate sustainable procurement by offering perspective, advocacy, and oversight. However, the question is whether stakeholder engagement has been sufficient to develop local procurement policies that balance social, environmental, and economic sustainability. Unless they are supported comprehensively and build sectoral consensus, sustainable procurement policies are unlikely to become effective.

#### *F. Comparison of Vietnam's Experience with Public Procurement and Sustainable Development Goals to Other Developing Countries*

Public procurement has been considered an important policy instrument to promote sustainable development, and an increasing number of developing countries are recognizing public procurement as an opportunity to advance the UN's SDGs. However, the experience of integrating sustainability into public procurement varies significantly across countries. In this context, comparing Vietnam's approach to public procurement with that of other developing countries is insightful. This comparison allows for a deeper understanding of the successes, challenges, and lessons learned in using public procurement as a tool for sustainable development.

##### *1. Public Procurement in Vietnam: A Growing Focus on Sustainability*

Vietnam has also reformed its public procurement system as part of the implementation of the Law on Bidding, demonstrating a commitment to modern best practices in procurement and the integration of sustainability considerations. The 2023 Bidding Law has regulations for transparency, effectiveness, and accountability in the procurement processes in this field. Although the law is a step forward, it still lacks comprehensive regulations for incorporating sustainability criteria in every procurement process. However, the integration of environmental and social sustainability has been poorly developed both in research and practice within the field of GPP. In terms of its practical application, Vietnam has made strides in certain areas, such as energy-efficient procurement through regulations like Decision No. 1658/QĐ- TTg, which mandates the purchase of energy-efficient products by government entities.<sup>41</sup> Meanwhile, the Vietnamese government has been working on promoting sustainable building

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<sup>41</sup> The Prime Minister of Vietnam, *supra* note 29.



practices through the Vietnam Green Building Council. Social procurement has received less attention, but there is a growing movement to incorporate social criteria into purchasing decisions, for example, promoting local employment and supporting businesses owned by women and minorities. Despite these efforts, significant challenges remain in developing a market capable of delivering sustainable products and services. The difficulties faced by local suppliers in meeting the sustainability standards set by the government, combined with financial restrictions, make the widespread adoption of green procurement practices unlikely. Moreover, these sustainable public procurement policies face significant challenges in being implemented effectively because corruption and non-transparency in the procurement process are high.

## 2. Some Reflections from Other Developing Countries in the World

Vietnam's experiences integrating sustainability into public procurement have similarities and differences with those of other developing countries. For example, Brazil, India, Indonesia, and South Africa have implemented sustainable public procurement policies at varying levels, achieving results that offer valuable lessons for Vietnam. First, South Africa provided guidance for developing countries by taking the lead in advancing sustainable procurement, with its government adopting a comprehensive framework for sustainable public procurement. The Public Procurement Policy Framework Act encourages the integration of social, environmental,<sup>42</sup> and economic factors into procurement decisions. South Africa's commitment to GPP is reflected in the National Strategy for Sustainable Development,<sup>43</sup> which integrates procurement into broader sustainable development objectives. The country's public procurement system prioritizes job creation and environmental protection, focusing on sourcing from local and marginalized suppliers. By comparison, Vietnam's approach is still evolving, and its procurement system lacks the detail and comprehensive regulations established in South Africa.<sup>44</sup> Vietnam, however, can

<sup>42</sup> Government of South Africa, *Public Procurement Act, 2024 (Act 28 of 2024)*.

<sup>43</sup> *A National Framework for Sustainable Development in South Africa*, by Environmental Affairs and Tourism – Republic of South Africa (Pretoria, South Africa: Department of Environmental Affairs and Tourism, 2008) online: <<https://www.environment.gov.za/Documents/strategicdocuments/nfsd2008>> at 26.

<sup>44</sup> Cao & Giang, *supra* note 6; T T Nguyen, *A Guide to Government Procurement in Viet Nam in the Context of CPTPP* (2021); Tran et al, *supra* note 38 at 37.

gain insights from South Africa's experience on social procurement and using procurement policies as an instrument to support inclusive economic growth and address inequality.

Another example is India, where engagement with sustainable public procurement stems from legal statutes and significant governmental initiatives, alongside other progressive measures. The National Action Plan on Climate Change (NAPCC) has a dedicated mission for sustainable urban development, which includes the promotion of green procurement in public sector projects.<sup>45</sup> India has introduced Energy Efficiency Financing for government buildings and encourages the use of environmentally friendly technologies in public infrastructure projects. The objective of the Public Procurement (Preference to Make in India) Order is to encourage local industry and sustainability as well as green production processes.<sup>46</sup> Like Vietnam, India faces economic and cultural constraints, resulting in an inadequate supply of sustainable products and services. One potential explanation is the size and diversity of the Indian market, which facilitates a higher degree of variation, even if they are not universally available.<sup>47</sup> In these cases, Vietnam differs from other countries in that its market for sustainable goods and services remains relatively limited. However, India's initiatives provide a model for increasing local production of sustainable products, an area where Vietnam could focus more attention.<sup>48</sup>

Furthermore, Brazil was one of the first countries to incorporate such a policy on a national scale with the implementation of public procurement as social policy. The Brazilian Sustainable Procurement Program pays particular attention to public procurement as an instrument for addressing urgent social problems such as inequality and poverty. Likewise, Brazil's public procurement policies require that all procurement decisions be evaluated with respect to their environmental and social impacts, especially for large-scale infrastructure

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<sup>45</sup> *National Action Plan on Climate Change (NAPCC)*, by Government of India (New Delhi, 2018) at 24.

<sup>46</sup> *Make in India Policies*, by Government of India, P-45021/2/2017-PP(BE-II)-PART (4) VOL-II (New Delhi, 2017) at 7.

<sup>47</sup> Rodrigo Lozano, Felipe Santos & Maria Barreiro-Gen, "Developing a Harmonic Sustainable Public Procurement Framework" (2024) 26:1 *Environ Dev Sustain*; Thiago Kanashiro Uehara, *Public Procurement for Sustainable Development: A Framework for the Public Sector* (London: Chatham House, 2020) at 9; Wang, Qiao & Li, *supra* note 18 at 288.

<sup>48</sup> Appiagyei et al, *supra* note 2; Sengupta & Shukla, *supra* note 4; Pham, Kim & Luu, *supra* note 6.

projects.<sup>49</sup> Brazil has also implemented a Green Procurement Law mandating the use of sustainable products in public sector projects. If compared to Vietnam, Brazil's experience on this issue is especially relevant because both countries reflect similar challenges in terms of poverty and inequality. Brazil's inclusive procurement programme, which focuses on small businesses and socially responsible suppliers, offers valuable models for Vietnam. Applying such approaches could make public procurement a more effective tool for advancing social objectives such as equity, poverty alleviation, and local economic development.<sup>50</sup>

Indonesia provides another example, as highlighted in recent studies on its public procurement laws and regulations. Currently, Presidential Regulation No. 16 of 2018 (PR 16/2018) is the primary legislation governing public procurement in Indonesia and supersedes PR 54/2010 to promote transparency, efficiency, accountability, and affordability in how a government spends money. The regulation shall apply in respect of all procurement operations that are financed on a mono or intergovernmental level and are funded under loans and grants; the field is not specified, services include supplies and construction works. Its core endeavours include efficiency, equity, transparency, fair competition, and accountability. Regulation No. 16/2018 contains multiple methods, which are designated as e-purchasing, direct procurement, direct appointment, fast-track tender, and regular tender, with respective thresholds (e.g., contracts up to several hundred million rupiah may use direct procurement). Bid evaluations may consider value, life-cycle cost, or lowest price, depending on project requirements, while contract types vary by the nature of the work (e.g., lump-sum, unit-price, framework, or turn-key). This regulation is deemed necessary because the government provides more flexibility to Micro, Small, and Medium Enterprises (MSMEs) and cooperatives in accessing goods and services procurement programs through the application of domestic products with high local content and green certification. The regulation requires all procurement processes to implement the Electronic Procurement System (SPSE) that is

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<sup>49</sup> Carvalho, *supra* note 15; Gidigah et al, *supra* note 39.

<sup>50</sup> Mota, *supra* note 11; Zapatrina, *supra* note 39; Sope Williams-Elegbe, "Williams-Elegbe, Sope, "Systemic Corruption and Public Procurement in Developing Countries: Are There Any Solutions?" (2018) 18:2 Journal of Public Procurement at 132.

managed by the National Public Procurement Agency (LKPP), in an effort to digitalise transparency. Oversight mechanisms include internal audits, a whistleblower system, sanctions such as blacklisting for non-compliant providers, and channels for public complaints to government auditors. In the end, PR 16/2018 constitutes a significant step of reform to improve procurement that is effective and transparent across Indonesia, while at the same time supporting local industry and good governance.

### *G. Comparative Analysis: Effectiveness of Vietnam's Procurement System in Promoting Sustainable Development*

Comparing Vietnam's experiences with those of other similar developing countries in pursuing sustainable development through public procurement provides a number of key observations that illustrate both Vietnam's successes and limitations. Vietnam's legal foundation for public procurement, rooted in the 2005 Law on Bidding, lacks the advanced, specific, and comprehensive sustainability criteria adopted by other countries like South Africa and Brazil.<sup>51</sup> Although Vietnam has applied green procurement in certain areas, its legal framework rarely requires or clearly defines sustainability across all sectors. Some countries, like Indonesia, South Africa, and Brazil, already have comprehensive legislation with strict compliance coming into effect under which environmental and social factors must play an essential role in all procurement processes. By contrast, Vietnam's legal system has not yet developed sufficiently to align with these core principles.<sup>52</sup> Greater specificity is needed to address the myriad of sustainability concerns that procurement informally touches upon but which are explicitly incorporated into the procurement systems of countries such as South Africa and Brazil (e.g., climate change mitigation, biodiversity, labour rights, gender equality).<sup>53</sup> Secondly, there is the matter of institutions and governance. Vietnam is also confronted with issues of institutional capacity and governance

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<sup>51</sup> Carvalho, *supra* note 15; Mota, *supra* note 11; Miriam Kullman, "Promoting Social and Environmental Sustainability: What Role for Public Procurement?" (2018) 40:1 Comparative Labor Law & Policy Journal at 109; Tran et al, *supra* note 38.

<sup>52</sup> Phan & Tu, *supra* note 24.

<sup>53</sup> Manta et al, *supra* note 2; Robert Agwot Komakech, "Public Procurement in Developing Countries: Objectives, Principles and Required Professional Skills" (2016) 6:8 Public Policy and Administration Research at 20; Zapatrina, *supra* note 39.

problems, such as corruption in the public procurement system. Although Vietnam has attempted to enhance transparency and efficiency through the deployment of VNEPS, its sustainability component has yet to be effectively integrated into procurement decisions.<sup>54</sup> In Vietnam, several government agencies and stakeholders, including the MPI, continue to work in silos. By contrast, countries such as South Africa and India institutionalise sustainable procurement through autonomous departmental agencies that mainstream sustainability principles across procurement processes. These nations have made sure to train procurement officials for sustainability criteria evaluation. Vietnam might improve its institutional capacity through the growing frequency of procurement officials' training programs and better administrative coordination among government agencies.<sup>55</sup>

As market readiness, supplier capacity and a few other challenges, Vietnam currently faces significant issues in ensuring the provision of sustainable goods and services.<sup>56</sup> It has a limited green product and service supply market, with many suppliers unable to comply with sustainability criteria. Developing countries have long faced this problem, and countries like India and Brazil are taking measures to combat it by rewarding national producers and promoting sustainable technologies. Creating programs to promote sustainable product development and support for local suppliers is essential for Vietnam.<sup>57</sup> Brazil uses public procurement to support local production and sustainable methods, offering lessons for Vietnam. This would also assist in alleviating supply-side barriers and incentivising more sustainable practices from local companies. A significant barrier that prohibits Vietnam from implementing sustainable procurement efficiently is financial constraints. For instance, the price premium of sustainable goods typically discourages procurement officers,<sup>58</sup> reinforcing

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<sup>54</sup> Herr, Schweishelm & Truong, *supra* note 1; Nguyen & Do, *supra* note 6.

<sup>55</sup> Cao & Giang, *supra* note 6; Nguyen, *supra* note 44; Javier Mendoza Jiménez, Montserrat Hernández López & Susana Eva Franco Escobar, "Sustainable Public Procurement: From Law to Practice" (2019) 11:22 Sustainability at 2.

<sup>56</sup> Appiagyei et al, *supra* note 2; Mota, *supra* note 11; Pham, Kim & Luu, *supra* note 6.

<sup>57</sup> Intaher Marcus Ambe, "The Role of Public Procurement to Socio-Economic Development" (2019) 12:6 International Journal of Procurement Management at 35; Uehara, *supra* note 47; Wang, Qiao & Li, *supra* note 18.

<sup>58</sup> Sengupta & Shukla, *supra* note 4.

existing financial constraints. In other countries, such as India, financial inducements and instruments like Energy Efficiency Financing have also provided subsidies for public procurement of the low-hanging fruit against an investment. Vietnam could learn from India, which has adopted an incentive mechanism for public agencies and suppliers to use sustainable products. Such measures could enable more equitable financial conditions between sustainable and non-sustainable products, simplifying procurement decisions that incorporate sustainability. The final pillars are Social Procurement and Inclusive Growth. Despite ongoing efforts, social procurement in Vietnam has yet to effectively address goals such as poverty alleviation, gender equality, and local economic development.<sup>59</sup> The inclusion of small businesses, women-owned businesses, and marginalised groups in procurement is particularly important for Vietnam, with lessons to be learned from Brazil. Integrating social criteria more systematically into procurement practices could help Vietnam address urgent social issues.

#### IV. CONCLUSION

Specifically, this study seeks to understand the role of public procurement as a strong policy tool that contributes to sustainable development in Vietnam and aligns with the UN SDGs. The research found that though Vietnam has made notable progress in sustainable procurement, significant challenges remain, including legal, institutional, financial, and market constraints. The study compared the situation in Vietnam with other developing countries to gather experiences, successes, and failures of sustainable procurement policies. In this context, Vietnam's public procurement system has become more transparent, efficient, and equitable as a result of the 2023 Law on Bidding. While the law mandates the application of sustainability criteria, it does not ensure consistency across all areas, leading to fragmented implementation. The legal framework from public procurement requires further development, particularly by strengthening rules for the integration of sustainable elements in public procurement decisions. Vietnam has taken institutional steps to consolidate the procurement process through the Vietnam Public Procurement System (VNEPS); however, building

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<sup>59</sup> Ambe, *supra* note 57; Appiagyei et al, *supra* note 2; Manta et al, *supra* note 2.



capacity among public procurement officials to effectively use sustainability criteria is also a challenge. Procurement officials often lack the technical expertise needed to effectively integrate sustainability into decision-making. The absence of an integrated lead agency in charge of ensuring the sustainability element in procurement procedures further complicates the efficient implementation of sustainable approaches. In Vietnam, institutional capacity is an issue, and governance is poor due to corruption and inefficiency in the procurement process. Although procurement has changed significantly due to the trend in e-procurement, the problem of corruption remains and risks bringing competitive practices into disrepute. Procurement practices influenced by political affiliations or corruption undermine progress toward the SDGs. If transparency and accountability components are not secured, sustainable procurement practices will be left to the wayside in favour of quick, cost-driven decisions. Another major obstacle to the successful introduction of sustainable procurement policies in Vietnam is budget limitations. Public procurement is typically bound by cost limitations, meaning potentially higher upfront costs that preclude longer-term environmental and social returns. In addition, greater financial support for suppliers and government agencies is needed to expand the practice of green procurement. These incentives would be based on economic values, such as subsidies or favourable tax policy for sustainable technologies, bridging this gap and encouraging sustainability in public procurement and supply chains.

Vietnam has faced challenges in sustainable procurement due to the absence of a regional sustainable market for goods and services at the local level and the capability of suppliers to comply with environmental and social requirements. This means procurement officers often face a choice between more affordable, sustainable products versus environmentally-focused alternatives. Developing countries like Brazil, Indonesia, and South Africa have contributed significantly to supporting local, sustainable industries through committed policies for suppliers. Vietnam could follow these examples by supporting local businesses, creating innovation incentives, and expanding the availability of sustainable products in the domestic market. The inability of suppliers, especially those from small and medium-sized enterprises (SMEs), to satisfy the demands on sustainability is an obstacle to the further promotion of GPP in Vietnam. Providing suppliers with financial support, technical assistance, and market

incentive to adopt sustainable practices will help in bridge this gap. Public procurement can also be adapted to support SMEs and their participation in green procurement, promoting local economic development and environmental sustainability. Vietnam has introduced some social procurement practices and continues to develop in this area, but it lags behind other countries in contracting for social outcomes, such as gender equality, poverty alleviation, and local economic development. In public procurement, giving priority to small businesses, women-owned enterprises, and marginalised groups also creates positive examples in Brazil that can be applied in Vietnam. For example, integrating social considerations into procurement decisions can significantly contribute to achieving SDGs related to social equity, such as SDG 1 on poverty reduction and SDG 5 on gender equality. Hence, Vietnam could further adopt social procurement by specifying measurable targets for social outcomes, providing preferential local employment incentives, and ensuring that procurement processes include small businesses and marginalised groups. Despite these challenges, Vietnam also has substantial opportunities to enhance its public procurement for sustainable development. The legal and regulatory framework could be strengthened by embedding clearer sustainability requirements into procurement policies, ensuring that the SDGs are explicitly mandated in decision-making. The development of financing mechanisms for sustainability procurement, such as subsidies, tax reductions, or low-interest financing, may encourage public bodies and, respectively, private suppliers to give priority to sustainability.

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The authors will be asked to sign this statement once the submission has been accepted.

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