

SOME IMPACTS ON THE IMPLEMENTATION OF THE PRINCIPLES OF JUDGEMENTS, INDEPENDENT JUDGES, ONLY OBEYING THE LAW AND PERFECT SOLUTIONS IN VIETNAM CRIMINAL PROCEDURES LAW

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The principle of judgments, independent judgements and only obeying the law is one of the specific principles of the implementation of judicial rights, which our country's court system has been operating for many years. However, in reality, judges and jurors may be influenced by lawyers, organizations, individuals, state agencies, distorting the proceedings, greatly affecting the operation of the court proceedings aimed at adjudicating in their favor and impeding the implementation of this principle. This article addresses two issues: (i) Theoretical and legal basis of this principle; (ii) Factors affecting the implementation of this principle, based on the results of a survey of 100 random criminal cases through judgments, minutes of deliberations and interviews with 50 Judges and jurors to get opinions on the implementation of the principle that judges and jurors conduct independent trials and only obey the law in the practice of adjudicating criminal cases. Thereby the author offers specific solutions to improve the implementation of this principle.

Keywords: *Principle; Judicial independence; Only obey the law; Justice; Criminal procedure.*

1. Introduction

Among the operating principles of the Court, the principle of judicial independence is one of the peculiarities of the implementation of judicial power and to be a fundamental and important principle in the organization of operation of the rule of law state. The court system of our country has been operating according to that principle in recent years. Therefore, studying the Court's principle of judicial independence is a necessary and timely matter, in the context that our country is promoting judicial reform, considering the Court as the center of judicial activities.

2. Research overview

Through the survey, the author found that there have been a number of scientific research works and mentioned on the principle that judges and jurors adjudicate independently and only obey the following notable laws: To Van Hoa (2007), "Independence of the Court - Legal research on theoretical and practical aspects in Germany, USA, France, Vietnam and recommendations for Vietnam", Publishing House of Labor; Nguyen Dang Dung, Vu Cong Giao (2012), "Independent Judiciary - Some theoretical and practical issues (session 1)", Journal of Legislative Research, No. 19 (227) October 2012; Quan Thi Ngoc Thao

(2015), "Principles that judges and jurors are independent and only obey the law", Thesis of Doctor; Cam Van Kinh (2016), "Let the court be independent in trial", Tuoi Tre Online, accessed 11/10/2021; Phi Thanh Chung (2018), "Judicial rights and some basic principles of the Socialist rule of law State of Vietnam", Journal of Court, accessed on 04/02/2021; Ngo Cuong (2018), "On the independence and immunity of judges", Journal of People's Court, accessed October 31st, 2021; "Basic principles of the Criminal Procedure Law of Vietnam", Publishing House of Police; Nguyen Tat Vien (2019), "Constitutional principles in criminal proceedings in Vietnam", Publishing House of Justice; Le Huynh Tan Duy (2020), "Jurisdiction of the Appellate Trial Panel for first-instance criminal judgments", Publishing House of National University of Ho Chi Minh City; Mai Mai - Thu Thuy, "In order for the judge to have a "clean hand", the trial only obeys the law", Website of the legal advice center of Ho Chi Minh City - Central Vietnam Law Association, accessed October 31st, 2021; Nguyen Thuy Hien (2021), "International experience on salary regime for judges and judicial positions", Electronic Journal of People's Court, accessed October 31st, 2021; Duc Minh, "Low salary judge, great pressure", Ho Chi Minh City Law Newspaper, accessed June 1st, 2021; Pham

Minh Tuyen (2021), “Renovating the quality of training and retraining judicial titles in the People’s Court system, meeting the requirements in the new situation”, *Electronic Journal of People’s Court*, accessed on December 20th, 2021; Pham Vo Thao Lien (2022), “Principles of judges and jurors in independent trials and only obeying the law in Vietnam’s Criminal Procedure Law”, Master’s Thesis, Ho Chi Minh City University of Law... The textbooks and reference books mentioned above all refer to the contents of the principle of trial of judges and jurors and only obey the law with different approaches. This principle is often mentioned as one of the constitutional principles in criminal proceedings in Vietnam. However, the principle that judges and jurors try to be independent and only obey the law only expressed in a very small volume within the scope of the authors’ research.

3. Research methods

To perform the task, the author relies on the methodology of Marxist-Leninist philosophy, specifically dialectical and historical materialism. In addition, we also use specific methods of criminal legal science in general and criminal procedural law science in particular, which are: jurisprudence research methods, social investigation methods, methods of interviewing experts...

4. Research results

4.1. Theoretical basis and legal basis for stipulating the principle that judges and jurors are independent and only obey the law

Firstly, on the theoretical basis of the principle that judges and jurors conduct independent trials and only obey the law in the Criminal Procedure Law

- It comes from the basic principle of the division of power in the socialist rule of law state. Montesquieu argued that: nothing is free if the judicial power is not separated from the Legislative and Executive powers. An independent judiciary is fundamental to the development of nations because if the judiciary is independent, citizens can expect Court decisions based on facts and law without being affected by any illegal influence. Thus, the right to an independent judiciary becomes an important principle enshrined in all the constitutions of democratic countries. When adjudicating, the Judge does not need to receive instructions from anywhere, but only obeys the law. When interpreting and applying standards, Judges do not need to follow the majority opinion and need to act based on the law and inner beliefs.

In the history of state and law of the world, the judicial agency - represented by the Court - has always been considered a stronghold to protect justice, protecting human rights against infringements or violations by other subjects, which include the government and state officials. In order

for the judiciary agency to do a good job, the courts must be independent. Only when independence is guaranteed can the Courts adjudicate impartially and fairly. An independent judiciary (or independent courts) is one of the most basic principles of the rule of law state. In other words, the most important principle in the organization and operation of the Court is independence. The meaning of this principle lies in the purpose of giving the court the ability to fairly judge all disputes in society.

The theoretical basis of the principle is that judges and jurors try to be independent and only obey the law associated with the organization of the State apparatus according to the mechanism of assignment and control of power. The National Assembly is given the authority to control the powers of the Government and the Supreme People’s Court. But the current Constitution does not give the Government any control over the operation of the Court. This provision is calculated to ensure that the Court has an independent and objective position in adjudication activities. However, the Supreme People’s Court also has no control over the National Assembly and the Government. The court system only performs the statutory duty of adjudication. In the organization and implementation of State power, the basic principles of the division of power, mutual control and supervision, the independence of judges and jurors in the process of settling criminal cases is one of the clear manifestations of the power division mechanism in Vietnam. The independence of judges is to protect judicial power from interference from the legislature and the executive.

- From the pair of categories having a dialectical relationship with each other according to the theory of Marx, Ph. Engels demanded that regulation constitute a unified principle. When applying the materialist dialectic of Marx and Engels to identify procedural relations in Vietnam, “independent trial” and “only obeying the law” are two components, which always exist in parallel, there are mutual effects. These are two important components of the proceedings, which play a decisive role in the effectiveness and quality of the judgments of the jurisdiction agency. Independence is to obey the law and obey the law to be independent. If only obeying the law without independence, it is only a formal and ineffective compliance. That is reflected in the judgments in the judgment, the decision of the Judgment panel must not be concluded based on the subjective will and feelings of each member of the Judgment panel but must be consistent with all objective circumstances of the case, the trial must ensure the right person, the right crime and the law, ensure human and rights.

- Stemming from the practical requirements of trial and from the judicial reform of the State of Vietnam. Resolution No. 49-NQ/TW dated June

2nd, 2005 of the Politburo on the Judicial Reform Strategy of Vietnam to 2020 defines the goal of building a clean, strong, democratic and strict justice and defending justice. The resolution clearly states that judicial activities, in which the Court holds the central position and adjudication is the key activity, need to be continuously reformed, improve in quality and ensure high efficiency. In order to perform their justice enforcement role, individual judges and judicial authorities need to be objective and independent from any internal and external influences or pressures so that people can trust all decisions of the Court are based on a fair basis and only obey the law. Because the court's jurisdiction includes not only the violations of the law by the people, but also the acts of state officials, even state agencies. Therefore, when performing their functions, judges are always in an environment that is easily influenced by many factors. It may arise due to pressure from the executive or legislative agency, by individual or group litigants, the media, or from other Judges themselves, namely Judges at the higher level. In order for the Court to be independent, the Judge must first be independent. In order for a judge to be independent, a judge must first be qualified to perform his or her duties. Judges' incompetence and working conditions also lead to their dependence on other branches of power.

In trial practice, in addition to the relationship with the investigating agency, the procuracies, the judges and the jurors, there are also relationships with lawyers, state agencies and social organizations. Therefore, judges and jurors must always be aware that they will be responsible for the content and fairness of the judgment. Since then, the members of the Trial Council must be brave and must stand firm against the impacts of external factors. Thus, judging from the external factors, the regulation "prohibiting agencies, organizations and individuals from interfering in the trial of judges and jurors", that is not allowing anyone, state agencies to interfere in the court's adjudication under any reason, in order to ensure the principle that judges and jurors are independent and only obeying the law.

From the theoretical and practical bases analyzed above, It can be affirmed that it is necessary to prescribe the principle that judges and jurors are independent and only obey the law, to prevent abuse of power, degradation of power and abuse of power to interfere with rights and interests of individuals and organizations in social relations.

Secondly, on the legal basis of the principle that judges and jurors are independent and only obey the law

Currently, this principle is prescribed in Clause 2, Article 103 of the 2013 Constitution, Article 23 of the Criminal Procedure Code 2015 and Article 9

of the Law on Organization of the People's Court 2014. It can be understood that this principle is in addition to the Judge and jurors must comply with the provisions of the law, judges and jurors are not obligated, need not obey anyone else, anything else. The trial panel cannot interfere from the legislative, executive and also from the court system, from the social side in the adjudication of judges and jurors. "Independence" and "only obeying the law" are two contents that have a close relationship and are bound to each other. Independence is essential for judges and jurors to obey only the law when adjudicating. If you are only independent without obeying the law, it will easily lead to arbitrary judgment. Judges and jurors must rely on the provisions of law to resolve the case, not impose their subjective will. This is mandatory for judges and jurors. However, in many cases, judges and jurors are affected, influenced by lawyers, organizations, individuals, state agencies, distorting the proceedings, having a significant influence on the proceedings in order to be adjudicated in their favor.

From that fact, the author conducted a survey of 100 random criminal cases through judgments, minutes of deliberation and conducted interviews with 50 judges and jurors to get opinions on the implementation of the principle that judges and jurors conduct independent trials and only obey the law in the practice of adjudicating criminal cases. At the same time, conduct interviews and private discussions with survey participants about their personal opinions on issues related to the implementation of the principle that Judges and jurors are independent and only obeying the law. Accordingly, the survey results show that there are 03 outstanding impacts that the author analyzes below, which limit the implementation of the principle that judges and jurors try independently and only obeying the law in criminal procedure law.

4.2. Factors affecting the implementation of the principle that judges and jurors are independent and only obeying the law

4.2.1. Impact from professional capacity and ethical qualities of judges and people's jurors on the implementation of principles and perfect solutions

4.2.1.1. Inadequacies in the implementation of the principle

Firstly, the capacity, legal knowledge and adjudication skills between the majority of jurors and judges are not really equivalent.

Secondly, the professional competence and ethical qualities of Judges are closely related to their independence.

4.2.1.2. The solution to complete the selection, appointment and training of judge resource

Firstly, strengthening innovation in the selection, appointment and training of judge resources.

Secondly, it is necessary to improve the professional capacity of jurors.

4.2.2. The impact of the treatment regime of judges and jurors on the implementation of the principle and perfect solutions

4.2.2.1. Inadequacies in the implementation of the principle

Firstly, most of the survey respondents admitted that the current Judge's remuneration and salary regime is too low, while the work pressure is extremely great, especially for criminal cases.

In many countries, judges have a very important role and position in the state apparatus. Therefore, the treatment and salary regime for judges is also guaranteed to be commensurate with the responsibilities and roles they are assigned. The salary of judges is regulated higher than the salary of ordinary civil servants, equivalent to key positions in the legislative and executive agencies in order to ensure the independence of judges in the implementation of judicial power. According to the provisions of Point 13, Clause 3, Article 2 of the Japanese Civil Service Law, judges are defined as special civil servants. The remaining civil servants of the Court are ordinary civil servants. In order to ensure the effective work of the Court civil servants, commensurate with the specific responsibilities and nature of the work, at the same time to ensure independence, only complying with the law of adjudication activities, salary policy for Court civil servants in Japan are also ranked at a higher level than other ordinary civil servants. With this special nature, the salary of judges in Japan is also regulated by a separate law - the Law on Judges' Salary. In addition to the main salary, the judge is also entitled to subsidies and allowances to ensure working conditions associated with actual circumstances such as allowances for relocation to other workplaces, housing allowances, special work allowances, allowances for cold areas, end-of-term allowances...

In the Russian Federation, judges have priority in salary, other policies and regimes. The basic salary of the Judge is established on the basis of a percentage of the basic salary of the Chief Justice of the Supreme Court of the Russian Federation. Russian judges are also supported with housing, health insurance, uniforms,... to ensure they can work with peace of mind, ensuring impartiality and objectivity when performing their official duties. The State of the Russian Federation pays great attention to the health care of the Judge and his family. Judges and their families receive medical services, including the use of expensive medical equipment and medicines, to sanatoriums, the cost of which is covered by the state budget.

For the above-mentioned countries, the

treatment of judges must be given due consideration and they must be protected according to appropriate procedures to avoid harm to property, life, honor and dignity caused by the accused or litigants. Meanwhile, now, the salary of judges and court cadres in our country is basically calculated as the salary of other state civil servants. This does not reflect the position and role of the Judge as the representative of the State's power to exercise judicial power recognized in the 2013 Constitution as well as the Law on Organization of the People's Court 2014.

This fact also affects the work efficiency as well as the independence, integrity of judges and court cadre. At the discussion and comment session on the work report for the 2016-2021 term of the Chief Justice of the Supreme People's Court and the Chief Procurator of the Supreme People's Procuracy on April 1st, 2021, the issues that are of great interest to the National Assembly deputies the remuneration policy and income of judges. As an example, a member of the National Assembly cited the salary of a judge of a provincial court, who has worked for nearly 20 years, only equivalent to the salary of a second lieutenant in the armed forces. Specifically, according to current regulations on salary, the average monthly salary of District Court Judges (Primary Judges) according to grade A1 (From level 1 to level 9) is from 3.4 million VND up to 7.4 million VND; monthly Judges of Provincial Courts (Intermediate Judges) according to rank A2 are from 6.5 to 10 million VND and monthly Judges of People's Courts according to rank A3 are from 9.2 to 11.9 million VND. In addition to the salary regime, judges are entitled to an additional responsibility allowance of 20% for judges of the People's Court; 25% for Provincial Court Judges and 30% with District Court Judges. In addition, there is a gratuity when participating in the court hearing for the presiding judge of the trial, which is VND 90,000/day; with the judge participating in the trial is 50,000 VND/day. Unreasonable salary is also a big obstacle, affecting the independence of judges. Judges with their professional characteristics and limitations as prescribed by law, in fact it is very difficult to find other job opportunities other than salary to increase income. With such a low salary, it is difficult for the Judge to secure a daily life and it is difficult to avoid material temptations from the objective side during the trial.

Secondly, the salary, remuneration and term of judges are not reasonable

The salary of judges in our country today is very modest, not guaranteeing the minimum standard of living for themselves and their families. This will make Judges feel insecure about their work, vulnerable to influences, temptations or corruption when participating in legal proceedings. According

to the 2014 Law on Organization of People's Courts, the term of Chief Justices and Deputy Chief Justices of Courts and jurors is 5 years. Particularly for judges, the first term is 5 years and if reappointed, the next term is 10 years. This is a step forward compared to the previous regulations (previously the terms of the Chief Justice, Judge and Judge were all 5 years). However, with the current process of selecting and appointing judges, the provision of terms, even if longer, can still affect the independence of judges.

Thirdly, the poor salary, remuneration and term of the jurors lead to a lack of enthusiasm by many jurors when participating in adjudication work.

Regarding the regime, the jurors are now entitled to a trial court refresher at the rate of 90,000 VND/day for studying records or adjudicating. In terms of income, this is not a source of income that can support themselves, but mainly the spirit of fighting against and preventing violations of the law. In addition, the jurors also have provisions on compensation liability if “the jurors, while performing their duties and powers, causing damage, the court where such jurors perform their adjudicating duties must have the responsibility for compensation and the jurors who have caused damage shall have to reimburse the court in accordance with the law”. The allowances and remuneration are low while the responsibilities are high, which makes many jurors lack of enthusiasm when participating in trial work, not regularly studying and learning to improve their legal professional qualifications, towards improving adjudication skills, lack of confidence in making decisions at trial. Although the law stipulates that when participating in the trial, the jurors are equal to the judge, but while the judge is entitled to a number of additional benefits such as public service allowance and professional responsibility allowance, the jurors are not entitled to any allowances.

4.2.2.2. Solutions to improve the salary and remuneration regime of judges and jurors

Firstly, there is a need for a renewal of awareness about the role and position of judges in Vietnam today. With the characteristic that it is the only agency in the name of the Socialist Republic of Vietnam, exercising judicial rights, but the salary policy of the Court sector is applied like other ministries and branches, so it is not reasonable. Therefore, it is necessary to have a salary policy suitable to the general situation and circumstances, especially the three titles of Judge, Examiner and Court Clerk. It is necessary to consider Judges as separate ranks, not as civil servants; has its own mechanism for appointment, dismissal and discipline; has its own salary table higher than that of other civil servants. Salary for Judges and

other Court titles should be from their own budget, independent of local budgets.

Secondly, judges should be entitled to the necessary immunity, ensuring that judges are not transferred to another job or have their salary downgraded if there is no decision from the National Judicial Council. It is necessary to study and learn from the experiences of countries in the region and the world that have similarities with Vietnam in terms of institutions as well as countries with a developed judiciary in terms of salary and policy regimes for the Court to apply in Vietnam in order to fulfill the objective of ensuring the independence and position of judges in adjudication, enhancing the discipline and self-responsibility of judges and court cadres in the performance of their official duties.

Thirdly, to ensure fairness and encourage jurors to actively participate in trial work, it is necessary to apply additional allowances similar to those of judges to jurors. Doing the above, the jurors' participation in the trial is really active and independent of the judge's instructions. That will ensure more independence for the Jury in particular and the Court in general.

4.2.3. *The impact of the administrative management relationship between the leaders of the Court and the Judge in the implementation of the principle and perfect solutions*

4.2.3.1. Inadequacies in the implementation of the principle

Firstly, the organization of the People's Court system by trial level, independent of administrative units.

Secondly, there are still some shortcomings related to the jurors, which directly affect the quality of the trial and the independence of the trial.

Thirdly, there are still many limitations and inadequacies stemming from both awareness and practice of organizing and implementing adjudication activities, which directly affect the assurance of independence of judges and jurors.

Fourthly, influenced by the regulation on the principle of socialist centralism.

Fifthly, there are still “unwritten” rules in the organization and operation of the Court that affect the principle of independent adjudication.

4.2.3.2. Complete solution

It is necessary to limit the influence of the administrative management relationship between the leadership of the Court and the Judge on the independence of the Judge.

In order to ensure fairness, publicity and transparency in adjudication activities, it is necessary to separate administrative management and judicial competence between superior courts and lower

courts and between the chief justice and the judge; need mechanisms to hold judges accountable for their actions. It is necessary to strengthen the public and transparent accountability of judges and jurors in adjudication activities. The independence of the judiciary needs to go along with the accountability mechanism in judicial activities. In fact, there are a number of Judges who have been suspended from trial, transferred to other jobs but have no convincing basis, which has become a dilemma for Judges in their adjudication activities. Currently, the Law on Organization of People's Courts 2014 still only stipulates that one form of discipline is dismissal (Article 82), which is carried out by the National Council for Selection and Supervision of Judges (Article 71). However, the applied procedure is not really democratic and objective to ensure that the Judge has a voice in this process, when the dismissal is considered at the proposal of the Chief Justice of the Supreme People's Court (Clause 1, Article 83 of this Law). In addition, the circumstances in which he may be dismissed are unclear (Clause 2, Article 82) and there are no provisions on the procedure for complaints by judges about the decision of dismissal. In addition, there are no other forms of discipline other than dismissal (such as warnings and reprimands). Therefore, it is necessary to continue to study and build a mechanism, strengthening strict reward, punishment measures and having a special treatment regime for dedicated and honest judges who have contributed to the Vietnamese judiciary; the judges' commendation, salary increase and rank increase should be carried out in an independent channel, not according to the typical management method of the administrative system; carrying out the disciplinary handling of judges in an open and democratic manner, including the right of complaint of the person being handled to ensure fairness and accuracy in this activity, at the same time, excluding the possibility of other subjects taking advantage of it to influence or put pressure on the Judge.

In particular, it is necessary to strictly handle the situation of "reporting judgments", "reporting judgments" of judges in adjudication activities. The negative nature of the mechanism of "appellate court", "report the case", "exchange the way to resolve the case with the leaders of the Court" or "consult with the superior Court" has rendered the organizational structure of the judicial system to become meaningless, making the quality of litigation in the courts, the right to defense of citizens to be not guaranteed; breaking the constitutional principles of judicial activities, especially the principle of judicial independence, making this principle a formality and not being respected.

5. Discussion

The principle that "Judges and jurors try

independently and only obeying the law" is one of the basic principles of the Criminal Procedure Law and to be the basis for the protection of justice and protection of human rights. The research to clarify the concept, content and characteristics of this principle in criminal procedure is extremely necessary. Because the recognition of this principle in criminal proceedings is very important to ensure that the settlement of the case is objective, fair and lawful.

The principle that "Judges and jurors try to be independent and only obeying the law" does not exist alone but to be closely related to other principles in Vietnamese criminal procedure. The implication of this principle includes the independence between judges and jurors in the research and adjudication of criminal cases; the independence of judges and jurors themselves through their qualifications, bravery and inner beliefs (independent from within); and the independence of judges and jurors from the impacts of investigation agencies, procuracies, individuals, organizations and society, independence between courts at all levels (independent from outside). In addition, the independence of judges and jurors must be within the framework of the law and not separate from the Party's guidelines and policies.

6. Conclusion

The content of the principle "Judges and jurors try to be independent and only obey the law" has three very important issues.

Firstly, judges and jurors try independently. Independence from within means the independence between members of the Trial Panel, specifically between the Judge and the jurors. Independence from external factors, shown through the court's judgment and decision in an impartial, unbiased manner, based on the objective facts of the court and the provisions of the law without subjecting themselves to any interference from anyone, for any reason, whether it is the Superior Court, the investigating agency, the Procuracy or any other agency or organization. In addition, judicial independence at the first instance level is different from the independence of trial at the appellate and cassation/retrial levels.

Secondly, Judges and Jurors only obey the law. Here, the law holds the ultimate position. State agencies, social organizations and all citizens must respect the independence of judges and jurors.

Thirdly, the fact that the Constitution and the criminal procedure law prohibit agencies, organizations and individuals from interfering in the trial of judges and jurors is an important constitutional guarantee for the implementation of the principle of judicial independence. If the Judge, the juror or anyone violates this principle, they will be punished according to the provisions of the law.

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MỘT SỐ TÁC ĐỘNG ĐẾN THỰC HIỆN NGUYÊN TẮC THẨM PHÁN, HỘI THẨM XÉT XỬ ĐỘC LẬP, CHỈ TUÂN THEO PHÁP LUẬT VÀ GIẢI PHÁP HOÀN THIỆN TRONG LUẬT TỔ TỤNG HÌNH SỰ VIỆT NAM

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Nguyên tắc thẩm phán, hội thẩm xét xử độc lập và chỉ tuân theo pháp luật là một trong những nguyên tắc đặc thù của việc thực hiện quyền tư pháp, được hệ thống tòa án nước ta đã và đang vận hành trong nhiều năm qua. Tuy nhiên trên thực tế, thẩm phán, hội thẩm có thể bị tác động từ phía luật sư, các tổ chức, cá nhân, các cơ quan nhà nước, làm sai lệch quá trình tố tụng, làm ảnh hưởng không ít tới hoạt động tố tụng nhằm hướng tới việc xét xử có lợi cho mình và làm cản trở việc thực hiện nguyên tắc này. Bài viết này đề cập hai vấn đề: (i) Cơ sở lý luận và cơ sở pháp lý của việc quy định nguyên tắc này; (ii) Các yếu tố tác động đến việc thực hiện nguyên tắc này, dựa trên kết quả khảo sát 100 vụ án hình sự ngẫu nhiên thông qua các bản án, biên bản nghị án và tiến hành phỏng vấn 50 vị thẩm phán, hội thẩm để lấy ý kiến về việc thực thi nguyên tắc thẩm phán, hội thẩm xét xử độc lập và chỉ tuân theo pháp luật trong thực tiễn xét xử các vụ án hình sự. Qua đó tác giả đưa ra các giải pháp cụ thể để nâng cao việc thực hiện nguyên tắc này.

Từ khóa: Nguyên tắc; Độc lập xét xử; Chỉ tuân theo pháp luật; Tư pháp; Tố tụng hình sự.