

ENSURING CHILDREN'S RIGHTS IN FAMILY CULTURAL INSTITUTIONS IN VIETNAM¹

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ABSTRACT

Contemporary Vietnamese legal scholarship demonstrates considerable interest in theoretical examinations of human and civil rights, particularly concerning children's rights. These rights manifest across diverse living environments, with the family institution representing a crucial and determinative milieu. The protection of children's rights establishes the foundation for cultivating and preserving positive values central to family culture. Simultaneously, the maintenance and development of cultural and moral values creates essential conditions for ensuring children's proper care and upbringing within healthy environments. This scholarly investigation employs rights assurance theory to analyze the interconnection between safeguarding children's rights and preserving fundamental Vietnamese family cultural values. The research demonstrates how effective implementation of children's rights mechanisms reinforces cultural preservation, while traditional family values provide supportive frameworks for rights protection. This interdisciplinary approach yields valuable insights for both legal scholarship and cultural studies within Vietnam's unique socio-cultural context, where family institutions continue to substantially influence child development outcomes.

Keywords: children's rights; cultural institutions; family in Vietnam; philosophical perspective.

GARANTIR OS DIREITOS DAS CRIANÇAS NAS INSTITUIÇÕES CULTURAIS FAMILIARES NO VIETNÃ

RESUMO

A academia jurídica vietnamita contemporânea demonstra considerável interesse em exames teóricos dos direitos humanos e civis, particularmente no que diz respeito aos direitos das crianças. Esses direitos manifestam-se em diversos ambientes de vida, sendo a instituição familiar um meio crucial e determinante. A proteção dos direitos das crianças estabelece a base para cultivar e preservar os valores positivos centrais da cultura familiar. Simultaneamente, a manutenção e o desenvolvimento de valores culturais e morais criam condições essenciais para garantir o cuidado adequado e a educação das crianças em

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ambientes saudáveis. Esta investigação académica emprega a teoria da garantia de direitos para analisar a interconexão entre salvaguardar os direitos das crianças e preservar os valores culturais fundamentais da família vietnamita. A pesquisa demonstra como a implementação eficaz dos mecanismos de direitos das crianças reforça a preservação cultural, enquanto os valores familiares tradicionais fornecem estruturas de apoio para a proteção de direitos. Esta abordagem interdisciplinar produz insights valiosos tanto para estudos jurídicos quanto culturais no contexto sociocultural único do Vietname, onde as instituições familiares continuam a influenciar substancialmente os resultados do desenvolvimento infantil.

Palavras-chave: direitos das crianças, instituições culturais; família no Vietnã; perspectiva filosófica.

1 INTRODUCTION

Human beings consistently stand at the heart of focused attention, serving as the driving force and essential foundation for a thriving culture. Across all nations, children are universally regarded as the future of their countries—individuals who require dedicated care, prioritized resources, and an environment conducive to holistic physical, intellectual, emotional, and ethical growth. The social setting in which children develop must prioritize the family structure—a microcosm of society where fundamental life values take root and flourish in the modern world. The family unit embodies a miniature society for children, rich with core cultural principles. Among these, fostering a secure, tradition-guided, and norm-based living space, alongside upholding and advancing moral ideals, remains fundamental. Consequently, safeguarding children's rights has emerged as an indispensable prerequisite for the enduring progress of the Vietnamese family framework in contemporary times.

Family culture should be contextualized within the paradigm of sustainable advancement—a long-term developmental approach that addresses present-generation needs without compromising the ability of future generations to meet their own requirements and make life choices. This form of development is characterized as a profound transformation, centered on the awareness, accountability, and mindset of the current generation toward posterity, with children representing those most in need of protection and specialized attention.

Moreover, it is evident that securing children's rights—both as human rights and civil liberties against potential violations, particularly by individuals closely associated with them, constitutes a pivotal measure for preserving and enhancing the constructive cultural attributes of the Vietnamese family system.

2 THEORETICAL BACKGROUND

Research on safeguarding children's rights within familial cultural frameworks in Vietnam has garnered significant scholarly interest. However, diverse methodological approaches adopted by researchers have contributed to a rich tapestry of perspectives in this field. The following section outlines key theoretical foundations explored in existing literature.

Child development theories (Dyer, 2019; Babakr *et al.*, 2019; Vygotsky, 2021; Smythe *et al.*, 2021) provide frameworks for examining how familial environments influence psychological, social, and physical development. Studies by Maree (2022), Erskine (2019), Sanghvi (2020), Newman and Latifi (2021), and Van Rosmalen *et al.* (2020) demonstrate that developmental theories—including those pioneered by Erikson, Piaget, Vygotsky, and Bowlby—establish fundamental principles for understanding transitional phases in childhood development. Recognizing critical developmental stages enables assessment of children's autonomous engagement within domestic settings. These theoretical models emphasize psychological maturation, elucidating how family environments shape cognitive processes, emotional regulation, and self-awareness.

Concurrently, socialization theory facilitates examination of how domestic spheres influence children's acquisition of interpersonal skills, communication competencies, and relationship-building capabilities. Scrutinizing levels of societal support and external pressures enhances comprehension of familial roles in instilling social values. Bronfenbrenner's ecological systems theory (as cited in Murphy, 2020) offers analytical tools for evaluating how home environments impact physical health and development. Identifying elements such as nutritional patterns, physical activity, and family wellness practices enables assessment of their effects on children's physical wellbeing.

Synthesized insights from such evaluations inform targeted intervention strategies aimed at optimizing domestic environments for childhood development. Applying developmental theories to assess family contexts deepens understanding of environmental impacts on crucial developmental aspects, thereby creating opportunities for implementing evidence-based interventions that support healthy child development. This multidisciplinary approach fosters comprehensive understanding of how familial cultural institutions can effectively uphold and promote children's rights within Vietnamese society.

Investigations into how cultural and familial elements influence children's rights and developmental outcomes have been significantly advanced through scholarly contributions

from Bonal and González (2020), Delgado-Gaitán and Trueba (2022), and Suroso *et al.* (2021). These academic inquiries provide substantial insights into the mechanisms through which sociocultural and domestic factors shape children's lived experiences, interests, and developmental trajectories. The evidentiary foundation established by these studies offers critical guidance for formulating policy frameworks and intervention programs aimed at supporting childhood development. By comprehending these cultural and familial dimensions, policymakers can design targeted interventions that reinforce beneficial influences while mitigating adverse factors.

The empirical findings from such research endeavors inform strategic decision-making across multiple sectors including education, healthcare, and social services, thereby facilitating the advancement of children's rights and welfare. Furthermore, these scholarly works serve as valuable resources for community education initiatives, highlighting the pivotal role of cultural and familial contexts in child development. They additionally contribute to elevating societal awareness and comprehension of pressing issues affecting children. This field of study remains dynamically evolving, requiring sustained scholarly attention and investigation. Previous research outcomes continue to stimulate novel inquiries and theoretical advancements within this domain.

Concurrently, scholarly examinations of power dynamics and control mechanisms within domestic settings—as explored by Junker *et al.* (2021), Derynck and Budi (2019), Bajo *et al.* (2020), Dou *et al.* (2020), and Osnato *et al.* (2020)—illuminate how familial authority structures impact the protection of children's rights. These investigations facilitate understanding regarding the distribution and exercise of power within household contexts, including analysis of power configuration characteristics, familial roles, and how these relational dynamics affect children's wellbeing.

Such research critically examines how power and control influence children's fundamental rights to healthcare, education, social security, and personal autonomy. The generated knowledge enhances awareness of potential risks and consequences associated with maladaptive power dynamics concerning children's welfare. Evidence derived from these studies supports the development of policy instruments and intervention methodologies aimed at minimizing detrimental effects of problematic power structures on childhood outcomes. Additionally, this scholarly foundation enables the creation of family education and counseling programs designed to increase consciousness about power dynamics and their impact on children's interests. Ultimately, these academic contributions promote community engagement in proposing and implementing protective measures for childhood development.

Contemporary scholarly discourse has increasingly focused on examining how socioeconomic determinants (Hoffman, 2021; Parsons *et al.*, 2015) shape the realization of children's rights, particularly regarding educational access and material resource allocation. The educational opportunities available to children frequently mirror the economic and social circumstances of their families and communities. Systematic evaluation of these factors enables researchers to determine whether children possess adequate opportunities to acquire essential skills and knowledge. This assessment serves as a crucial indicator for verifying that all children can exercise their right to education irrespective of their family's financial standing.

A household's economic capacity directly influences its ability to provide necessary developmental resources including nutrition, clean water, healthcare services, adequate housing, and educational materials (I'Anson *et al.*, 2017; Fernando, 2001). Such evaluation helps ascertain the extent to which conducive living and learning conditions are established for children's development.

The degree of socioeconomic development within a society often correlates with the implementation and acceptance of children's rights frameworks. Robust economic systems and social structures typically demonstrate enhanced capacity to support and enforce protective policies for children's welfare (Gran, 2010; Stearns, 2016). Assessment of socioeconomic factors facilitates the identification of equity levels in opportunity distribution and benefit allocation for children across society. This process helps pinpoint areas requiring intervention to guarantee equal opportunities and rights for all children regardless of socioeconomic background.

Such evaluations enable the detection of vulnerable child populations requiring specialized protective measures while simultaneously highlighting successful practices and achievements worthy of reinforcement and preservation. The resulting data informs the development of socioeconomic policies and programs aimed at enhancing living conditions and rights protection for children. These findings provide evidentiary support for political decision-making and public resource allocation to optimize child support mechanisms.

Concurrently, critical examination of existing policy and legislative frameworks (Correia *et al.*, 2019; Geovani *et al.*, 2021) remains essential for safeguarding children's rights within familial contexts. Effective monitoring ensures proper implementation and compliance with established regulations. This vigilance is paramount for comprehensive and effective protection of children's rights (Clark *et al.*, 2020). Systematic evaluation helps identify gaps and limitations within current legal and policy systems, enabling continuous improvement of protective measures for children's welfare across various socioeconomic contexts.

Contemporary scholarship emphasizes the critical need for systematic evaluation of policy implementation gaps to ensure comprehensive protection of children's rights. When deficiencies are identified, strategic modifications must be employed to achieve precise alignment with protective requirements. Empirical assessment enables the measurement of legislative and policy impacts on children's lived experiences and fundamental rights. Such evaluation is indispensable for determining whether interventions generate constructive or adverse effects within communities and domestic spheres (Happold, 2022).

Resource allocation audits provide crucial insights into the efficacy of budgetary expenditures for child protection initiatives. When necessary, evidence-based adjustments should be implemented to optimize resource utilization. As societal and environmental contexts evolve dynamically, legal and policy frameworks require continuous refinement to address emerging challenges and opportunities. Robust monitoring mechanisms ensure the legal system maintains adaptability and responsiveness.

Through methodical evaluation and assessment, policy instruments can be refined and enhanced to improve outcomes in safeguarding children's rights. This process contributes to developing more resilient and flexible legal and policy architectures.

Research on familial communication patterns by Hanum *et al.* (2022) and Marsh *et al.* (2020) demonstrates how interpersonal dynamics significantly influence mutual understanding among family members, particularly children. Supportive communication environments foster psychological safety within domestic settings. Children exhibit increased comfort in expressing perspectives, thoughts, and emotions when engaging within positive communicative ecosystems (Nuri *et al.*, 2020).

Communication serves as the foundational element for establishing and maintaining robust family relationships. Mutual understanding emerges through open dialogue and active listening practices. As the primary socialization environment, family systems shape children's initial exposure to communication patterns. Acquired familial communication competencies substantially influence future interaction capabilities (Ungar, 2019).

Families characterized by positive communication environments significantly enhance children's developmental trajectories in this domain. Communication facilitates children's emotional intelligence development regarding self-awareness and interpersonal understanding. When families create opportunities for emotional expression, children learn adaptive emotion regulation strategies.

Communication creates learning opportunities within family systems through knowledge sharing, experience exchange, and mutual support. Effective communication

reduces familial conflicts while providing constructive conflict resolution frameworks. Children develop conflict management skills through observational learning within family contexts.

Familial communication enhances social interaction capabilities, enabling children to develop social competencies for external engagement. Communication establishes trust and connection within family systems. When members feel heard and understood, family relationships demonstrate increased resilience and stability.

Studying family communication is essential for creating nurturing environments where members develop self-awareness and mutual understanding. These dynamics positively influence children's development and wellbeing. Integrating these theoretical perspectives enables comprehensive understanding of how familial cultural contexts influence child welfare and development in Vietnam, facilitating multidimensional analysis of this complex phenomenon.

3 RESEARCH METHOD

In pursuit of the present research examining "Safeguarding Children's Rights within Familial Cultural Institutions in Vietnam," the investigator has employed the following methodological approaches: Bibliometric Research Methodology has been utilized to systematically review and analyze documents, literature, and research reports pertaining to children's rights, family structures, and cultural contexts in Vietnam. The application of this methodology holds significance for multiple reasons:

- Establishing a robust knowledge foundation derived from prior studies and relevant informational sources
- Identifying emerging trends, persistent challenges, and substantive achievements within the domain of children's rights protection in familial contexts
- Formulating precise research questions based on synthesized knowledge from bibliometric analysis
- Detecting epistemological gaps and determining potential avenues for novel scholarly contributions
- Providing directional clarity for the investigation while delineating research objectives and scope with enhanced precision
- Developing theoretical underpinnings for proposing innovative solutions and

approaches to ameliorate existing conditions

Direct Observational Methodology within domestic environments has been implemented to acquire profound understanding of interpersonal dynamics, interests, and developmental contexts of children. This approach:

- Facilitates objective documentation of authentic behaviors and interactions within domestic settings
- Enables impartial assessment of how children's rights are either upheld or compromised in daily practice
- Minimizes reliance on self-reported data while mitigating participant response biases
- Allows simultaneous recording of children's behaviors and their environmental contexts
- Supports naturalistic identification of behavioral patterns and trends without external interference
- Provides comprehensive understanding of non-verbal communication including kinesics, proxemics, and other paralinguistic features
- Enhances methodological rigor by reducing observer effects and participant self-awareness biases

This methodological framework serves as a critical foundation for advancing our comprehension of how children's rights are operationalized within Vietnamese familial contexts through systematic examination of observable behaviors and lived experiences. The strategic integration of these approaches yields both macroscopic perspectives through bibliometric analysis and microscopic insights through direct observation, ultimately generating a multidimensional understanding of this complex socio-cultural phenomenon. The research design maintains scholarly rigor while ensuring cultural sensitivity and contextual relevance throughout the investigative process. Policy and regulatory evaluations pertaining to children's rights within Vietnamese family contexts are conducted to examine implementation mechanisms and impact pathways. The policy assessment methodology enables critical examination of current policies and regulations concerning children's rights and development in domestic environments. This evaluative approach facilitates identification and measurement of unintended policy consequences on child welfare. The methodology provides analytical frameworks for understanding policy impacts on family environments and

children's rights, offering detailed insights into how policy systems influence daily family life. Policy assessments reveal implementation opportunities and challenges while examining interpolicy dynamics provides understanding of collaborative or contradictory effects between different regulatory instruments. Based on evaluation findings, the study proposes evidence-based policy enhancements to strengthen protection of children's rights within Vietnamese family cultural institutions. Results from policy evaluation methodologies establish theoretical foundations for policy discourse, reform initiatives, and necessary regulatory adjustments. These assessment methods illuminate policy impacts on children's rights and developmental environments, creating foundational knowledge for policy improvement and adaptation to better meet community and familial needs. Content analysis of texts, articles, and documentation identifies patterns, trends, and local regulatory frameworks. The content analysis methodology enables deeper understanding of messages, meanings, and substantive content in documents related to safeguarding children's rights within families. This approach allows researchers to detect emerging trends, patterns, and significant elements within textual content while evaluating expressed opinions, perspectives, and values. Content analysis enables comparative examination and classification of information from diverse sources, facilitating identification of consistencies or variations in approaches to ensuring children's rights within families. The methodology helps identify linguistic and cultural expressions within texts, providing enhanced understanding of how children's rights concepts are perceived and implemented within Vietnamese family cultural contexts. Content analysis reveals knowledge gaps and informational deficiencies while longitudinal application tracks temporal changes and developments in how children's rights are secured within families, monitoring impacts of policy interventions and cultural transformations. The content analysis method constitutes a powerful investigative tool for developing comprehensive understanding of information sources related to protecting children's rights in Vietnamese families, enabling researchers to uncover significant details, identify crucial trends, and determine key directional aspects within this complex domain.

Engagement of local stakeholders, particularly child care providers and guardians, ensures community alignment throughout the research process. The community-centric consultation methodology focuses on capturing local perspectives, values, and needs regarding the safeguarding of children's rights within domestic environments. This approach anchors the investigation in contextual realities and community priorities. This methodology facilitates the establishment of an equitable and transparent research environment where all community members can actively participate and express their viewpoints. Community

consultations enable deeper comprehension of socio-cultural contexts while simultaneously reflecting unique community values, practices, and challenges pertaining to children's rights. The approach encourages active civic participation, creates platforms for viewpoint expression, and strengthens community autonomy within the research framework. Community consultations serve not merely as data collection exercises but as opportunities for bidirectional knowledge exchange and critical information transfer between communities and researchers. Implementation of this methodology leads to the identification of solutions leveraging inherent community resources and capabilities rather than relying exclusively on external factors. The public consultation framework represents an effective mechanism for integrating community input into research processes while simultaneously fostering relationship building and profound thematic understanding. Utilization of these methodologies enables researchers to develop comprehensive and nuanced understanding of children's rights protection within Vietnamese familial contexts, while concurrently facilitating evidence-based recommendations for systemic improvements and intervention strategies. The integrated approach ensures research outcomes remain grounded in local realities while maintaining academic rigor and methodological sophistication.

4 RESEARCH QUESTIONS

In addressing the research theme of "Safeguarding Children's Rights within Familial Cultural Institutions in Vietnam," the investigator has formulated three principal research inquiries:

- (1) Through what institutional mechanisms can children's rights be effectively guaranteed to foster a holistic and nurturing developmental environment?
- (2) To what extent do existing legal frameworks and policy instruments demonstrate sufficient efficacy in protecting children's rights within the Vietnamese familial context?
- (3) How do socioeconomic, educational, and sociocultural variables interact to influence the actualization of children's rights within contemporary family structures?

These research questions have been meticulously crafted to encompass legal, social, and cultural dimensions, thereby enabling comprehensive analysis of current conditions and identification of potential areas for enhancement. The methodological approach will employ a mixed-methods framework, integrating both quantitative and qualitative data to address these inquiries systematically. The research design incorporates triangulation of data sources to ensure robust findings while maintaining contextual relevance to Vietnam's unique socio-

cultural landscape. This systematic inquiry aims to generate evidence-based recommendations for strengthening child protection mechanisms within Vietnamese family.

5 RESULTS

Based on comprehensive research findings, the author delineates three fundamental characteristics of safeguarding children's rights within Vietnamese familial cultural institutions as follows:

First: The protection of children's rights against potential maltreatment within domestic environments functions as a dual safeguard mechanism with comprehensive legal foundations. Protecting children's rights essentially constitutes preserving the human rights of society's most vulnerable demographic. This principle is manifested in the Vietnamese government's consistent policy framework concerning child protection, care, and education. The 1959 Constitution, enacted as the second fundamental law during a transformative period following the revolutionary government's establishment in Northern Vietnam, marked significant progress. The 1979 "Ordinance on Child Protection, Care and Education" institutionalized specific child-focused policies, representing one of the primary legal instruments for child welfare. By the latter half of the 1980s, child rights protection had become integral to national reform efforts.

Responding to practical necessities, the 2013 constitutional revisions introduced more precise and detailed provisions regarding children's rights. Article 37(1) of the 2013 Constitution explicitly guarantees children's right to receive care and nurturing for comprehensive physical, intellectual, spiritual, and moral development. It further recognizes their right to protection of life, physical integrity, dignity, and honor. Children are entitled to respect from family, state, and society, with implemented preventive measures against harm. Any violations against children's welfare are subject to immediate and stringent legal action.

The significance of familial protection extends beyond legal recognition and enforcement mechanisms of human rights. It plays a crucial role in preserving core cultural values, ethical standards, and positive traditions of Vietnamese families. While fundamental human rights—including political, democratic, and economic rights—are legally established, the moral and spiritual rights of children hold particular importance. When children develop within family environments rich in cultural and ethical values, their individual rights receive optimal protection, fostering their comprehensive development within Vietnam's unique socio-cultural context. This approach demonstrates how legal frameworks and cultural

preservation mutually reinforce children's rights protection in Vietnamese society.

Safeguarding children's rights within familial environments presents multifaceted challenges influenced by diverse factors and characterized by unique complexities. Children require security within their domestic, educational, and communal spheres. Nevertheless, violent disciplinary methods persist in Vietnamese households, with 68.4% of children aged 1-14 reporting experiences of maltreatment by parents or caregivers.

In numerous families, violence serves as an instrument for establishing patriarchal hierarchies and reinforcing masculine norms. Such behaviors are influenced by socioeconomic capabilities, parental educational attainment, and issues including alcohol consumption or substance abuse.

Given that violent discipline remains a socially normalized practice, children remain particularly vulnerable due to limited awareness of their rights and reluctance to report familial violence or seek assistance. All children possess the right to protection from all forms of violence, as any manifestation of abuse can cause harm, diminish self-worth and dignity, and impede developmental progress.

Maltreatment perpetrated by relatives within domestic settings constitutes a severe rights violation, particularly causing profound psychological impacts with long-term consequences for memory formation and future marital relationships. Within Vietnam's hierarchical family culture, traditional patriarchal values prioritizing male authority, gender-based deference, and expectations of female and child submission significantly contribute to elevated risks of domestic child abuse.

Ensuring children's rights in familial environments fosters nurturing and inclusive spaces that establish crucial foundations before children engage with broader social contexts. Creating supportive environments remains essential across all circumstances, including investigative procedures. Victim testimony collection constitutes standard investigative practice under criminal procedures employed by law enforcement in sexual abuse cases.

This measure involves documenting victim statements according to criminal procedural requirements regarding case developments and relevant details requiring clarification. It represents one of the most critical primary investigative measures in sexual offense investigations. However, due to the distinctive nature of sexual crimes—particularly child sexual abuse—most cases lack physical evidence typically found in other criminal categories.

Consequently, evidentiary substantiation often relies exclusively on testimonial accounts. Practically, victim testimony frequently proves decisive in resolving child sexual

abuse cases. Through statement collection, investigative authorities rapidly obtain direct information regarding criminal *modus operandi*, methodologies, temporal and spatial factors, instrumental means, and crucially, perpetrator identification.

The efficacy of this measure depends on multiple variables, including victim characteristics. Therefore, establishing highly supportive and open environments helps mitigate the specific vulnerabilities associated with child victims.

Overcoming the physical and psychological consequences for children who have not been adequately protected within their family environment is often difficult. The physical and psychological harm inflicted upon children who have experienced abuse in the family is profound and challenging to remedy. These hard-to-reverse consequences manifest at three levels:

Physically, abused children not only carry physical and psychological scars with them permanently but must also endure indirect consequences related to bodily injuries. The most common physical consequence in children is developmental delay, for example, in motor skills, social skills, cognitive abilities, language expression, and so forth. This occurs because the child's energy is expended on self-protection, leaving insufficient resources for developing age-appropriate skills.

Psychologically, after experiencing violation, children lose trust in themselves, family members, and their surroundings. This leads to a mindset where they only engage in activities that offer rewards, a loss of ability to share emotions with others, a tendency to abuse and control others, and suspicion or distrust toward their environment. Furthermore, children lack self-confidence because they automatically assume that being abused is their fault, as they are not good enough. This often results in severe withdrawal in children, whereby they view themselves and others negatively, lack empathy, frequently lose trust, and are always passive and defensive. Children are often sad, depressed, and self-blaming, believing they are as guilty as their parents have treated them.

Behaviorally, abused children exhibit passive behavior, avoid any possibility of confrontation, completely and compulsively obey the words of adult family members, and adopt an overly cautious attitude in everything. They consistently demonstrate a need for protection to avoid any trouble and strive to keep adults satisfied. Such children are usually highly sensitive to criticism and any form of rejection from others. They often lack spontaneity and initiative, avoid eye contact with their surroundings, appear very shy, and show no curiosity about their environment. Additionally, these children never seek to attract attention. Alternatively, some children may become highly aggressive and exhibit external

behavioral outbursts with limited or no ability to control themselves. Specifically, many children, after experiencing abuse, become negative, aggressive, extremely mischievous, destructive, and develop a careless attitude.

Safeguarding children's rights is intrinsically linked to the family unit in modern Vietnamese society. Ensuring children's rights are protected from abuse is paramount, as children invariably suffer the most severe consequences. According to statistics from the Vietnamese government, over 60% of children living in poverty reside in rural and mountainous regions, with nearly 60% of all children identified as poor. Educational disparities are particularly evident; for instance, while approximately 92% of urban children attend kindergarten, this figure drops to just 51% in rural areas. Many children find themselves in abnormal physical or mental circumstances, lacking the necessary conditions to exercise their basic rights and integrate into their families and communities. The phenomenon of children becoming *de facto* orphans is quite common in Vietnam. Many leave their families to earn a living, lack a stable place of residence, and receive little to no responsibility or care from their families for a multitude of reasons. However, every child's fundamental rights must be equal, regardless of their family's situation, economic status, social background, or region of birth and upbringing. A child's rights are not determined by their gender or legal status; irrespective of the ethnicity, beliefs, religion, social class, status, or political opinions of their parents or guardians, they are entitled to protection, care, education, and the rights stipulated by law under the best conditions that both society and family can provide. Within family life, the harm to children is not only caused by direct acts of abuse. Other conflicts arising from family relationships, particularly between parents, also seriously impact a child's mental well-being, their right to care and nurturing, and the affection they receive from adults. When children are forced to witness acts of domestic violence, live with their parents' unhappy lives, or see a lack of respect towards grandparents, these situations constitute aggressive violations of children's rights with profoundly serious consequences.

Safeguarding children's rights within the family environment plays a significant role in combating crimes against children. Protecting children represents a collective responsibility that ensures the comprehensive development of the younger generation, who will ultimately become the future builders and guardians of the nation. Article 65 of the 2013 Constitution explicitly states: "Children shall receive protection, care, and education from the family, the State, and society." In recent years, Vietnam has implemented numerous practical initiatives employing diverse measures to protect, care for, and educate children.

Nevertheless, the concerning situation of child sexual abuse remains complex and demonstrates an increasing trend. Crimes against children, particularly sexual abuse cases, have

developed complicated patterns, show an upward trajectory, and involve increasingly younger victims. Criminal methods and tactics continue to diversify, resulting in particularly severe consequences that signal moral decline within contemporary society and generate serious concerns among the public. Therefore, protecting children's rights within the family environment contributes significantly to preventing and combating crimes in general, and specifically addresses child sexual abuse offenses.

Protecting children's rights in family settings helps maintain safe environments, peaceful living conditions, and valuable cultural values within the community. The primary reasons behind child abuse can be attributed to negative aspects of the market economy, uncontrolled social media expansion, non-selective incorporation of foreign cultural elements, and the moral and lifestyle degradation observed among certain societal groups.

Furthermore, parents, relatives, and caregivers often lack sufficient understanding of child psychology and physiology, remain inadequately informed about child abuse risks, and neglect appropriate attention and communication regarding sexual development matters. This results in children lacking essential knowledge and skills to protect themselves from external violations. Many parents restrict children's access to so-called "adult" topics without providing proper explanation or context regarding appropriate boundaries. Additionally, children often aren't taught which body parts should not be touched by others, including relatives, leading to insufficient prevention, defense, and resistance skills against abusive behavior. Many parents hesitate, or even refuse, to report abuse cases due to fear of reputational damage.

In recent periods, there has been a noticeable increase in cases of sexual abuse against children, particularly those residing in mountainous regions. Concurrently, it has been established that such incidents yield severe consequences wherein victims not only endure physical harm but also persistently experience fear and psychological distress. Furthermore, the reintegration of victims, especially young girls, into society proves exceptionally challenging, often resulting in isolated existences within their own psychological worlds.

Consequently, to effectively combat this deplorable phenomenon, alongside legal prosecution of perpetrators, multiple practical and viable solutions must be implemented. Among these, the decisive role of the family environment warrants particular emphasis.

Safeguarding children's rights within familial settings enables them to overcome feelings of inferiority and develop normally. The 1989 International Convention on the Rights of the Child explicitly affirms that state parties shall undertake all appropriate measures to facilitate physical and psychological recovery and social reintegration for children victimized by any form of neglect, exploitation, abuse, torture, or other cruel, inhuman, or degrading

treatment. Such recovery and reintegration must occur within an environment that nurtures children's health, self-worth, and dignity.

In practical terms, when children become victims of violations against personal integrity, the severe repercussions make it exceedingly difficult to avoid self-blame and achieve normal development. Most children experience profound psychological distress following such violations, particularly adolescents. Therefore, close coordination among families, educational institutions, healthcare facilities, relevant agencies, organizations, and local authorities in the victim's community becomes imperative. Through encouragement, examination, treatment, and the provision of optimal conditions, the most favorable environment must be established to facilitate children's community reintegration, ensure adequate care, and guarantee abundant familial affection.

The contemporary landscape of child abuse and familial institutional responsibilities in present-day Vietnam.

In Vietnam, the establishment and enhancement of a legal framework for child protection is regarded by the government as a fundamental priority. Ensuring children's rights serves both as an objective and a catalyst for the nation's sustainable future development. Presently, Vietnam's legal provisions concerning children's rights have achieved relatively comprehensive and complete development. However, practical evidence indicates that the implementation of laws protecting children's rights continues to face numerous limitations and inadequacies.

According to statistical data from the Ministry of Labor, Invalids and Social Affairs in its 2019 report, during the period from January 1, 2015, to June 30, 2019, a total of 8,442 child abuse cases were identified nationwide, involving interventions for 8,709 abused children. Within these cases, sexual abuse accounted for 75.4% of all reported child maltreatment incidents. The number of children engaged in illegal labor reached 790,518 cases, while 156,932 children experienced abandonment and neglect, with nearly 13,500 fifteen-year-old children involved in early marriages. Perpetrators of child abuse demonstrate considerable diversity in terms of educational background, age, and occupational status, with many maintaining familiar relationships with the children. Monitoring data from various localities reveals an increasing trend in abuse committed by blood relatives, family members, and acquaintances of the victims, constituting approximately 90% of all cases. Contemporary children not only grapple with the realities of abuse and violence in their daily lives but also confront numerous risks and challenges posed by digital threats on social media platforms. As both the global community and Vietnam enter an era of comprehensive digital transformation,

children have become digital natives from an early age, spending significant portions of their day online fundamentally altering their learning methods, friendship formations, and communication patterns compared to previous generations. According to a recent United Nations Children's Fund (UNICEF) report, many students now predominantly engage in learning and social interactions through digital platforms. Increased time spent in virtual environments exposes children to potential sexual exploitation, grooming, deception, and exposure to harmful and violent content. In certain localities, the resources, roles, and responsibilities of families, educational institutions, and local communities remain underutilized and inadequately promoted in child protection and care initiatives. Awareness campaigns and advocacy efforts for proper implementation of legal frameworks regarding child protection continue to face limitations in both scope and effectiveness. For instance, in Hanoi, between 2015 and the end of June 2019, 365 child abuse cases involving 313 victims were documented, including 199 cases (54.5%) of sexual abuse affecting 220 children. Statistical trends indicate a rise in child abuse incidents from 2015 to 2018. The Ministry of Labor, Invalids and Social Affairs emphasizes that resource allocation for child protection and care receives significant attention from municipal, district, and local authorities. Budgetary commitments for these initiatives represent a substantial portion of total municipal expenditures, with projections indicating increased funding for the upcoming fiscal year.

Experts emphasize that families hold particularly crucial positions in preventing and combating child abuse, as they constitute the primary living environment where children's personalities are shaped, nurtured, and educated—serving as the most secure sanctuary for every individual. Consequently, each family unit, its members, and especially parents must first develop clear understanding of their respective roles and responsibilities in safeguarding their children and grandchildren against abuse. Several strategic approaches to guarantee children's rights, thereby contributing to the preservation and enhancement of fundamental values within Vietnamese family culture. It is evident that the legal foundation for children's rights within Vietnam's legal framework has been established with relative comprehensiveness. However, the practical implementation of these regulations has not yielded the expected outcomes. Recently, incidents involving violence, human trafficking, abduction, child exchange, and child appropriation; deprivation of children's right to life; sexual abuse, violence, maltreatment, and exploitation of children; as well as the use, solicitation, incitement, manipulation, coercion, and forced involvement of children in unlawful activities have occurred with significant frequency. Some particularly distressing incidents have also taken place. Notably, these violations have occurred over extended

periods, severely impacting children's psychological and physical wellbeing, as well as their intellectual and personal development, while causing considerable public concern. Particularly in recent days, news regarding the case of a principal at an ethnic boarding school in Phu Tho who sexually abused multiple male students has profoundly disturbed public sentiment. Although the case remains under investigation and has not yet reached final conclusions, this incident serves as a critical alert to society regarding the protection of children's rights in the current context. The fundamental question remains how to ensure the effective implementation of legal provisions concerning children's rights in practice, thereby limiting, preventing, and eliminating violations of these rights. How can we guarantee children's comprehensive physical, intellectual, and aesthetic development? The author believes that future efforts should focus on the following fundamental solutions:

First, it is essential to thoroughly internalize the understanding that child protection represents a strategic and central task for sustainable development; this responsibility belongs to the entire political system and society, with the family serving as the decisive institution. Continuous improvement of laws and policies is needed to protect children's rights—spanning prevention, support, intervention, violation handling, and clarifying responsibilities of agencies, organizations, families, and individuals to ensure children's safety and enable timely intervention when risks emerge or abuse occurs. Competent state agencies and relevant socio-political organizations must enhance supervision of the implementation of children's rights protection laws; this includes Families, particularly parents, must clearly identify the pervasive risks and threats children encounter in both their physical lives and the digital environment. Recently, a series of policies and regulatory documents addressing violations of laws pertaining to child care, protection, and the prevention of child abuse have been enacted across all administrative levels, from central to local authorities. The most notable among these is the implementation of the 2016 Law on Children. However, a recent rapid assessment conducted by the Vietnam Association for the Protection of Children's Rights reveals a significant knowledge gap: in rural areas, over 40% of adults are unaware of the Law on Children and possess no knowledge of the rights it encompasses. Consequently, the vast majority of rural children today remain uninformed about their own rights. Research findings from the Institute for Sustainable Development Management further indicate that a low percentage of children (10.4% of those surveyed) possess basic knowledge about online sexual abuse. Parental awareness is even lower, at a mere 8.6%. Therefore, it is imperative for all relevant parties to attain comprehensive awareness and a deeper understanding of children's rights, alongside effective mechanisms to safeguard these rights within broader

social environments and, more specifically, within the family and school settings. This constitutes a collective responsibility and duty we all share towards children. Secondly, it is crucial to strengthen communication, education, and social mobilization efforts to enforce children's rights, and to integrate the implementation of these rights into various programs, plans, and projects. Foremost, local authorities must enhance and build the capacity of personnel working in child protection, care, and education. Effective human rights education must be implemented within the community at large and specifically within the educational system. This requires developing appropriate forms and content for human rights education tailored to different demographics. A key focus should be on propagating and disseminating information to all citizens about the community's shared responsibility in protecting children's rights. Socio-political organizations, social organizations, and government bodies need to engage deeply with families to intensify the dissemination of legal information to parents and relatives, clarifying their specific responsibilities and obligations towards children. Legal propaganda and dissemination must be conducted regularly and continuously, employing diverse forms and methods suited to different target audiences and messaging. This approach should be popularized, accessible, and grounded in the realities of people's lives.

Furthermore, it is imperative to enhance human rights education initiatives within schools. Although some human rights content is included in civics education curricula across all grade levels, this content remains notably limited and lacks clarity. The pedagogical approaches used to teach these concepts within schools have not proven fully effective. We maintain that when children possess a comprehensive understanding of their rights, they will be empowered to protect themselves and will demonstrate the courage to confront actions that violate children's rights. On September 5, 2017, the Prime Minister approved the Initiative for Integrating Human Rights Content into the National Education System's Curriculum. The Initiative's primary objective is to propagate, disseminate, and provide human rights education to foster a shift in awareness among learners, educators, and educational administrators. This shift emphasizes the importance of self-protection of personal rights, respect for the dignity, rights, and freedoms of others, and an enhanced understanding of citizens' responsibilities and obligations towards the state and society. This contributes to the holistic development of the Vietnamese people, aligning with the nation's requirements for international integration and sustainable development. The development and implementation of this Initiative are critically necessary. However, it has thus far only been piloted in a very limited number of schools within a few localities during the 2017-2020 period. The target is that by 2025, 100% of educational institutions within the national system will be conducting human rights education

for their constituents. Third, it is essential to guarantee support for children by providing the most favorable conditions from society. Ensuring support for children encompasses aid for those at risk of, or who have experienced or are currently experiencing, abuse. This ensures their safety, provides care, creates conditions for recovery, and prevents potential future harm. Support measures for children must be implemented through diverse and flexible methods, including: medical care and psychological therapy; supervision and safety assurance for children; arranging for qualified caregivers; educating children on self-protection skills to prevent abuse; and educating relatives and families on methods to support and care for children who have been abused. Additionally, all levels of government, organizations, and individuals must establish mechanisms for the prompt and stringent detection and handling of violations against children's rights. Beyond legal sanctions, close collaboration with media outlets and public opinion is crucial to foster appropriate attitudes and responses towards violations of children's rights. Fourth, it is necessary to preserve the positive traditional values inherent in Vietnamese family culture—a concept that maintains a dialectical relationship with ensuring children's rights. Regarding the positive traditional family values that should be preserved and promoted in building contemporary Vietnamese families, some individuals consider family rituals or family conduct to be paramount, while others emphasize the dual concepts of filial piety and loyalty. There are also those who focus on the notion of love... But in general, these traditional cultural values strongly represent Vietnamese national cultural elements that have been cultivated over thousands of years of history (Van Dung; Van Quyet, 2023). Family rituals are simply understood as customary practices within the family. These rituals are categorized and performed regularly and repetitively according to the time of year in each family. Since ancient times, family rituals have typically been conducted following oral teachings and passed down from previous generations to future ones. Thus, in every traditional family that values virtue, good traditional cultural traits are often imparted to subsequent generations from the very beginning of life. It has been proven that only those who have benefited from a structured family education tradition and know how to respect family rituals and traditions can become individuals who understand how to honor prestige and comply with state discipline and laws, while also fulfilling important responsibilities entrusted by society. Broadly speaking, family rituals do not exist solely within each family and its internal relationships; they have a widespread impact on all social interactions, particularly in every rural and social relationship. When an individual benefits from the cultural value of family rituals, they develop an appropriate way of behaving toward others (Vo Van, 2023). This is because people living in society do not exist in isolation but require

help from others and vice versa. Individuals raised in families with good ethics and manners cannot engage in thoughtless behavior, nor can they exhibit rude or offensive actions, words, or tones toward those around them. Conversely, those who have not been educated in families with good family traditions often display roughness and impoliteness in daily life, in eating habits, and in communication with others. Therefore, family rituals enhance the effectiveness of family education and determine each individual's standing in social relationships. In traditional Vietnamese families, in addition to family rituals, emphasis is also placed on the concepts of respect and rites (Van Dung, 2023). In the philosophical context, when emphasizing moral elements in family culture, Confucians show great interest in fundamental relationships extending from within the family to the broader society (Van Dung; Hoa, 2023). Within the family, there are three fundamental relationships: father and son, husband and wife, and siblings. In society, there are five relationships: ruler and subject, father and son, husband and wife, siblings, and friends (Dung, 2022). Therefore, in building a modern Vietnamese family, it is necessary to have a clear awareness of the close connection between family and society, and between order within each family and the construction of human relationships in society moving toward good and humane values.

6 DISCUSSION

Ensuring children's rights within family cultural institutions in Vietnam represents a significant subject that demands thorough attention and in-depth discussion from both communities and political leaders. It should be emphasized that the family serves as the primary environment influencing children's development. The family constitutes the initial setting where values, culture, and knowledge are transmitted to children. Family relationships establish the foundation through which children learn to interact with others, build trust, and comprehend human connections. Through listening and participating in family conversations, children develop linguistic abilities and understanding of meaningful communication. By engaging in family activities, children learn about family history, rituals, traditions, and important societal values. This knowledge plays a crucial role in developing children's autonomy and self-care capabilities. Ethical principles and upbringing contribute to shaping children's character and sense of filial respect. Care, attention, and affection from family members play a vital role in establishing children's psychological stability and self-confidence. Fundamental rights including the right to life, development, protection from violence, and education hold particular importance. Conditions must be established enabling

children to exercise their right to express opinions and be heard. Families should promote comprehensive child development, addressing not only academic aspects but also spiritual and moral dimensions. The family environment must remain secure for children, rejecting all forms of violence and abuse. Legal and social mechanisms are essential for protecting children from domestic violence. Families frequently face economic and social pressures that may impact their capacity to care for and educate children. Governmental and community support becomes necessary to help families overcome these challenges. Legal mechanisms establish a regulatory system ensuring these fundamental rights receive proper respect and protection. Domestic violence can cause emotional, psychological, and even physical harm to children. Legal mechanisms assist in preventing and addressing such behaviors while guaranteeing children's safety and holistic development. Legal regulations concerning protection against domestic violence contribute to creating secure, healthy, and appropriate environments for child development. Through timely intervention in violence cases and appropriate sanctions implementation, legal mechanisms help break the cycle of domestic violence. These mechanisms establish legal responsibilities for family members, encouraging accountability in child protection. This approach enhances awareness of family responsibilities and helps prevent violent behavior. Legal mechanisms impact not only families but also communities, fostering societies that reject domestic violence. Children require opportunities to participate in family life decisions, ranging from minor matters like school scheduling to more significant decisions regarding personal development.

Strengthening education about children's rights and responsibilities within communities remains essential. Society needs to support families in fulfilling their child rights protection responsibilities. Ensuring children's rights within family cultural institutions requires close cooperation among families, communities, and government entities. We must create positive and supportive environments enabling children to achieve comprehensive development and realize their potential.

7 CONCLUSION

Children represent the joy of every family and the nation's future. Safeguarding children's rights constitutes a collective responsibility of society as a whole. Following the specification of human rights provisions in the 2013 Constitution, Vietnam's other legal documents have been promptly supplemented and amended to enhance regulations concerning children's rights. However, for children's rights to be genuinely respected and

implemented with absolute seriousness, the State must maintain clear and consistent recognition that protecting children's rights ranks among the country's most crucial missions. It is imperative to elevate awareness throughout society as well as among children themselves regarding children's rights and necessary measures to counter violations of these rights. Additionally, legal sanctions must be perfected to ensure timely and rigorous prosecution of those who infringe upon children's rights. Enhancing the legal framework while improving the understanding and sense of responsibility within the political system and across society will enable better implementation and protection of children's rights. This will contribute to the nation's civilizational development and future prosperity. Such progress will serve as vital impetus for preserving and promoting the positive cultural values of Vietnamese families in modern society.

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