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**ENSURING THE RIGHT TO DEVELOPMENT FOR
CHILDREN OF ETHNIC MINORITIES IN THE
NORTHWEST REGION OF VIETNAM**

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INTRODUCTION

1. The urgency of the topic

The Communist Party of Vietnam and the Vietnamese State have consistently upheld policies and viewpoints emphasizing the protection, care, and education of children, particularly ethnic minority children. The implementation, protection, and guarantee of children's rights have always been regarded as a top priority in our national strategies for human development and socio-economic development as well. This viewpoint has been consistently articulated by the Party across different historical periods and reflected in numerous documents from the founding of the State to the present day. It provides an important foundation for the formulation of State policies and laws on ensuring children's rights, especially the rights of ethnic minority children in Vietnam, thereby promoting children's comprehensive development, meeting the requirements for building a high-quality workforce to serve socio-economic development and international integration.

Children's rights, including the rights of ethnic minority children, were recognized in Vietnam's 1946 Constitution and have continued to be affirmed, supplemented, and developed in subsequent Constitutions. These legal provisions emphasize the shared responsibility of the State, families, and society in protecting, caring for, and educating children; ensuring the right to education in ethnic minority languages; supporting disadvantaged and poor children; and strictly prohibiting all acts of abuse, exploitation, neglect, and maltreatment of children, etc. At the same time, Vietnam has been developing an increasingly comprehensive legal system for children's rights in accordance with the Convention on the Rights of the Child. Children's rights, including those of ethnic minority children, are regulated in numerous legal instruments, most notably the 2016 Law on Children, the 2014 Law on Marriage and Family, the Law on Gender Equality, the Law on Access to Information, the Law on Prevention and Control of Domestic Violence, the Labor Code, the Law on Education, and the Law on Medical Examination and Treatment, along with many other relevant legal documents. Moreover, the right to development of children, particularly ethnic minority children, is further guaranteed through government programs and action plans. These documents set out specific objectives aimed at realizing children's rights, promoting comprehensive child development, and creating a safe, healthy, and child-friendly living environment, thereby contributing to the implementation of the 2030 Agenda for Sustainable Development. However, in the current context, Vietnam is facing a range of emerging challenges (rapid urbanization, climate change, pandemics), population aging, and our vision to the urgent need to develop a high-quality workforce by 2045 in order to meet the requirements of sustainable development and international integration in the context of the Fourth Industrial Revolution and the era of rising, innovating and promoting creativity, etc.

The Northwest is one of Vietnam's key geographical and economic regions, laying in the northwestern part of the country. It occupies a particularly strategic position, sharing borders with China and Laos, which creates favorable conditions for cultural exchange, trade, and national defense. The region is characterized by rugged mountainous terrain, numerous high mountain ranges, deeply dissected landscapes, and a dense network of rivers, streams, and valleys, giving rise to majestic and distinctive natural scenery. Economically, the Northwest is predominantly based on agriculture and forestry, especially the cultivation of industrial crops, while ecotourism and community-based cultural tourism have shown increasing potential for development. The region is also home to many ethnic minority groups, each possessing rich and distinctive cultural identities. These ethnic minority communities, including children in the Northwest region, play an important role in maintaining national unity and territorial integrity. Nevertheless, the majority of ethnic minority children in the Northwest live in areas with particularly

difficult socio-economic conditions, limited opportunities, and restricted access to social services and information. Inadequate infrastructure, geographical isolation, and harsh living conditions remain major barriers to children’s comprehensive development. In addition, ethnic minority children face language barriers and social stigma, which increase the risk of social exclusion. Their cultural and spiritual lives are often limited and monotonous, while access to adequate nutrition, physical development, healthcare services, education, and quality education remains insufficient. Such limitations significantly affect the enjoyment of their human rights and constrain their future development opportunities. Therefore, ensuring the right to development of children in general, and of ethnic minority children in the Northwest region in particular, is an urgent requirement to enable children to enjoy the best possible conditions for comprehensive development and to fully realize their potential.

At present, many researches have been performed on the right to development (RDP) and children’s rights. However, examining the right to development as a specific right or group of rights of children remains a relatively new research direction that has not been extensively explored at either the international or domestic levels. In particular, studies focusing on ensuring the right to development for a specific group of children, namely ethnic minority children in the Northwest region of Vietnam, remain limited. For these reasons, the dissertation entitled **“Ensuring the Right to Development of Ethnic Minority Children in the Northwest Region of Vietnam”** has been selected for its significant theoretical relevance and practical value in the current context.

2. Research objectives and tasks of the topic

2.1. Research Objectives

Through an assessment of the practical implementation of the right to development of ethnic minority children in the Northwest region of Vietnam, this thesis seeks to further refine the theoretical framework of children’s right to development, particularly ethnic minority children. On this basis, the thesis proposes viewpoints and solutions to strengthen the protection and guarantee of children’s rights in general, and the right to development of ethnic minority children in particular, in the Northwest region, thereby contributing to the improvement of policies and the legal framework on children’s rights and to the more effective realization of children’s rights in Vietnam in the current context.

2.2. Research tasks

First, the dissertation provides an overview of the existing research, methodologies, and approaches related to ensuring the right to development of children in general, and of ethnic minority children in the Northwest region in particular, within the context of Vietnam’s development and promotion of international integration.

Second, the dissertation analyzes and clarifies a number of theoretical issues concerning the guarantee of children’s right to development, with specific attention to ethnic minority children in the Northwest region of Vietnam, from a human-rights-based approach and the perspective of human rights law. This includes an examination of the concepts, content, and methods of guaranteeing the right to development of ethnic minority children, based on research of international and Vietnamese legal instruments on human rights in general and the right to development in particular.

Third, the dissertation assesses the current situation of ensuring the right to development of ethnic minority children in the Northwest region of Vietnam, (identifying the achievements, limitations, and the underlying causes of these limitations), on the basis of practical research and surveys conducted in provinces across the Northwest region.

Fourth, the dissertation proposes viewpoints and a system of solutions aimed at strengthening the guarantee of children’s right to development in Vietnam in general, and of ethnic minority children in the Northwest region in particular.

3. Research subject and scope of the topic

3.1. Research subjects

This dissertation examines the theoretical and practical issues of ensuring the right to development of ethnic minority children in the Northwest region of Vietnam in the current context, from the perspective of human rights theory and law.

3.2. Scope

- Spatial scope: The Northwest region of Vietnam originally includes six provinces: Lao Cai, Lai Chau, Dien Bien, Hoa Binh, Son La, and Yen Bai. However, following the implementation of Resolution No. 76/2025/UBTVQH15 dated April 14th, 2025, issued by the Standing Committee of the National Assembly of Vietnam on the rearrangement of administrative units in 2025, the Northwest region currently consists of four provinces: Lao Cai, Lai Chau, Dien Bien, and Son La.

- Timeframe: This dissertation covers a five-year period from 2019 to 2024.

4. Research methodology and methods

4.1. Methodology

This dissertation is grounded in the theoretical foundations of Marxism–Leninism and Ho Chi Minh Thought, the viewpoints of the Communist Party of Vietnam, and the policies and laws of the Vietnamese State, international principles, norms, and standards enshrined in international human rights treaties (to which Vietnam is a party), particularly those relating to human rights, children’s rights, and the right to development of children, with special emphasis on the Convention on the Rights of the Child.

The dissertation adopts a multidisciplinary and interdisciplinary approach within the social sciences (including philosophy, political science, cultural studies, sociology, history, and ethnology, etc.) and an interdisciplinary approach in legal studies. In addition, the dissertation is conducted on the basis of a human rights–based approach and the principle of “substantive equality”.

4.2. Research methods

The dissertation applies a combination of qualitative and quantitative research methods, including methods of document and data collection and processing; analysis and synthesis; systems analysis; comparative legal analysis; statistical methods; in-depth interviews; and methods drawn from ethnology and cultural anthropology.

5. New scientific contributions of the research topic

- From a theoretical perspective : The dissertation contributes to further developing and refining the theoretical framework for ensuring the right to development of ethnic minority children on the basis of a human rights–based approach that recognizes children as subjects of rights; emphasizing the particular vulnerability of ethnic minority children through on the basis of substantive equality, their actual access to, and enjoyment of, rights in practice.

- From the perspective of the legal framework and policy orientation:

The dissertation identifies gaps and shortcomings in the existing legal and policy system relating to the right to development of ethnic minority children, particularly the shortage of specific regulations and effective enforcement mechanisms that are suited to the conditions of ethnic minority and mountainous areas. On this basis, the dissertation proposes orientations for improving the legal and policy framework specifically applicable to ethnic minority children, ensuring consistency with international standards on the right to development while remaining aligned with the socio-economic and cultural realities of the Northwest region.

+ In addition, the dissertation clarifies the relationship between ensuring the right to development of ethnic minority children and the orientation toward sustainable development which focus on the comprehensive, sustainable, and inclusive human development; emphasizing that ensuring the ethnic minority children’s rights is not

only an objective but also a fundamental prerequisite for the long-term development of the Northwest region and the nation as a whole. By integrating international standards with the specific conditions of ethnic minority regions, the dissertation proposes a systematic, interdisciplinary, and long-term policy approach, thereby contributing to both theory and practice in ensuring the right to development of ethnic minority children in Vietnam.

- From a practical perspective:

- + The dissertation proposes the establishment of a specialized data system and a set of indicators to measure the right to development of ethnic minority children, disaggregated by ethnicity, gender, age, health status, and geographical area. This represents a novel contribution with important methodological and practical significance, providing a solid foundation for formulating evidence-based policies as well as effectively monitoring and evaluating of the implementation of rights.

- + Furthermore, the dissertation provides a comprehensive assessment of the practical effectiveness of existing programs and policies targeting ethnic minority children in the Northwest region, identifying their achievements, limitations, and the underlying causes of these limitations. On this basis, the dissertation recommends the establishment of an independent monitoring mechanism with the participation of local communities and representatives of ethnic minority groups, aimed at enhancing the accountability, transparency, and effectiveness in the implementation of policies.

6. Scientific and practical significance of the topic

Theoretical significance

- First, the study clarifies the theoretical foundations of children's right to development, with particular emphasis on ethnic minority children - a vulnerable group that has not yet been systematically examined; analyzing the concepts in compliance with the international standards established by the United Nations and UNICEF, while simultaneously affirming both the universality and specificity in ensuring rights in ethnic minority and mountainous regions.

- Second, the study assesses the degree of compatibility between international standards and Vietnamese law, particularly the Law on Children, thereby contributing to a stronger scientific foundation for the formulation, amendment, and implementation of policies and legislation on children's rights, particularly those relating to ethnic minority children.

- Third, the study develops in-depth researches of ethnic minority children: the study provides empirical data and analysis of the specific socio-economic and cultural characteristics of the Northwest region, supplementing the arguments for interdisciplinary studies on ensuring children's rights in disadvantaged areas.

Practical significance

- First, the study offers an objective reflection of the limitations in ensuring the right to development of ethnic minority children in the Northwest region, including economic hardship, inadequate infrastructure, dropout rates, malnutrition, child marriage, and limited access to basic social services.

- Second, the study findings provide a scientific basis for reviewing and improving existing policies, assisting management authorities in identifying implementation bottlenecks in accordance with Vietnam's international commitments as a member of the United Nations.

- Third, the study proposes a system of solutions aimed at improving legislation, strengthening resources, enhancing education and healthcare services, and promoting equal access to opportunities. These solutions may serve as reference models and be replicated in other ethnic minority regions.

- Fourth, from a long-term perspective, ensuring the right to development of ethnic minority children is of strategic significance for sustainable development, contributing to reducing regional disparities and strengthening social justice.

7. Structure of the dissertation

In addition to the Introduction, Conclusion, Bibliography, and the list of the author's published works related to the dissertation, the content consists of four chapters comprising eleven sections.

Chapter 1

OVERVIEW OF RESEARCH RELATED TO THE TOPIC

1.1. Research situation related to the development rights of ethnic minority children

1.1.1. Research situation in the country

1.1.1.1. Group of research works on children's rights

All research works to date have affirmed the importance of ensuring children's rights, considering them as an integral component of national human development and sustainable development strategies. Existing studies have also sought to clarify the theoretical foundations of children's rights and to analyze the factors impacting their implementation across different sectors. However, most current research approaches children's rights from a general perspective or focuses on particular groups of rights, without providing in-depth and comprehensive analyses of the rights of ethnic minority children, particularly relating to Northwest region, which possesses distinctive natural, socio-economic, cultural, and demographic characteristics. This dissertation therefore seeks to address this gap on children's rights in general, and the rights of ethnic minority children in particular.

1.1.1.2. Group of studies on children's right to development.

Research studies consistently demonstrate that the right to development constitutes a composite group of rights, reflecting children's need for comprehensive development in physical, intellectual, moral, spiritual, and cultural dimensions. At the same time, it serves as a foundational basis for the realization of other rights. However, the majority of existing studies have largely been limited to affirming the significance, scope, and content of the right to development at a general level, with relatively little in-depth analysis disaggregated by specific target groups, regions, or ethnic communities. Therefore, approaching children's right to development from a holistic perspective, closely linked to regional particularities, carries profound theoretical and practical significance, not only contributing to refining the theoretical foundations of children's right to development but also providing empirical evidence and proposing solutions aimed at enhancing the effectiveness of guaranteeing this right under specific conditions of the Northwest region.

1.1.1.3. Group of research works on the development rights of ethnic minority children

Existing studies have primarily focused on analyzing policies and laws concerning the development of ethnic minority and mountainous regions, including issues related to children's care, education, healthcare, and cultural life. Some studies have initially identified influencing factors such as geographical conditions, poverty, inadequate infrastructure, and differences in language and customary practices - factors that directly affect the development opportunities of ethnic minority children. Several authors have also emphasized the relationship between the realization of the right to development of ethnic minority children and social justice, equality of opportunity, and the preservation of cultural identity in the context of integration. However, the existing works generally

approaches this issue from specific and fragmented perspectives and has yet to establish a coherent and unified theoretical framework for ensuring the right to development of ethnic minority children as an independent group of rights, while remaining closely connected to the rights of ethnic minority peoples. Therefore, this dissertation seeks to clarify the theoretical foundations for ensuring the right to development of ethnic minority children in relation to the rights of ethnic minority peoples; analyzing the current situation of guaranteeing this right in the Northwest region; and proposing a feasible and systematic set of solutions aimed at enhancing the effectiveness of ensuring the right to development of ethnic minority children, in a manner consistent with the socio-cultural characteristics of the region and the national orientation toward sustainable development.

1.1.2. Overseas research situation

1.1.2.1. Studies on the right to development

Scholars have approached the right to development from multiple perspectives, emphasizing that development is not merely a goal but also a right and a means through which individuals can attain freedom, justice, and human dignity. Existing studies have clarified the legal nature, universality, and interdependence of the right to development with civil, political, economic, social, and cultural rights, as well as the roles of the State, the international community, and global institutions in ensuring the realization of this right. However, it can be observed that the majority of existing research remains largely at the macro level, focusing primarily on the right to development in relation to global issues such as governance, trade, equal access to data, climate change, or sustainable development. There is a relative lack of in-depth studies addressing the right to development of specific social groups, particularly ethnic minority children in developing countries such as Vietnam. The concretization of the right to development from the international level to the national, regional, and social-group levels remains limited, and empirical researches on mechanisms, policies, and conditions for ensuring the right to development for vulnerable groups are still insufficient.

Building upon the findings of these studies, the dissertation selectively inherits and develops several core theoretical orientations: Adopting the approach that conceptualizes the right to development as a composite human right encompassing both individual and collective dimensions, with clearly defined content, right-holders, and corresponding obligations; Drawing on the perspective of Amartya Sen, which considers development as the expansion of human freedoms and capabilities, as a theoretical foundation for identifying the dimensions of children's right to development; Applying the theoretical framework of the United Nations concerning the responsibilities of States and the international community in ensuring the right to development, in order to analyze the roles, mechanisms, and resources involved in guaranteeing the right to development of ethnic minority children in the Northwest region. In addition, the dissertation builds on existing research examining the relationship between the right to development and sustainable development, thereby determining an appropriate approach to children's right to development in the contemporary Vietnamese context. On the basis of this selective inheritance, the dissertation expands the scope of research by shifting the analytical focus from the right to development in general to the right to development of ethnic minority children in the Northwest region, clarifying the concept, characteristics, and substantive content of this right under the specific conditions of ethnic minority areas. This represents a research gap that has not been comprehensively addressed in previous studies and constitutes the principal scientific contribution of the dissertation.

1.1.2.2. Group of research works on children's right to development

These studies emphasize the organic relationship between the right to development and other human rights, considering the assurance of the right to

development as a foundational prerequisite to realize of children's other rights. In particular, a number of recent works focus on assessing the roles of adults, families, schools, and communities in creating an environment that enables children's holistic development in physical, intellectual, moral, and spiritual dimensions - core elements constitutive of the right to development. However, most existing studies remain largely theoretical in nature and pay limited attention to the cultural and socio-economic specificities of individual countries, particularly with regard to ethnic minority children. In-depth researches on ensuring children's right to development in ethnic minority contexts remain scarce, despite the fact that this group of children faces significant disadvantages in terms of opportunities for development, education, healthcare, nutrition, and social participation.

Building upon the findings of the above-mentioned studies, this dissertation inherits and further develops the following aspects: Adopting the theoretical framework that conceptualizes children's right to development as a comprehensive human right with legal significance, encompassing physical, intellectual, moral, spiritual, and cultural dimensions of development; drawing on the capability approach provided by Noam Peleg to analyze the possibility to realize of the right to development of ethnic minority children within the specific context of the Northwest region; Applying insights from international researches on children's participation and voice to elucidate the moral and spiritual dimensions of the right to development, in which the rights to participation and to express one's views are regarded as important manifestations of personality development; Incorporating perspectives on the relationship between the right to development and the policy-social ecosystem (by Surya Deva), which serve as a basis for analyzing the responsibilities of the State, communities, and families in ensuring the right to development of ethnic minority children. On the basis of this inherited framework, the dissertation develops the research in a more specialized and context-specific direction, focusing on clarifying the theoretical foundations, practical realities, and mechanisms for ensuring the right to development of ethnic minority children in the Northwest region of Vietnam; thereby addressing the gaps in the existing body of research on children's rights while offering policy recommendations that are aligned with the cultural, social, and developmental conditions of ethnic minority areas.

1.1.2.3. Research group on models and solutions to ensure the development rights of children, including children from ethnic minorities.

The models and measures for ensuring the right to development of children belonging to minority groups, including ethnic minorities worldwide, are commonly grounded in comprehensive and child-centered approaches. A number of countries implement bilingual education programs and localize their curricula aimed at preserving cultural identity while enhancing children's skills for social integration. International organizations provide supports in formulating policies that promote equal access to healthcare, nutrition, education, and child protection, particularly in contexts where children are disadvantaged by geographical isolation, discrimination, or conflicts. Numerous studies also emphasize that the participation of local communities in the design and implementation of policies constitutes a key factor in ensuring their sustainability and cultural appropriateness. From diverse analytical perspectives, these researches propose a range of useful models and solutions for safeguarding children's right to development in general. Such experiences should be selectively adapted by countries in accordance with their specific political, economic, cultural, and social conditions, particularly in countries with large populations of ethnic minority children, such as Vietnam.

1.2. Research contents inherited and further developed by the dissertation

1.2.1. Issues inherited by the dissertation

The dissertation builds upon the recognition of development as a fundamental human right. This constitutes a significant advancement, affirming that all children, regardless of ethnicity, are entitled to comprehensive development in physical, intellectual, moral, spiritual, and cultural dimensions. Such an approach not only inherits international standards on children's rights but also reflects a commitment to protecting and promoting the rights of ethnic minority children, with an emphasis on equity, equality, and cultural diversity in the development process.

The dissertation inherits the conceptual frameworks of the right to development, the right to development of children, and the right to development of children belonging to minority groups. The adoption of these conceptual frameworks not only helps to clearly delineate the scope of the research but also provides a solid theoretical foundation for a more in-depth analysis of the barriers and potentials in ensuring the right to development for this vulnerable group of children.

The dissertation further draws upon research findings concerning the relationship between children's right to development and the conditions necessary to realize this right, including policies, legal frameworks, resources, and coordination mechanisms among the State, families, schools, and society. These findings serve as an essential basis to analyze the mechanisms for ensuring the right to development of ethnic minority children in the Northwest region within the specific context of Vietnam.

In addition, the dissertation inherits the perspective that ensuring the rights of ethnic minority children constitutes an integral component of the realization of the rights of ethnic minority peoples more broadly, closely linked to principles of equality, non-discrimination, and respect for cultural identity, language, and customary practices. This enables the dissertation to situate the issue of ensuring the right to development of ethnic minority children in relation to the rights of ethnic minority communities and national strategies on sustainable development.

Finally, the dissertation inherits empirical findings from previous studies, reports, national and international programs concerning children and ethnic minority regions, particularly data, indicators, and assessments related to education, healthcare, nutrition, culture, and social participation of ethnic minority children. These empirical materials provide an important practical foundation for analysis, comparison, and the identification of key characteristics, trends, and challenges in ensuring the right to development of ethnic minority children in the Northwest region.

1.2.2. Issues further developed by the dissertation

First, the legal nature of the right to development.

The dissertation clarifies the recognition of development not merely as a policy-oriented concept, but as a fundamental human right with a clearly defined content and specific legal value. The dissertation emphasizes that development shall be understood not only as an individual right, but also as a collective and group-based right, particularly in regions inhabited by ethnic minority children. Ensuring the right to development for these children therefore involves not only creating favorable conditions for individual growth, but also protecting and fostering the development of the communities to which they belong. The dissertation argues that the extent to which these rights are ensured not only contributes to implementing the rights to development but also provide a measure to access the actual level of protection of these rights in practice, thereby identifying gaps that require policy and legal intervention.

Second, the dissertation develops research on the mechanisms for ensuring the right to development of ethnic minority children in which the roles, responsibilities, and coordination among key stakeholders, including the State, local authorities, families, communities, and social organizations shall be clarified. It highlights the need

to improve institutional frameworks, policies, and law enforcement and implementation, while proposing approaches to mobilize and allocate resources, enhance governance capacity, and strengthen social participation in ensuring the right to development of ethnic minority children.

Third, the dissertation develops orientations and solutions grounded in an integrated approach that combines theoretical analysis with empirical evidence, aimed to enhance the effectiveness of ensuring the right to development of ethnic minority children in the Northwest region toward promoting sustainability and social equity.

Overall, the issues further developed by the dissertation seek to address existing research gaps while offering original theoretical and practical contributions to the field of children's rights studies in Vietnam, contributing to improving policies, legal frameworks, and mechanisms for ensuring the right to development of ethnic minority children, in alignment with national objectives of sustainable, equitable, and inclusive development.

1.2.3. Inadequacies requiring researches in the dissertation

- Analysing the shortcomings or inadequacies in the current legal system related to ethnic minority children in order to develop a specific legal and policy framework for children that is consistent with international standards on development rights and the specific characteristics of ethnic minority regions.

- + A comprehensive, interdisciplinary analytical framework with high cultural sensitivity to fully reflect the specific characteristics of ethnic minority children is unavailable.

- + The system of policies and laws has not fully specified the inherent rights related to development rights. Moreover, legal documents are mainly designed based on general principles of equality and have not identified ethnic minority children as a group requiring specialized regulations, leading to their development rights not being fully and comprehensively recognized.

- + There is a lack of regulations on building a data system for ethnic minority children, especially data disaggregated by ethnicity, gender, health status, age, and geographic area; at the same time, there is no dedicated set of indicators to measure the development of ethnic minority children.

- There are inadequacies in implementation mechanisms, causing failures in ensuring effective coordination, needs-based resource allocation, and robust monitoring mechanisms.

- + An effective intersectoral coordination is unavailable, leading to fragmented, overlapping policy implementation that has not generated comprehensive impact. In addition, resources have not been allocated according to specific needs, particularly in remote and mountainous areas, limiting ethnic minority children's actual access to and benefit from services.

- + Monitoring, evaluation, and accountability mechanisms remain unclear; there is insufficient linkage between implementation results, resource allocation, and the responsibilities of relevant stakeholders.

- Inadequacies in researches related to the Northwest region:

- + Existing researches lack a comprehensive and interdisciplinary approach and have not clarified the interrelationships among component rights under the region's specific geographic, economic, and cultural conditions. At the same time, the actual level of access to and benefit from basic services for children remains unclear due to limitations in disaggregated data by ethnicity, gender, age, and location.

- + The impacts of context-specific factors - such as difficult terrain, language barriers, and cultural practices - on policy implementation have not been fully analyzed. Emerging issues such as digital transformation, migration, and climate change in this region have also not received adequate attention

1.3. Research hypotheses and research questions of the dissertation

1.3.1. Research hypothesis

Ensuring the right to development of children in Vietnam in general, and of ethnic minority children in particular, has been given significant attention from the Communist Party and the State. Respecting, recognizing, protecting, and guaranteeing this right constitutes a consistent policy orientation, stipulated in the Constitution and the legal system, thereby providing a solid foundation for ethnic minority children to access and enjoy their rights across various spheres of life. However, the assurance of the right to development of ethnic minority children - especially in the Northwest region of Vietnam - remain subject to numerous limitations and shortcomings. In the context of the national requirement to develop high-quality workforce with a vision toward 2045, in order to meet the objectives of sustainable development, international integration, innovation, and the development of a socialist rule-of-law State in Vietnam, the effective realization of the right to development of ethnic minority children shall be further strengthened and enhanced.

1.3.2. Research Question

The dissertation seeks to address the following specific research questions:

First, what theoretical issues, legal provisions, and policy frameworks concerning the right to development of ethnic minority children are currently under consideration and require further clarification and resolution? What theoretical foundations should be applied to assess the current situation regarding the protection and realization of the right to development of ethnic minority children?

Second, why do limitations and challenges persist in the practical realization of the right to development of ethnic minority children in the Northwest region of Vietnam? How do existing laws, policies, programs, and models impact the protection of this right? What are the positive outcomes, remaining shortcomings, and principal causes impacting the realization of the right to development of ethnic minority children in the Northwest region?

Third, what orientations and solutions are necessary to enhance the effectiveness of ensuring the right to development of ethnic minority children in the Northwest region under the new context? Which legal, policy-related, institutional, resource-based, and societal measures can better guarantee the right to development of ethnic minority children, while simultaneously contributing to implementing the objectives of sustainable, equitable, and inclusive development in Vietnam?

1.3.3. Research Theory

This dissertation adopts the theory of the right to development as its central normative foundation and applies the theory of substantive equality as the principal analytical framework for examining the protection and realization of the rights of ethnic minority children.

The right to development is recognized in the Declaration on the Right to Development, which affirms that every individual and ethnic groups are entitled to participate in, contribute to, and benefit from comprehensive development in the economic, social, cultural, and political spheres. This is an integrated right that is intrinsically linked to the concurrent realization of civil, political, economic, social, and cultural rights, and is reinforced by international legal instruments such as the Convention on the Rights of the Child, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights. This approach emphasizes the obligations of the State to respect, protect, and fulfill rights, marking a shift from a welfare-based model to a rights-based model that prioritizes non-discrimination, participation, and accountability. On this basis, the theory of substantive equality is applied to assess not only formal equality as reflected in legal provisions, but also the extent to which equivalent conditions and opportunities for development are effectively created for ethnic minority children. This theory requires

the identification and remediation of structural inequalities through targeted measures, appropriate allocation of resources, and the assurance of meaningful participation by ethnic minority communities.

Accordingly, this dissertation integrates these two theories to evaluate the compatibility of national law with international standards, to identify existing legal gaps, and to propose improvements to mechanisms to ensure the comprehensive realization of the right to development of ethnic minority children.

CONCLUSION OF CHAPTER 1

Chapter 1 accesses researches relevant to the topic of the dissertation, clearly defines its objectives, tasks, research objects, scope, and methodologies, and affirms the integrity, scientific rigor, and originality of the dissertation's research outcomes. The literature review demonstrates that a substantial number of domestic and international studies have examined children's rights, the right to development of children, the protection of children's right to development, and issues concerning ethnic minority children from diverse analytical perspectives. These studies establish an important theoretical and empirical foundation directly related to the subject of the dissertation. Nevertheless, a number of issues remain insufficiently clarified or are not adequately addressed in the existing literature, such as the concept, characteristics, role, and content of mechanisms to ensure the right to development of ethnic minority children, etc. On this basis, the dissertation identifies the key issues requiring further examination, formulates research hypotheses, and develops specific research questions aimed at fulfilling its stated objectives and tasks, while ensuring both the scientific and practical value.

Chapter 2

THEORETICAL AND LEGAL FOUNDATIONS FOR ENSURING THE RIGHT TO DEVELOPMENT OF ETHNIC MINORITY CHILDREN

2.1. Concepts, characteristics, and role of ensuring the right to development of ethnic minority children

2.1.1. The concept of ensuring the right to development of ethnic minority children

2.1.1.1. Ethnic minority children

Ethnic minority children are persons under the age of 16 who belong to communities distinguished by their own cultural characteristics, languages, customs, traditions, and historical origins, which differ from those of the ethnic majority within a given country.

2.1.1.2. The concept of children's rights

Children's rights refer to the inherent and natural needs of children that are respected and recognized in accordance with their specific characteristics and developmental needs, and that are protected and guaranteed by national and international legal systems.

2.1.1.3. The concept of children's rights for ethnic minorities

The rights of ethnic minority children refer to the inherent natural needs of ethnic minority children that are recognized, respected, protected, and guaranteed by national and international legal systems within the specific context of language, culture, ethnic identity, and socio-economic conditions of each ethnic minority community.

2.1.1.4. The concept of the right to development

The right to development is an indivisible human right, by virtue of which every human being and all peoples are entitled to participate in, contribute to, and enjoy

economic, social, cultural, and political development, in which all human rights and fundamental freedoms can be fully realized (Article 1 of the 1986 Declaration on the right to development).

2.1.1.5. The concept of the right to development of children

The right to development of children is a fundamental right of all children to fully enjoy the necessary conditions for comprehensive physical, intellectual, moral, and spiritual development, thereby forming personality, capacities, and qualities, thereby enabling children to become useful members of their families and contributors to the sustainable development of society.

2.1.1.6. The concept of the right to development of ethnic minority children

The development rights of ethnic minority children refer to the rights of all children belonging to ethnic minority groups to fully enjoy the necessary conditions for their comprehensive development in terms of physical, intellectual, mental, moral, and social aspects, on the basis of equality and non-discrimination, while also being appropriate to the cultural, linguistic, and living conditions specific to the ethnic communities to which they belong.

2.1.1.7. The concept of ensuring the right to development of ethnic minority children

Ensuring the right to development of ethnic minority children is the process through which the State, families, society, and relevant organizations implement solutions to create all necessary conditions for ethnic minority children to develop comprehensively in physical, intellectual, moral, and spiritual dimensions on an equal basis, while remaining consistent with the cultural characteristics, languages, and living conditions of each ethnic group.

2.1.2. Characteristics of ensuring the right to development of ethnic minority children

These characteristics include: ensuring the right to development of ethnic minority children is a process which is closely linked to the principles of equality and non-discrimination, while taking into account specific contextual factors; cultural and linguistic specificities; comprehensiveness and multidimensionality; support and prioritization; community linkages and social responsibilities.

2.1.3. The role of ensuring the right to development for children of ethnic minorities

Ensuring the right to development of ethnic minority children contributes to realizing social justice and ethnic equality; providing a foundation for comprehensive human development; providing supports to the preservation and promotion of ethnic cultural identities; promoting socio-economic development in ethnic minority regions; and affirming the responsibility for children of the State and society as a whole.

2.2. Content, subjects, and methods to ensure the right to development of ethnic minority children

2.2.1. Content of ensuring the right to development of ethnic minority children

The Convention on the Rights of the Child (CRC) provides a comprehensive conception of children's development, encompassing not only physical growth but also intellectual, emotional, moral, spiritual, and social dimensions. Accordingly, ensuring physical development is closely linked to the right to healthcare and adequate nutrition; intellectual development is linked with the right to education and access to quality, equitable educational opportunities that are appropriate to the specific characteristics of ethnic minority regions; emotional and moral development is linked with the right to be loved and respected and to be protected from violence, discrimination, and prejudice; while spiritual, cultural, and social development is linked with the rights to participate, to

express one's views, and to live in an environment that respects the cultural identity, language, and customs of one's ethnic community. These dimensions are interrelated and form an integrated whole, reflecting the extent to which the human right to development of ethnic minority children is ensured in the contemporary context of sustainable development and international integration.

2.2.2. Subjects responsible for ensuring the development rights of ethnic minority children

2.2.2.1. *Agencies within the Vietnamese State apparatus*

2.2.2.2. The United Nations and specialized organizations

These include: the United Nations Human Rights Council, UNICEF, the International Labour Organization, non-governmental organizations, and international networks.

2.2.2.3. ASEAN countries

2.2.2.4. National agencies and enforcement systems in countries

2.2.3. Methods to ensure the right to development of ethnic minority children

2.2.3.1. *Development and improvement of the legal and policy system*

Based on international legal instruments, Vietnam progressively improves its legal system to ensure children's comprehensive development in physical, intellectual, spiritual, moral, and social dimensions. Pursuant to constitutional provisions, Vietnamese law institutionalizes the rights of children, including ethnic minority children, across a wide range of legal documents, thereby forming a relatively coherent legal framework on children's rights in general and the right to development in particular. The legal framework to ensure the right to development of ethnic minority children is promulgated with a view to aligning with practical realities, regional characteristics, and ethnic cultural diversity, toward an equitable and sustainable developmental environment for all children.

2.2.3.2. *Organization and implementation of law enforcement*

The implementation of laws to ensure the right to development of ethnic minority children is carried out in a coordinated manner from the central to the grassroots levels, in accordance with the natural, socio-economic conditions and cultural identities of ethnic groups in the Northwest region. Key activities include the formulation and execution of programs, plans, and projects aimed at protecting the right to development of ethnic minority children; communication and awareness-raising on this right; and the implementation of targeted support policies specifically designed for ethnic minority children, etc.

2.2.3.3. *Intersectoral coordination mechanism among agencies*

Intersectoral coordination mechanisms among central-level agencies play the role of unifying and leading, allocating resources, and implementing policies on ethnic minority children. At the local level, intersectoral coordination shall be clearly institutionalized, with specific responsibilities assigned to relevant stakeholders. At the same time, the participation of socio-political organizations, together with the linkage among schools, families, healthcare services, and communities, constitutes a fundamental basis for ensuring the right to comprehensive development of ethnic minority children.

2.2.3.4. *Resource investment*

Financial resources play a decisive role in realizing the developmental objectives for ethnic minority children. In which, the State should prioritize budgetary allocations while simultaneously mobilizing social resources in a diversified and transparent manner. Alongside financial investment, the development of human resources is a key factor in ensuring the sustainability of law implementation. Furthermore, strengthening infrastructure and expanding the application of information technology contribute to

improving management efficiency and creating equitable conditions for learning, care, and development for ethnic minority children.

2.2.3.5. Inspection, examination, supervision, evaluation, and handling of violations.

The Government and relevant authorities shall periodically conduct inspections, supervision, and evaluations of the implementation of programs and policies related to children, particularly in ethnic minority regions, in order to ensure timely adjustments and effective allocation of resources. Monitoring and evaluation play a crucial role in ensuring the effectiveness, equity, and sustainability of policies. In addition, it is necessary to further improve indicator systems, enhance the application of information technology, and develop a national database on children in order to strengthen transparency and objectivity.

2.3. International law and experiences of some countries on ensuring the right to development of ethnic minority children.

2.3.1. International legal framework on ensuring the right to development of ethnic minority children

International human rights law comprises a system of international legal norms developed primarily by United Nations and other international bodies, with the aim of protecting fundamental human rights, including the rights of children. Ethnic minority children are recognized as a particularly vulnerable group requiring priority protection and special support. Key international instruments in this regard include the Universal Declaration of Human Rights (1948); the International Covenant on Civil and Political Rights (1966); the International Covenant on Economic, Social and Cultural Rights (1966); the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992); the Convention on the Rights of the Child (1989); and the International Convention on the Elimination of All Forms of Racial Discrimination (1965). International human rights law is a compulsive commitment and a normative framework guiding States in formulating and implementing policies for the development of ethnic minority children. At the same time, it provides a basis for monitoring and reviewing States' actions in fulfilling children's rights, thereby contributing to the promotion of social justice, inclusion, and sustainable development for all children, leaving no one behind.

2.3.2. Experiences of several countries in ensuring the development rights of ethnic minority children and valuable lessons for Vietnam.

Experiences of several countries in ensuring the development rights of ethnic minority children: In the context of globalization and international integration, ensuring the right to development of ethnic minority children has become an issue of increasing concern for many countries. Developed countries such as Australia, Canada, New Zealand, and China, represent illustrative cases. These countries possess relatively advanced legal and policy frameworks while also being characterized by diverse populations in which indigenous peoples and ethnic minority communities occupy a significant position. Similar to Vietnam, they face the dual challenge of preserving cultural identity and language while ensuring equitable development opportunities for ethnic minority children. The examination of experiences from these countries not only helps to identify effective models and solutions for safeguarding the rights of ethnic minority children - such as bilingual education, the preservation of indigenous languages, targeted support in education, healthcare, and social welfare, and community consultation mechanisms that bring policies closer to local realities - but also provides valuable practical lessons for Vietnam in formulating and performing sustainable development programs aimed at promoting equity and social inclusion

Lessons for Vietnam: Vietnam should establish a dedicated policy framework for ethnic minority children rather than relying solely on mainstreaming, with a focus on three core pillars: self-determination, equitable access, and respect for cultural identity. Priority should be given to expanding bilingual education and integrating indigenous cultures into curricula, particularly at the preschool and primary levels, while encouraging the recruitment of local teachers to enhance relationships. Empowering communities - through the roles of village elders and community leaders in policy monitoring and alternative care - is essential to prevent children's cultural roots from fading. At the same time, the State should develop a distinct, ethnicity-disaggregated system of development indicators to avoid "assimilation", and should target investments in healthcare, nutrition, and digital transformation to narrow regional gaps. Overall, lessons from Australia, Canada, New Zealand, and China demonstrate that combining strong public resources with trust in and empowerment of local communities is key to ensuring the comprehensive realization of the right to development of ethnic minority children.

2.4 . Factors affecting the ensuring of the right to development of ethnic minority children

2.3.1. Political and legal factors

Political and legal factors in Vietnam are reflected in political stability and a development orientation that places human beings - particularly children - at the center. The Party and the State consistently protect the right to equality for all children, without discrimination on the basis of ethnicity or living conditions. The legal system, notably the Constitution and the Law on Children (2016), concretizes children's fundamental rights. Preferential policies for ethnic minority children contribute to narrowing development gaps and promoting social equity.

Socio-economic factors

Socio-economic factors play a decisive role in ensuring the right to development of ethnic minority children. Difficult living conditions, persistent poverty, and limited access to education, healthcare, and social welfare services exacerbate developmental inequalities. Unstable household livelihoods increase the likelihood of early child labour, adversely impacting children's education and health. In addition, low levels of educational attainment, outdated customs, language barriers, and labour migration continue to pose significant challenges to the comprehensive development of ethnic minority children.

2.3.3. Cultural factors

Cultural factors both provide a foundation and present challenges in ensuring the right to development of ethnic minority children. Community values, customs, and indigenous insights contribute to children's upbringing, education, and the preservation of cultural identity. However, language barriers and certain outdated practices may limit their educational opportunities and social integration. It is therefore necessary to promote positive cultural values while adjusting inappropriate practices in order to ensure the comprehensive development of ethnic minority children.

CONCLUSION OF CHAPTER 2

The right to development constitutes a prerequisite for children, including ethnic minority children, to achieve comprehensive physical and mental development. It is the foundation for a promising future and contributes to forming generations of healthy, happy, and socially responsible citizens. In the context of globalization and increasing international economic integration, ensuring the right to development of children in general, and of ethnic minority children in particular, has become an objective and

inevitable requirement. The international community has adopted numerous legal instruments containing commitments and policy frameworks aimed at protecting and ensuring children's right to development, most notably the Convention on the Rights of the Child. Vietnam is a State Party to this Convention and is also among the countries that have demonstrated significant commitment through formulating strategies and policies for the future generations of the nation. Child development policies are identified and institutionalized in law and regarded as a top priority of the State. Vietnam's legal framework for ensuring the right to development of children, including ethnic minority children, has been becoming increasingly progressive and aligned with the requirements of international law. Nevertheless, shortcomings and inadequacies remain in the protection and realization of the right to development of ethnic minority children, which reduce the effectiveness and efficiency of the legal framework and adversely impact on the rights and legitimate interests of children.

Chapter 3

THE CURRENT SITUATION OF ENSURING THE DEVELOPMENT RIGHTS OF ETHNIC MINORITY CHILDREN IN THE NORTHWEST REGION OF VIETNAM

3.1. Overview of the natural, economic, and social characteristics of the Northwest region of Vietnam

3.1.1. Natural characteristics

The Northwest is a mountainous region laying in the western part of Northern Vietnam, covering an area of more than 50,576 km² and sharing borders with Laos and China. The terrain is predominantly high and rugged, with severe fragmentation and a highly diversified and complex climate. This region frequently takes impacts by natural hazards such as droughts, severe cold spells, frost, flash floods, and landslides, which pose significant challenges to production activities and daily life. Prior to 1st July 2025, the Northwest consisted of six provinces with a population of over 4.2 million and a relatively low population density. Among these, Son La had the largest area and population, Lai Chau had the smallest population, and Hoa Binh had the smallest land area. Pursuant to Resolution No. 76/2025/UBTVQH15 dated 14th April 2025, from 1st July 2025, administrative units were reorganized as follows: Lao Cai Province and Yen Bai Province were merged into a new Lao Cai Province, covering an area of 13,257 km² with a population of 1,656,500; Hoa Binh, Vinh Phuc, and Phu Tho Provinces were merged into a new Phu Tho Province, with an area of 9,361.38 km² and a population of 4,022,638. The provinces of Lai Chau, Dien Bien, and Son La were not subject to this administrative merger.

3.1.2. Economic characteristics

The Northwest is a strategically important region in terms of national defense and economic development, possessing significant potential in hydropower, mining, tourism, and border-gate economic activities thanks to its extensive borders with Laos and China. With more than 80% of the population residing in rural areas and over 63% belonging to ethnic minority groups, the region gives priority to the development of agriculture and forestry toward modern, commodity-oriented production. In recent years, the regional economy recorded positive growth, with an average GDP growth rate of approximately 8.4% per year. Infrastructure and social welfare systems were invested in a coordinated manner, contributing to remarkable improvements in living standards and in the implementation of children's rights. Nevertheless, the Northwest continues to face considerable challenges, including rugged terrain, underdeveloped

warehousing systems, limited cross-border trade payment services, and the highest poverty rate nationwide, (11.29% in 2023).

3.1.3. Socio-cultural characteristics

The Northwest is also a region of particular importance in terms of national defense and economics, featuring the rich and diverse cultural identities of more than 34 ethnic groups, with valuable cultural heritages such as folk arts and distinctive traditional housing architecture. Its geographical location offers favorable conditions for economic connectivity and participation in production chains, thereby facilitating access to social services for local populations. However, this region continues to confront substantial challenges, including inadequate transport infrastructure, fragmented terrain, over-exploited natural resources which result in environmental pollution, and increasingly complex social problems. Note that ethnic minority children account for a very high proportion of the child population (ranging from 74.4% to 79.2%) and they are the group most directly impacted by low household income levels, limited parental awareness, and harsh living conditions. In response to this situation, local authorities at various levels have promulgated numerous policies and measures aimed at ensuring the comprehensive development rights of ethnic minority children in the Northwest region.

3.2. Assessment of the current situation of ensuring the right to development of ethnic minority children in the northwest region

3.2.1. Achievements in ensuring the right to development of ethnic minority children in the northwest region

3.2.1.1. Development and implementation of policies and laws

Local policies in the Northwest region establish an important foundation for ensuring the comprehensive development rights of children, particularly ethnic minority children. These policies reflect the timely concretization of major orientations set forth by the central authorities and are tailored to the specific realities of mountainous and border areas, where the proportion of ethnic minority children is high and socio-economic development remains constrained. Provincial People's Council resolutions, for example, specify supportive policies for students attending ethnic minority boarding and semi-boarding schools, as well as for semi-boarding students in the final year of upper secondary education; they also stipulate budgetary support for the teaching and learning of Vietnamese for ethnic minority children prior to their entry into Grade One, etc. In addition to policies directly targeting ethnic minority children, a number of provincial resolutions - although not exclusively addressing this group - indirectly improve their living, learning, and recreational conditions through investments in healthcare infrastructure, transportation systems, and cultural and sports facilities.

3.2.1.2. Organization and enforcement of the law

The formulation and implementation of programs, plans, and projects aimed at ensuring the right to development of ethnic minority children play a significant role in narrowing regional development gaps and promoting equitable access to education, healthcare, culture, and social welfare at the local level. Provincial authorities pay special attention to the integration of child development objectives, particularly those relating to ethnic minority children, into major national programs such as sustainable poverty reduction, new rural development, socio-economic development in ethnic minority areas, gender equality, and comprehensive education, thereby taking advantages of inter-sectoral resources while minimizing overlap in implementation. Public communication and awareness-raising activities concerning the right to development of ethnic minority children are carried out with practical content, appropriately adapted to local cultural characteristics and socio-economic conditions.

3.2.1.3. Coordination mechanisms among agencies in ensuring the right to development of ethnic minority children has been established and gradually perfected, contributing to the improved effectiveness of policy management and implementation

Coordination mechanisms among agencies: In the implementation of policies in the Northwest provinces, coordination mechanisms among agencies have been established and based on a unified legal framework issued at the central level and further specified through resolutions of provincial People's Councils. Provincial People's Committees organize implementation through inter-sectoral coordination models involving departments such as the Department of labour, invalids and social affairs, the Department of education and training, the Department of health, and Committees for ethnic minority affairs, etc.

Families, schools, healthcare facilities, and local communities play active roles in ensuring the development rights of ethnic minority children. Parental awareness and concern for children's health, education, preservation of ethnic languages, and maintenance of cultural traditions - thereby fostering children's understanding of and pride in their ethnic origins - have been gradually improved, largely thanks to effective coordination between families, local authorities, and grassroots healthcare systems. Schools, particularly semi-boarding and boarding ethnic minority schools - two specialized educational models designed specifically for ethnic minority children - have served as essential gateways to equitable access to education. At the same time, schools function as spaces for preserving and promoting ethnic cultural identities, etc. Commune and district health facilities serve as the frontline of the healthcare system, providing essential initial support for health protection and disease prevention for ethnic minority children. Local communities also play a crucial role in coordinating with families, schools, and authorities in ensuring the material, spiritual, and cultural conditions necessary for the comprehensive development of ethnic minority children

3.2.1.4. Resources for ensuring the right to development of ethnic minority children

Provincial budgets are generally not allocated exclusively for ethnic minority children; instead, funding is provided through National target programs such as Program 1719, the Sustainable Poverty Reduction Program, etc. Resolutions of provincial People's Councils typically stipulate that "provincial counterpart funding shall be at least 5% of the total recurrent budget supported by the central government for program implementation". Provinces in the Northwest region have demonstrated their increasing attention to and investment in the construction and development of cultural institutions, recognizing them as a critical foundation for preserving and promoting ethnic identities while also creating a healthy environment for the comprehensive development of ethnic minority children and communities. At the same time, healthcare systems in ethnic minority areas have shown marked improvement in recent years. Most of teachers meet the professional qualification standards required by the education sector, while the professional capacity of grassroots healthcare personnel has been enhanced to meet practical requirement. In addition, international cooperation constitutes an important supplementary resource for ensuring the right to development of ethnic minority children. Organizations such as UNICEF, Plan International, and Save the Children, etc. provide support in communication, inclusive education, and the prevention of violence and abuse against children. Moreover, these provinces also receive assistance from enterprises and social organizations in the form of scholarships, educational equipment, and library, etc.

3.2.1.5. Inspection, examination, supervision, evaluation, and handling of violations

In localities, particularly in highland areas, the establishment of specialized child protection task forces or the assignment of dedicated child protection officers contributes to ensuring that monitoring activities are conducted regularly and in closer proximity to local communities. In addition, the integration of child rights monitoring into sectoral inspection programs in the fields of education, healthcare, and labour - social affairs has been effectively implemented. This mechanism enables the timely detection and handling of violations of children's rights, particularly the rights to education and healthcare. Simultaneously, the application of information technology starts to provide meaningful support to monitoring and data management. IT does not facilitate identification, prevention, and sanctioning of violations only but also contributes significantly to creating a safe and child-friendly environment, ensuring the necessary conditions for the comprehensive development of children in highland and ethnic minority areas.

3.2.2. Causes of the result

The above-mentioned results and achievements are attributed to five fundamental causes. the correct orientations, policies, and guidelines of the Communist Party, together with a unified and coherent system of state policies and laws concerning the right to development of children; the close, decisive, flexible, and proactive leadership and direction of local Party committees and authorities; the assurance of children's development rights consistently associated with sustainable socio-economic development; effective inter-sectoral coordination among local agencies and organizations; the active participation and shared responsibility of the entire political system - including Party organizations at all levels, local authorities, schools, families, mass organizations, and the broader community.

3.2.3. Limitations in ensuring the right to development of ethnic minority children

3.2.3.1. Limitations in policy and legal framework development

First, the legal normative system remains insufficiently coherent and lacks specificity with regard to ethnic minority children. Many provisions are general in nature and fail to fully reflect the linguistic, cultural, customary, and socio-economic characteristics of ethnic minority regions.

Second, although certain policies have been promulgated but were not promptly updated, amended, or supplemented, and accompanied with detailed implementing guidelines, causing practical difficulties for implementation at the local level, particularly in contexts where financial and human resources for legal drafting, dissemination, and enforcement remain limited. Moreover, monitoring, statistical reporting, and evaluation of policy effectiveness concerning ethnic minority children remain improper, failing to provide adequate scientific evidence for institutional refinement and policy adjustment.

Third, the integration of the development rights of ethnic minority children into provincial resolutions and regional development programs for ethnic minority areas remains indistinct. The majority of provincial People's Council resolutions primarily focus on resource allocation and infrastructure investment, while child rights - especially development rights - are often only indirectly referenced and have not been formulated into specific objectives, targets, or independent evaluation criteria.

Fourth, the legal definition of "child" in domestic legislation has not yet achieved full compatibility with international legal standards.

Overall, these limitations indicate that the current legal framework does not yet fully meet the requirements for ensuring the comprehensive development rights of ethnic minority children. Further improvement shall be required with an emphasis on greater specificity, coherence, and responsiveness to the particular conditions of ethnic

minority and mountainous regions, alongside strengthened mechanisms of coordination, supervision, and resource guarantees for effective implementation.

3.2.3.2. Limitations in the organization and implementation of policies and laws

First, although programs, plans, and projects aimed at ensuring the development rights of ethnic minority children have been widely implemented, notable shortcomings persist. In several provinces, the enrollment rate of ethnic minority children aged 3–5 in preschool education remains lower than the national average. Additionally, the prevalence of stunting among ethnic minority children aged under 5 in the Northwest remains high.

Second, certain provisions of the 2018 General education curriculum, the shortage of standardized textbooks, and the fact that many teachers are not from ethnic minority backgrounds - particularly Kinh teachers who may lack knowledge of local culture, history, and customs - reduce the relevance and attractiveness of teaching content for ethnic minority pupils.

Third, the realization of children's participatory rights, particularly for ethnic minority children, continues to encounter significant barriers; in many places, participation remains formalistic or symbolic; in remote and isolated areas, children are often not provided with adequate opportunities or encouragement to express their views, and their voices are not consistently given due consideration in decision-making processes.

Fourth, children - particularly ethnic minority children in remote areas such as the Northwest - continue to face serious constraints that adversely affect their physical, mental, and personal development.

Fifth, in many remote villages predominantly inhabited by ethnic minority communities, infrastructure supporting children's participation in cultural and recreational activities remains severely inadequate.

3.2.3.3. Limitations in information and communication work

The content of propaganda is often general, lacking specificity designed for the culture, language, and customs of each ethnic minority community. Communication methods are also monotonous. In particular, in many remote areas, local communication networks are underdeveloped, being short of means of transmitting information in ethnic languages, preventing information from reaching the right target audience; many localities does not have enough communication officers who know ethnic minority languages, understand local culture, and possess the necessary skills, etc.

3.2.3.4. Limitations in inter-sectoral coordination and supervisory mechanisms in ensuring the the Right to Development of ethnic minority children

The inter-agency coordination mechanism is still largely formalistic and heavily reliant on administrative divisions of labour, having shortage of specific regulations on substantive coordination processes.

The coordination mechanism between different levels of government, especially between the provincial and local levels, having shortage in interconnectedness .

The monitoring, supervision, and evaluation of the effectiveness of coordinated implementation of children's rights in general, and children's development rights in particular, are still fragmented among many different agencies.

3.2.3.5. Limitations in resources for ensuring the right to development of ethnic minority children

Financial resources continue to depend predominantly on the state budget, while many mountainous provinces face economic constraints and have limited capacity to mobilize socialized funding sources. Budget allocation structures among sectors such as education, healthcare, culture, and sports for ethnic minority children remain imbalanced, with primary emphasis placed on physical infrastructure investment,

whereas capacity-building activities, psychosocial support, and life-skills development receive comparatively limited attention. Human resources dedicated to child-related work remain insufficient in number and are often assigned on a concurrent basis. Facilities and equipment - particularly in education, healthcare, and cultural-sports sectors - remain inadequate. Overall, limitations in financial, human, and material resources constitute a major obstacle to the full and effective realization of the development rights of ethnic minority children in the Northwest region.

3.2.3.6. Limitations in Inspection, Supervision, and Evaluation

Inspection and supervision activities are neither sufficiently frequent nor sufficiently substantive, often remaining procedural in nature and focused primarily on documentation and administrative reporting rather than on evaluating the actual effectiveness of policies and programs at the grassroots level. In many ethnic minority areas, no entity is dedicated to consolidate information, resulting in incomplete monitoring data that fail to accurately reflect the realities on the ground. Furthermore, evaluation methodologies and criteria remain improper, having shortage of specific quantitative and qualitative indicators to measure the comprehensive development rights of children. Reporting practices largely rely on administrative data without independent assessments or community participation, thereby preventing assessment findings from being objective and reliable to provide foundation for policy reform.

3.2.4. Causes of the Limitations

3.2.4.1. Objective causes: difficult natural, socio-economic conditions and language as well as cultural barriers.

3.2.4.2. Subjective causes

First, limitations in awareness among certain Party committees, local authorities, schools, and families - who serve as duty-bearers in the realization of children's development rights - as well as among rights-holders (children themselves).

Second, shortcomings in policy formulation, particularly in ensuring alignment with regional realities and ethnic cultural specificities.

Third, insufficient investment resources allocated to ensuring the development rights of ethnic minority children.

Fourth, the advisory and policy-planning capacity of officials responsible for children's rights - especially with regard to development strategies and action plans.

Fifth, inter-sectoral coordination mechanisms in monitoring and evaluation remain incomplete and lack binding regulatory provisions.

Sixth, the data system concerning ethnic minority children remains incomplete and insufficiently updated.

CONCLUSION OF CHAPTER 3

Ensuring the right to development of ethnic minority children in the Northwest region is facing serious challenges, reflecting profound inequalities in opportunities and developmental conditions between ethnic minority children and children in other regions. Although, in recent years, the Communist Party and the State have promulgated numerous preferential policies aimed at promoting development in ethnic minority areas - including policies specifically addressing children - the effectiveness of implementation remains limited and has yet to produce a genuine breakthrough in improving living standards and ensuring the comprehensive realization of children's development rights in this region. To address these shortcomings, a comprehensive and integrated approach is required, encompassing improvements in infrastructure, increased investment in human resources, and the design of context-specific policies that ensure the substantive participation of local communities and children themselves. Provided that fundamental material and spiritual

conditions are adequately secured, ethnic minority children shall achieve holistic development and thereby contribute meaningfully to the sustainable development of the Northwest region in particular and of the country in general.

Chapter 4

Perspectives and Solutions to Ensure the Development Rights of Ethnic Minority Children in the Northwest Region of Vietnam

4.1. Perspectives on ensuring the development rights of ethnic minority children in the Northwest region of Vietnam

4.1.1. Ensuring the right to development of children, particularly ethnic minority children, shall be recognized and implemented as the realization of a cluster of interrelated rights that simultaneously embody both individual and collective dimensions.

4.1.2. Ensuring the development rights of ethnic minority children shall be linked to the achievement of sustainable development goals.

4.1.3. Ensuring the right to development of ethnic minority children shall be consistent with international standards on the right to development, and the specific conditions of socio-economic and cultural development of ethnic minority areas in Northwest Vietnam.

4.1.4. Ensuring the development rights of ethnic minority children shall be linked to the accountability and obligations of Party committees and authorities, mobilizing social resources, and encouraging the participation of families and children.

4.1.5. Ensuring children's right to development shall be linked to holistic and sustainable human development, leaving no one behind.

4.2. Solutions to ensure the development rights of ethnic minority children in the Northwest region of Vietnam

4.2.1. Improving policies and legislation related to the right to development in line with international standards and the specific characteristics of ethnic minority and mountainous areas

First, relevant laws concerning children shall be amended and promulgated in conformity with international standards on the right to development.

Second, research shall be conducted toward the formulation and enactment of a Law on Ethnic Affairs.

Third, policies shall be revised to promote substantive equity in care and development for ethnic minority children.

The establishment of a comprehensive system of legal and policy reforms plays the role of creating a unified legal corridor ensuring the universality of fundamental rights nationwide. For the Northwest region, solutions to improve policies shall be required to ensure the rights to development of ethnic minority children there under new socio-economic conditions.

Firstly, a specialized resolution of the Provincial People's Council concerning ethnic minority children shall be researched and promulgated to concretize central regulations and international standards in accordance with local realities.

Secondly, policy approaches shall be refined toward differentiated regional and ethnic group-based frameworks in local policy formulation.

Thirdly, the integration of ethnic cultural elements into the process of formulating and implementing local policies shall be strengthened.

Fourthly, the mechanisms for the genuine participation of ethnic minority communities and children in the local policy cycle shall be institutionalized.

Fifthly, the quality of surveys, data collection, policy impact assessment, and policy implementation monitoring at the local level shall be improved.

4.2.2. Promoting economic development, particularly strengthening the role of the private sector in promoting socio-economic transformation while ensuring the development rights of ethnic minority children

First, the institutions and policies that encourage socially responsible private sector investment shall be improved.

Second, the local economy based on indigenous advantages, creating sustainable livelihoods for families with children shall be developed.

Third, private sector investments in education and human resource development, healthcare, and child protection shall be promoted.

Fourth, digital transformation and innovation for ethnic minority children shall be enhanced.

4.2.3. Raising awareness among rights-holders and duty-bearers on children's rights and the rights to development of ethnic minority children

First, communication activities and training programs on children's rights and the importance of education and healthcare in child development shall be organized.

Second, communities should be encouraged to preserve cultural identity while simultaneously strengthening awareness of children's development rights.

4.2.4. Mobilizing and effectively utilizing resources to ensure the development rights of ethnic minority children

First, diverse and sustainable resources shall be mobilized. Secondly, resources shall be efficiently used. Third, innovation and creativity in mobilizing and utilizing resources shall be enhanced.

4.2.5. Improving institutional frameworks and inter-sectoral coordination mechanisms for protecting and promoting children's rights to enhance the effectiveness and efficiency of specialized agencies responsible for children's rights and children from ethnic minorities

First, an independent national agency on children's rights shall be established.

Second, a coordination mechanism among different levels, sectors, and social organizations in implementing the rights of ethnic minority children shall be established.

Third, the supervisory role of organizations, associations, the Fatherland Front, the Women's Union, the Youth Union, and the local community shall be strengthened.

4.2.6 . Strengthening researches on the impact of digital transformation, developing a database system on ethnic minority children, and periodically conducting surveys on ethnic minority children to promote equitable and inclusive access

First, empirical researches on the impact of digital transformation shall be conducted. Second, models for supporting digital skills shall be piloted and replicated. Third, a national database system on ethnic minority children shall be established.

4.2.7. Improving the quality and accessibility of education for ethnic minority children in the region

First, the system of boarding schools, semi-boarding schools, and kindergards in remote areas and ethnic minority regions shall be further expanded.

Second, teachers from ethnic minority groups shall be trained and developed.

Third, excellent teachers from central schools in the province shall be assigned to work in mountainous, highland, and ethnic minority areas for at least 5 years.

Four, minority languages shall be recognized as compulsory subjects and bilingual teaching materials shall be developed.

Fifth, scholarships, school supplies, and tuition support shall be provided to poor children from ethnic minority groups.

4.2.8. Strengthening the effective implementation of access to and enjoyment of healthcare, education, and social welfare systems for ethnic minority children

First, the grassroots healthcare network and the local healthcare staff shall be strengthened.

Second, vaccination campaigns and regular health check-ups for children in ethnic minority areas shall be organized.

Third, school nutrition provision programs shall be conducted, especially in particularly difficult communes in ethnic minority and mountainous areas (communes in area III) [221].

4.2.9. Enhancing the quality and methods of genuine, full, and meaningful participation of ethnic minority children in the development

First, models for the participation of ethnic minority children and encourage their involvement in community development activities shall be developed. Second, children's voices shall be integrated into relevant programs and policies.

CONCLUSION OF CHAPTER 4

Chapter 4 proposes perspectives and solutions to ensure the right to development of children, particularly ethnic minority children in the Northwest region, on a human rights-based approach, consistent with the Vietnamese Constitution and the Law on Children. The right to development is approached comprehensively (education, health, nutrition, culture, participation), emphasizing substantive equality and respect for ethnic identity. Key perspectives include: child-centered approach; prioritizing resources for ethnic minority areas; respecting culture and language; strengthening community and child participation; linking socio-economic development with child protection and care. Proposed solutions are comprehensive and feasible: improving institutions; developing bilingual education; enhancing nutrition and school health; building a dedicated database on ethnic minority children; strengthening inter-sectoral coordination and social oversight; and promoting the role of families and communities. Ensuring the right to development for ethnic minority children is not only a social welfare policy but also a strategic investment for sustainable development, contributing to narrowing regional disparities and ensuring equal development opportunities for all children.

CONCLUDE

In the context of Vietnam's implementation of its international commitments on human rights and children's rights - particularly the Convention on the Rights of the Child (CRC) and the Sustainable Development Goals (SDGs) - ensuring the right to development of ethnic minority children constitutes an urgent and strategic imperative. The Northwest region, characterized by its distinctive natural conditions, socio-economic constraints, and diverse ethnic cultures, requires prioritized attention in both policy formulation and implementation. This dissertation affirms that the right to development of ethnic minority children is not merely a human rights issue but also a reflection of a nation's level of development and social justice. However, analysis of the Northwest region reveals a persistent gap between legal provisions, policy commitments, and actual implementation outcomes. Therefore, ensuring the right to development shall be approached through an integrated and inter-sectoral framework, strengthening coordination among relevant sectors while transitioning from a predominantly top-down model toward an empowerment-oriented approach that promotes the agency of ethnic minority children and their communities. Improving the legal framework towards a rights-centered approach, consistent with the cultural characteristics and lives of ethnic groups, shall contribute to promoting equitable, inclusive, and sustainable development. It is hoped that this dissertation will contribute to developing awareness and enhancing innovation in the approach to formulation and implementation of child rights policies, particularly those concerning the right to development of ethnic minority children in particularly disadvantaged regions such as the Northwest.

LIST OF THE AUTHOR'S PUBLISHED WORKS RELATED TO THE DISSERTATION

1. Ngo Thi Nhung (2024), *Ensuring the right to play and recreation of children - From the practical experience of Lao Cai province*, Journal of State Management, No. 347, December 2024, p. 89
2. Ngo Thi Nhung (2024), *Child care, education and protection – an important resource to promote comprehensive development in Lao Cai province*, Proceedings of the National scientific conference “Promoting socio-humanistic values and resources for the development of Lao Cai province into a growth pole and regional connectivity center by 2030, vision toward 2050”, p. 177
3. Ngo Thi Nhung (2025), *Ensuring the rights to development of ethnic minority children in some provinces of the Northwest region - Achievements, challenges and solutions*, Journal of Law profession, April 2025, p. 39
4. Ngo Thi Nhung (2025), *Ensuring the right to education for ethnic minority children in Dien Bien province*, Journal of State management, No. 353, June 2025, p. 104
5. Ngo Thi Nhung, Nguyen Thi Thanh Hai (2025), *Children's rights to development - Some approaches and emerging issues*, Journal of Social science human resources, No. 06 (145)/2025, p.75
6. Ngo Thi Nhung (2025), *Ensuring the right to participation of ethnic minority children - current situation and solutions*, Journal of Law on human rights, No. 49 (October 2025), p. 38