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## International mechanisms for combating domestic violence: The experience of Vietnam

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■ **Abstract.** The article focused on analysing the specifics of preventing domestic violence under Vietnamese law with a view to sharing and borrowing positive experiences in combating this phenomenon. The methodological basis of the study consisted of normative, historical, comparative, formal-dogmatic, and systemic-structural methods. Attention was drawn to Vietnam's policy on preventing and combating domestic violence, which can be implemented in the areas of sustainable development and the fulfilment of international obligations, as well as ensuring the development of society. It has been established that this issue became extremely relevant in Vietnam after the country acceded to the Convention on the Elimination of All Forms of Discrimination against Women, and it was precisely in the context of fulfilling international obligations that measures aimed at ensuring gender equality in all spheres of public life began to be taken. It has been determined that the main causes of domestic violence in the country are gender inequality and stereotypes about the roles of men and women, and therefore their eradication is an important part of preventing such violence. The main elements of the Vietnamese system for combating domestic violence, which includes both legal (punishment of perpetrators) and social (counselling support, medical assistance to victims) measures, were outlined. Based on an analysis of Vietnamese legislation, it has been determined that measures to combat domestic violence were primarily focused on protecting victims of violence and providing them with social, psychological and legal assistance, as well as rehabilitation and corrective work with family members. The tools and mechanisms that can be implemented in the policy to combat domestic violence in Ukraine have been identified

■ **Keywords:** international experience; regulatory framework; prevention; violence; gender equality; family; victim protection

### ■ Introduction

The growing concern about domestic violence in different countries shows how dangerous and threatening it is, considering its complex consequences: it can be life-threatening, cause serious mental health issues, and hurt social well-being. Violence causes particularly serious harm to the youngest members

of the family – children who have witnessed or been victims of it. That is why this phenomenon requires decisive action and radical steps on the part of authorised entities and authorities in general.

As for legal mechanisms to combat domestic violence at the global level, this issue is not new on the

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agenda and, accordingly, has been little studied in legal science. Leading criminologists and practitioners have conducted and continue to conduct in-depth research on this issue. Among the latest publications on the topic of current international experience in preventing domestic violence, the study by K. Gurkovska & A. Nikitin (2020), who analysed the administrative and legal measures to combat domestic violence in countries with Roman-Germanic legal systems: Belgium, Germany, France, Norway and Portugal. The researchers emphasise that a characteristic feature of German legislation in this area is the focus on removing the perpetrator of domestic violence from the family. French legislation provides for the possibility for family judges to issue special regulations to ensure the safety of victims of domestic violence.

D. Tychyna (2023), based on a study of family protection issues in Ukraine, outlined a conceptual vision of a system for preventing domestic violence at various criminological levels, taking into account the victimological aspects of the problem. In characterising the legislation of different countries, the scholar considers France's experience to be valuable in terms of providing information to police officers who combat this type of violence, as well as in the 'electronic' monitoring of abusers and the protection of victims. The scholar also discusses the need to adopt experience in the implementation of measures and mechanisms aimed at material, technical, financial, and personnel support. I. Kovalenko (2023), researching protection issues in Ukraine and international experience in preventing domestic violence, concluded that many countries pay attention to the prevention of this phenomenon, in particular: in the United States, there is a programme called "Violence is not my choice"; Sweden has a rapid response system for cases of domestic violence, and the Republic of Bulgaria provides for exceptional types of penalties to combat domestic violence (e.g., public condemnation).

P. Mandzyk (2023), defining domestic violence as gender-based, outlined the characteristics of overcoming its manifestations in the United Kingdom, Denmark, Iceland, Canada, New Zealand, Norway, and Sweden, emphasising that women in countries with armed conflicts are more likely to be victims of gender-based violence. N. Miloradova & V. Dotenko (2023), comparing the components of international and national experience in combating domestic violence in wartime, revealed the strategies used by civil society organisations in different countries, namely: 1) the formation of a Coalition to End Violence Against Women in Armenia; 2) the functioning of the Sukhumi Women's Fund in Georgia, which

responds to cases of domestic violence through a combination of identification and response strategies.

The research conducted by S. Erdenebolor *et al.* (2024) to examine the effectiveness of legislative initiatives to combat domestic violence in different cultural contexts in ten countries (five European and five Asian, with additional analysis of Kyrgyzstan, Uzbekistan, Ukraine and Poland) cannot be ignored. The study showed a higher level of implementation of comprehensive protection mechanisms in European countries, where the following proved to be most effective: electronic monitoring of abusers in Sweden; the emergency response system for serious danger calls (TGD) in France; and specialised courts in Spain, which have accelerated the processing of domestic violence cases. In Asia, the most effective measures were the implementation of rehabilitation programmes for abusers in Mongolia and the expansion of the legal definition of domestic violence in India.

The study by C. Chinkin & L. Gormley (2023) examines the development of international legal approaches to violence against women in the context of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)<sup>1</sup>. The authors emphasise that, taking into account a holistic approach to various manifestations of violence against women, defining violence as discrimination against women and simultaneously applying a human rights-based approach, General Recommendation No. 19 on violence against women of 1992 (UN Committee on the Elimination of Discrimination against Women, 2019) has become an instrument that clearly places violence against women within the sphere of international human rights law.

A. Kolisnyk (2024), highlighting the international legal framework for combating domestic violence, emphasised the need to amend and supplement both existing international and national legislation of participating countries in order to ensure equal protection against domestic violence for women, men and children; making international legislation in this area binding. K. Pisotska & K. Sharamok (2024), having analysed effective practices in Norway, the United States, Germany, Switzerland, France and Poland to prevent the phenomenon under study, emphasise that Poland's experience with blue cards – documents filled out by police officers when domestic violence is detected – is innovative and can be replicated. This document serves to document facts related to domestic violence and to assess the risk of further violence. V. Grishko (2025) presented the results of a scientific study of a multidisciplinary approach to the formation of policies to prevent and combat domestic violence and the feasibility of its use. Using the experi-

<sup>1</sup> Convention on the Elimination of All Forms of Discrimination Against Women. (1979, December). Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.

ence of the United States and Canada as an example, the researcher found that the use of a multidisciplinary approach in the development of national and regional policies involves the comprehensive interaction of various spheres of society: social, legal, medical, psychological and educational. The multidisciplinary approach within Canadian policy is reflected in the fact that no case of domestic violence should remain without public condemnation and punishment for the perpetrator; prevention and counteraction of this phenomenon is carried out at all levels.

The aim of this study was to conduct a comparative analysis of the legal regulation of this phenomenon in Vietnam, with a view to identifying opportunities for borrowing best practices for implementation in Ukraine.

## ■ Materials and Methods

To achieve the aims of the study, a range of methods was employed, including the normative method, historical method, comparative method, classification method, formal-dogmatic method, the method of legal concentration, institutional analysis, and the system-structural method. The application of the normative approach to the study of legal issues relating to countering domestic violence in Vietnam, combined with the systemic approach, made it possible to analyse legal norms and outline the identified issues through the lens of interdependent elements. The formal-dogmatic method was applied to examine legislative norms in terms of their form and content. The method of legal and logical concentration enabled the tracing of the development of the phenomenon of “domestic violence” in relation to social, historical, and economic processes occurring within society. The historical-legal method facilitated the assessment of the development of Vietnamese legislation in the field of preventing and combating domestic violence. The method of institutional analysis provided the

opportunity to evaluate Vietnam’s policy on countering domestic violence within the existing political, economic, and legal environment. The scientific inquiry also employed specialised methods of cognition: the comparative method, which enabled the characterisation of foreign experience in combating domestic violence; and content analysis, which was used when examining informational materials from online resources, mass media, and social networks. A substantial part of the study focused on understanding the traditions and customs of Vietnamese society that formed the basis for the development of its legal framework. The research process included the following stages: an overview of the regulatory and legal provisions governing domestic violence prevention in Vietnam; an assessment of the practical implementation of these norms within the relevant field; and an evaluation of the effectiveness of Vietnam’s policies on preventing and combating domestic violence.

The study analysed legal acts of Vietnam regulating the field of countering violent behaviour within the family, assessing them in terms of their alignment with general social phenomena and the reforms under way in Vietnamese society, as well as their conformity with the principles and norms of international law and democratic international practice. The normative and legal basis of the study consisted of the Constitution of the Socialist Republic of Vietnam<sup>1</sup>, Convention on the Elimination of All Forms of Discrimination Against Women<sup>2</sup>, the Law of Vietnam “On Prevention and Control of Domestic Violence” in its 2007<sup>3</sup> and 2022<sup>4</sup> versions, the Law on Children of Vietnam (2016)<sup>5</sup>, the Criminal Code of Vietnam<sup>6</sup>, the Labour Code of Vietnam<sup>7</sup>, the National Programme on the Prevention and Control of Domestic Violence<sup>8</sup>, Directive of the Secretariat of the Socialist Republic of Vietnam No. 06-CT/TW “On Strengthening the Party’s Leadership in Family Building Work in the New Situation”<sup>9</sup> and others. The study also

<sup>1</sup> Constitution of the Socialist Republic of Vietnam. (2013, November). Retrieved from <https://xaydungchinhsach.chinhphu.vn/toan-van-hien-phap-nuoc-cong-hoa-xa-hoi-chu-nghia-viet-nam-119231225213002261.htm>.

<sup>2</sup> Convention on the Elimination of All Forms of Discrimination Against Women. (1979, December). Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.

<sup>3</sup> Law of Socialist Republic of Vietnam No. 02/2007/QH12 “On Domestic Violence Prevention and Control”. (2007, November). Retrieved from <https://thuvienphapluat.vn/van-ban/EN/Van-hoa-Xa-hoi/Law-No-02-2007-QH12-of-November-21st-2007-on-domestic-violence-prevention-and-control/84027/tieng-anh.aspx>.

<sup>4</sup> Law of Socialist Republic of Vietnam No. 13/2022/QH15 “Law Prevention and Combat Against Domestic Violence”. (2022, November). Retrieved from <https://thuviennhadat.vn/van-ban-phap-luat-viet-nam/law-13-2022-qh15-prevention-and-combat-against-domestic-violence-551941>.

<sup>5</sup> Law of Socialist Republic of Vietnam No. 102/2016/QH13 “Children Law”. (2016, April). Retrieved from <https://thuvienphapluat.vn/van-ban/EN/Van-hoa-Xa-hoi/Law-102-2016-QH13-children/312407/tieng-anh.aspx>.

<sup>6</sup> Criminal Code of Socialist Republic of Vietnam. (2015, November). Retrieved from <https://thuvienphapluat.vn/van-ban/Trach-nhiem-hinh-su/Bo-luat-hinh-su-2015-296661.aspx>.

<sup>7</sup> Labour Code of Socialist Republic of Vietnam. (2003, January). Retrieved from [https://asean.org/wp-content/uploads/2016/08/Doc-9\\_Vietnam60.pdf](https://asean.org/wp-content/uploads/2016/08/Doc-9_Vietnam60.pdf).

<sup>8</sup> National Programme for the Prevention and Control of Domestic Violence of the Socialist Republic of Vietnam. (2022, January). Retrieved from <https://datafiles.chinhphu.vn/cpp/files/vbpq/2022/01/45-qd.signed.pdf>.

<sup>9</sup> Directive of the Secretariat of the Socialist Republic of Vietnam No. 06-CT/TW “On Strengthening the Party’s Leadership in Family Building Work in the New Situation”. (2021, June). Retrieved from <https://surl.li/gwlufp>.

made use of official reports, including Human Rights Watch (2021), which provided information on the number of recorded unlawful acts related to domestic violence and enabled the formation of a general picture of this category of criminality.

## ■ Results

Producing effective measures to counteract domestic violence is a priority task for most countries around the world. In European countries, in particular, a vector of successive standardisation of legislation in the field of preventing and countering domestic violence is currently evident. This trend was amplified by the adoption of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)<sup>1</sup>. In addition, the European Court of Human Rights has developed established practice in the sphere of protection against domestic violence, which is encompassed by the content of relevant rights, including the right to life (Art. 2 of the European Convention on Human Rights), the prohibition of torture (Art. 3 European Convention on Human Rights), and the right to respect for private and family life (Art. 8 European Convention on Human Rights)<sup>2</sup>.

In accordance with the Association Agreement between Ukraine, of the one part, and the European Union, the European Atomic Energy Community and their Member States, of the other part, which was ratified back in 2014<sup>3</sup>, Ukraine committed to progressively adapt its legislation to the *acquis* of the EU in line with the directions defined in this Agreement, and to ensure its effective implementation. One of these directions provides for ensuring gender equality and equal opportunities for men and women in employment, education and training, and economic and social activities. Measures to counteract domestic violence in various countries are not limited to criminal law but “include a range of advisory, social and economic measures to help victims of domestic violence deal with these manifestations on the part of the perpetrator”. There is a tendency towards the expansion of legal protection measures and the introduction of both protective and punitive ways of solving the problem.

The issue of domestic violence also attracts attention and is actively studied in Asian countries. Specifically, the eradication of gender-based violence is recognised as a key goal of sustainable development

for countries such as China, the State of Japan, and the Republic of Korea. According to the Asian/Pacific Institute on Gender-Based Violence, between 16% and 55% of Asian-American women have experienced physical and/or sexual intimate partner violence at some point in their lives. However, they generally report personally experienced domestic violence less frequently compared to other races. This is partly due to internalised gender norms and obligations, cultural values that place the family and community above the self, and the belief that marital conflicts are a private matter (Truong, 2023). Statistics also show that in South-East Asia, 33% of women with a partner, aged 15 to 49, experience physical and/or sexual violence at least once by a current or former husband or male partner (UN Women, 2021). At the same time, compared to statistical data in South Asia and Europe, Central and Eastern Asia observe the lowest rates of this phenomenon (Bannikov & Velygodsky, 2021).

In this aspect, Vietnam – a developing country with a mixed legal system – draws attention. Like the states mentioned above, Vietnam also faces similar challenges in promoting gender equality, especially in eradicating discrimination against women. Vietnam is a society where disputes are primarily resolved through out-of-court settlements. Vietnamese laws also emphasise the high role of mediation, and therefore civil and family disputes are resolved through peaceful agreements. In rural areas, especially in hard-to-reach regions, many issues of daily life are regulated by customary law (in accordance with Art. 5 of the Constitution<sup>4</sup> every nationality has the right to “preserve and develop its fine customs, practices, traditions, and culture”).

Vietnamese society, deeply influenced by Confucianism and Buddhism, continues to support and glorify male preferences. The preservation of gender stereotypes and discrimination shaped by social norms is the main cause of domestic violence in Vietnam. Despite the Vietnamese government’s efforts since 2010 to implement programmes to prevent and respond to gender-based violence, the alarming reality is that nearly 63% of women report having experienced at least one form of violence in their lifetime. However, for various reasons, many of them do not seek legal protection (Huong, 2024). According to the results of a national survey conducted in 2021, 32% of women have experienced

<sup>1</sup> Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention). (2011, May). Retrieved from [https://zakon.rada.gov.ua/laws/show/994\\_001-11#Text](https://zakon.rada.gov.ua/laws/show/994_001-11#Text).

<sup>2</sup> Convention for the Protection of Human Rights and Fundamental Freedoms (with Protocols) (European Convention on Human Rights). (1950, November). Retrieved from [https://zakon.rada.gov.ua/laws/show/995\\_004#Text](https://zakon.rada.gov.ua/laws/show/995_004#Text).

<sup>3</sup> Association Agreement between Ukraine, on the One Hand, and the European Union, the European Atomic Energy Community and their Member States, on the Other Hand. (2014, September). Retrieved from [https://zakon.rada.gov.ua/laws/show/984\\_011#Text](https://zakon.rada.gov.ua/laws/show/984_011#Text).

<sup>4</sup> Constitution of the Socialist Republic of Vietnam. (2013, November). Retrieved from <https://xaydungchinhsach.chinhphu.vn/toan-van-hien-phap-nuoc-hoa-xa-hoi-chu-nghia-viet-nam-119231225213002261.htm>.

physical or sexual violence from their husbands. Among them, 90.4% of women who experienced physical or sexual violence from their husbands did not seek help, and only 4.8% sought help from the police (Long, 2022). However, domestic violence remains an acute problem in society: in 2023, more than 3,200 cases were reported in approximately 3,100 families, which is 1,214 cases fewer than in 2022. The quantitative indicators for the forms of violence were divided as follows: physical violence (1,520 cases), emotional violence (1,404), economic violence (230) and sexual violence (110). Women were 4.6 times more likely to be victims of violence than men (Vietnam strives to clamp, 2025). Domestic violence in Vietnam takes various forms, but economic violence is common because the lives of women and children depend largely on men for various reasons (childbirth, prohibition of work by the husband, unemployment, labour market discrimination, etc.). In Vietnamese families, children can be used by family members (men) to put pressure on women (mothers), thereby enabling physical and psychological violence. Economic violence manifests itself in the following ways: refusal to support children; concealment of income; spending family money only on one's own needs; independent decision-making on most financial matters; strict control over family members' spending, etc. (GSO, 2016). According to a report by Human Rights Watch (2021), violence against children, including sexual violence, is widespread in Vietnam, not only at home but also in schools. Media reports have repeatedly described cases where guardians, teachers or state guardians have sexually harassed, beaten or whipped children. During the first six months of 2021, amid isolation due to the coronavirus pandemic, there have been reports of an increase in physical and sexual violence against children in Vietnam.

As one of the first countries to join CEDAW<sup>1</sup>, Vietnam has made efforts to fulfil its national obligations by taking various measures aimed at ensuring gender equality in all spheres of public life, which, in turn, has yielded successful results. In addition, in order to fulfil its obligations as a CEDAW member state, Vietnam has established legal norms to improve the status of women in virtually all areas of

society and to ensure equal rights for women alongside those of men. According to research published in 2025, one in three women (32%) in the country has experienced physical and/or sexual violence during lifetime. Almost all women (90.4%) who have experienced physical and/or sexual violence from men did not seek help, and only a very small number (4.8%) reported the violence to law enforcement agencies (Vietnam strives to clamp, 2025).

Since the late 1950s, Vietnam has paid attention to protecting women's rights, confirming their participation in public life. The 1959 Constitution of the Democratic Republic of Vietnam emphasises that "women in the Democratic Republic of Vietnam enjoy equal rights with men in all areas of political, economic, cultural, social and domestic life" (Article 24)<sup>2</sup>. This provision was duplicated in the Constitution, confirming that the state, society and the family create conditions for the comprehensive development of women and the enhancement of their role in society; discrimination on the basis of sex is strictly prohibited<sup>3</sup>.

Prevention and control of domestic violence reflect Vietnamese national traditions of preserving and promoting cultural norms, encouraging dignified behaviour within the family, and building progressive, happy, and stable families. The country's first ever Law on Preventing and Combating Domestic Violence was adopted in 2007<sup>4</sup>. "This law has provided a solid legal basis for the development and implementation of many policies and measures over the past two decades," said Ms. Naomi Kitahara, UNFPA representative in Vietnam (Nguyen, 2022). The legal concept of domestic violence was defined as "intentional acts by certain family members that cause or may cause physical, mental or economic harm to other family members" (Article 1.2)<sup>5</sup>.

However, the first version of the law was not perfect and had some flaws and inaccuracies. According to Naomi Kitahara, an independent review of its provisions showed that it needed to be revised to make it more effective, with a focus on human rights and an approach focused on the victims. It should be noted that in Vietnam, human rights are recognised and protected by the Constitution (Article 14)<sup>6</sup>. Domestic (family) violence is, in essence, a violation of human rights, especially the rights of women, children, the

<sup>1</sup> Convention on the Elimination of All Forms of Discrimination Against Women. (1979, December). Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.

<sup>2</sup> Constitution of the Democratic Republic of Vietnam. (1959, December). Retrieved from <https://surl.lu/rjxaig>.

<sup>3</sup> Law of Socialist Republic of Vietnam No. 02/2007/QH12 "On Domestic Violence Prevention and Control". (2007, November). Retrieved from <https://thuvienphapluat.vn/van-ban/EN/Van-hoa-Xa-hoi/Law-No-02-2007-QH12-of-November-21st-2007-on-domestic-violence-prevention-and-control/84027/tieng-anh.aspx>.

<sup>4</sup> Ibidem, 2007.

<sup>5</sup> Ibidem, 2007.

<sup>6</sup> Constitution of the Socialist Republic of Vietnam. (2013, November). Retrieved from <https://xaydungchinhsach.chinhphu.vn/toan-van-hien-phap-nuoc-cong-hoa-xa-hoi-chu-nghia-viet-nam-119231225213002261.htm>.

elderly and people with disabilities, but it occurs within the family. A human rights-based approach to domestic violence is one of the fundamental and fundamentally new aspects of preventing and combating domestic violence in Vietnam. That is why the law proposes to cover various forms of violence against women and girls that may occur outside the family environment and to establish types of assistance for victims of domestic and gender-based violence, such as medical care, counselling, police protection, social services and justice.

Strengthening the legal protection of victims of domestic and gender-based violence was reflected in the new law adopted on 15 November 2022<sup>1</sup>. It is noteworthy that the new version of the regulatory act enshrines the concept of “psychological trauma” and provides for programmes introduced by international and local non-governmental organisations and Vietnamese researchers to combat domestic violence and assist women who have experienced violence (Kwiatkowski, 2024). Programmes operating in Vietnam that provide assistance to women who have experienced violence include counselling on the emotional and social consequences, as well as physical problems arising from violence by their husbands. In addition to the above provisions, it also pays special attention to vulnerable groups such as people with disabilities, children and the elderly. The law contains many provisions aimed at protecting women, especially pregnant women, women raising children under 36 months of age, and victims of domestic violence – Articles 3 (1) (d), 4 (2), 13 (2) (b), 16 (2) (c). Article 53 of this Law also provides for the responsibility of the Vietnam Women’s Union to coordinate with relevant agencies, organisations, and individuals to protect and support women who are victims of domestic violence. One of the new and progressive points of the 2022 Law on Preventing and Combating Domestic Violence in Vietnam is the addition of acts of sexual violence and sexual coercion against women in Vietnam to Articles 2 (1) and 3 (1) (i). In addition, the new version of the law clearly provides for the provision of basic and integrated services in one place to support survivors of violence.

The forms of information, communication and education on preventing and combating domestic violence, in accordance with Article 15 of the Law on Preventing and Combating Domestic Violence of 2022, are: thematic conferences, seminars, training sessions and discussions; direct universalisation

of laws; dissemination of information in the media, via loudspeakers, on the internet, on billboards and posters; integration into the programmes and activities of educational institutions; organisation of communication simulations and campaigns; integration into literature, art and sports activities, trade union activities, residential communities and models for preventing and combating domestic violence; other forms in accordance with the law<sup>2</sup>.

The Law specifies the following concrete measures for the prevention and fight against domestic violence through promotion and education:

- further strengthening of information and promotion work on the provisions of the Law on Preventing and Combating Domestic Violence and the Law on Gender Equality among the general public in order to raise awareness and change behaviour regarding domestic violence among all segments of the population;

- educational activities on gender equality cover every family, as well as schools and society. To prevent domestic violence, it is necessary to raise awareness among both sexes about their rights and responsibilities in their relationships with each other and with other family members;

- promoting good traditions in every family, enhancing the role of relatives and loved ones in preventing domestic violence to support stability, solidarity and peace in the family, as well as effective resolution of conflicts and disputes between its members;

- promoting a movement towards the formation of a cultural framework and a civilised way of life, focusing on the formation of cultural families, cultural villages and cultural areas with criteria such as the absence of domestic violence, alcohol abuse, gambling, drug use, etc., in order to be recognised as cultural familie;

- strictness in resolving conflicts related to domestic violence, in accordance with the provisions of the law;

- integration of domestic violence prevention and gender equality programmes into socio-economic development programmes and plans at all levels and in all sectors<sup>3</sup>.

Thus, the Law on Preventing and Combating Domestic Violence, as amended in both 2007 and 2022<sup>4</sup>, has played an important role in expanding the concept of domestic violence and related new meanings on a national scale. With regard to

<sup>1</sup> Law of Socialist Republic of Vietnam No. 13/2022/QH15 “Law Prevention and Combat Against Domestic Violence”. (2022, November). Retrieved from <https://thuviennhadat.vn/van-ban-phap-luat-viet-nam/law-13-2022-qh15-prevention-and-combat-against-domestic-violence-551941>.

<sup>2</sup> Ibidem, 2022.

<sup>3</sup> Ibidem, 2022.

<sup>4</sup> Law of Socialist Republic of Vietnam No. 13/2022/QH15 “Law Prevention and Combat Against Domestic Violence”. (2022, November). Retrieved from <https://surl.li/coxdzi>.

criminal liability for domestic violence, the current Criminal Code of Vietnam (as amended in 2015, with amendments and additions in 2017<sup>1</sup>) does not provide for specific crimes related to domestic violence against women. However, a number of criminal offences can be applied to most forms of domestic violence against women, such as coercion into sex, rape (Article 141), murder (Article 123); intentional infliction of bodily harm (Article 134); cruel treatment of family members (Article 185).

In addition to the Criminal Code of Vietnam, one of the legal documents regulating a number of issues related to the prevention and combating of domestic violence is the Labour Code of 2019<sup>2</sup>. The areas of legal regulation covered by the Code include: regulation of working conditions and social policies to protect workers with disabilities, elderly workers and young workers (Article 4 (7) of the Labour Code). In particular, the Code also contains provisions aimed at protecting the rights of women, including women who are victims of domestic violence, such as provisions on ensuring gender equality, provisions on 'working conditions and social policies for the protection of female workers' – Article 4 (7).

The Law on Children of Vietnam from 2016<sup>3</sup> emphasises that violence against children, including girls, is “an act of torture, cruel treatment and beating; causing harm to the body and health; insulting and humiliating honour and dignity; isolation, expulsion and other deliberate actions that cause physical and mental harm to children” (Article 4 (6)). In addition, the Law also prohibits certain acts against children, including girls, such as “depriving children of their right to life; sexual abuse, violence, cruel treatment and exploitation of children; failure to provide, conceal or obstruct the provision of information about children who have been abused or children who are at risk of exploitation or violence to families, educational institutions, competent authorities and individuals” – Article 6 of the Law.

The implementation of the Vietnamese Government's policy on combating domestic violence is being adjusted with the adoption of the National Programme for the Prevention and Combating of Domestic Violence, approved in January 2022. Its key objectives are: to provide more than 70% of people at risk of domestic violence with knowledge and skills to respond to cases of domestic violence; to provide 95% of identified victims of domestic violence with protection, legal assistance and medical care; 95% of communes, districts and settlements to provide and follow models for the prevention and control of domestic violence; providing 90% of people directly involved in the prevention and counteraction of domestic violence with knowledge, skills and professional practices in the specified field; improve their professional competence and skills (Viet Nam is determined..., 2024).

In addition to the legal documents published by the National Assembly, Vietnam also has a number of documents regulating the implementation of laws in the field of preventing and combating domestic violence in general and protecting women who are victims of it. Among these documents are Government Decree No. 76/2023/ND-CP of 2023<sup>4</sup>, which details a number of articles of the 2022<sup>5</sup> Law on Preventing and Combating Domestic Violence, Government Decree No. 70/2008/ND-CP<sup>6</sup>, which details the implementation of a number of articles of the Law on Gender Equality.

Directive of the Secretariat No. 06-CT/TW of 24 June 2021<sup>7</sup> affirms that Vietnamese families play an important role for individuals and society, and are one of the important factors determining the country's sustainable development. Reconciliation in the prevention and combating of domestic violence is understood as the persuasion of the parties by a mediating group of the family, clan, agency, organisation and grassroots level, which agrees to end violence, conflicts and disputes in a satisfactory manner,

<sup>1</sup> Criminal Code of Socialist Republic of Vietnam. (2015, November). Retrieved from <https://thuvienphapluat.vn/van-ban/Trach-nhiem-hinh-su/Bo-luat-hinh-su-2015-296661.aspx>.

<sup>2</sup> Labour Code of Socialist Republic of Vietnam. (2003, January). Retrieved from [https://asean.org/wp-content/uploads/2016/08/Doc-9\\_Vietnam60.pdf](https://asean.org/wp-content/uploads/2016/08/Doc-9_Vietnam60.pdf).

<sup>3</sup> Law of Socialist Republic of Vietnam No. 102/2016/QH13 “Children Law”. (2016, April). Retrieved from <https://thuvienphapluat.vn/van-ban/EN/Van-hoa-Xa-hoi/Law-102-2016-QH13-children/312407/tieng-anh.aspx>.

<sup>4</sup> Decree of the Government of Socialist Republic of Vietnam No. 76/2023/ND-CP “On Detailing a Number of Articles of the Law on Domestic Violence Prevention and Control”. (2023, November). Retrieved from <https://english.luatvietnam.vn/chinh-sach/decre-76-2023-nd-cp-detailing-law-on-domestic-violence-prevention-and-control-274524-d1.html>.

<sup>5</sup> Law of Socialist Republic of Vietnam No. 13/2022/QH15 “Law Prevention and Combat Against Domestic Violence”. (2022, November). Retrieved from <https://thuviennhadat.vn/van-ban-phap-luat-viet-nam/law-13-2022-qh15-prevention-and-combat-against-domestic-violence-551941>.

<sup>6</sup> Resolution of the Government of Socialist Republic of Vietnam No. 70/2008/ND-CP “On Detailing the Implementation of a Number of Articles of the Law on Gender Equality”. (2008, June). Retrieved from <https://english.luatvietnam.vn/decre-no-70-2008-nd-cp-dated-june-04-2008-of-the-government-detailing-the-implementation-of-a-number-of-articles-of-the-law-on-gender-equality-36024-doc1.html>.

<sup>7</sup> Directive of the Secretariat of Vietnam No. 06-CT/TW “On Strengthening the Party's Leadership in Family Development in the New Situation”. (2021, June). Retrieved from <https://thuvienphapluat.vn/van-ban/Van-hoa-Xa-hoi/Chi-thi-06-CT-TW-2021-tang-cuong-su-lanh-dao-cua-Dang-doi-voi-cong-tac-xay-dung-gia-dinh-479330.aspx>.

restoring the lives and psychology of individuals and families. Therefore, mediation is becoming a popular alternative method of conflict resolution in Vietnam. At the same time, the mediation (reconciliation) process for preventing and combating domestic violence must use a women-centred approach, respecting cultural values and women's autonomy. This approach, among other things, focuses on respect for women, viewing women who have experienced violence not only as lone victims, but also as wives, mothers, daughters-in-law, helping women to realise their attachment to their families and communities, thereby seeking to unite and support not only family members and relatives, but also society.

In 2023, the counteraction of domestic violence in Vietnam achieved some encouraging results and even exceeded the goals set for 2025, specifically: 74.6% of individuals suffering from domestic and/or gender-based violence were provided with counselling; 100% of victims were identified and given access to counselling support; and 100% of people who committed domestic and gender-based violence were brought to criminal accountability and provided with consultation (Vietnam strives to clamp ..., 2024).

Thus, along with the system of specialised legal documents on the prevention and fight against domestic violence, Vietnam also has documents in other related fields, such as gender equality, marriage and family, and labour, including special provisions for the protection of women who are victims of domestic violence. These legal documents are intended to best protect the rights of women, striving to ensure social justice and gender equality.

It must be noted that in preventing and stopping acts of violence, local authorities coordinate their actions with the police, non-governmental organisations, and the community to intervene promptly and respond strictly to violations. Currently, 827 trusted public addresses and 158 hotline numbers are operating in the country's provincial cities, communes, districts, and towns, ready to support, counsel, and receive information from victims and witnesses. Out of 102 cases identified and reviewed, 70 people received comments and criticism from the community; 4 people were subjected to educational measures at the commune, district, and city levels; 1 person was subjected to administrative accountability (warning); 1 person was subjected to administrative accountability (fine); and 5 people were brought to criminal accountability (imprisonment) (Hòa Bình..., 2025).

Also, every year, the Provincial Steering Committee for Family Work and the 10 out of 10 district and city Steering Committees for Family Work publish the Inspection Plan for the implementation of family work, prevention, and control of domestic violence. Such a plan provides for inspection work aimed at strengthening state management of the family sector, covering the execution of provincial and central directives on family work, and the prevention and control of domestic violence in the new situation in provincial cities. Simultaneously, the advantages, limitations, difficulties, shortcomings, and causes that need to be overcome are evaluated, and solutions are proposed for the effective implementation of family work, prevention, and control of domestic violence in the future (Hòa Bình..., 2025).

Along with this, the Committee for Family Work at the community level and the grassroots (territorial) mediation team have implemented measures to protect and support victims of domestic violence. They provide counselling services, legal aid, and medical care to victims of violence. Specifically, in 2024, the number of medical examination and treatment facilities with temporary shelter for victims of domestic violence throughout the entire province was 176 (The effectiveness of communication..., 2024).

To implement the adopted laws into public life, the policy on gender equality is actively promoted and implemented in Vietnam. Specifically, information about gender equality and domestic violence is disseminated to human resources staff, party members, and many segments of society in various forms, such as: integrating gender equality content into local plans and programmes, or through training, conferences, seminars, meetings, and reading newspapers at the beginning of the day (Huyen, 2024).

Vietnam is also working to fulfil its obligations under international conventions, in particular CEDAW and the Convention on the Rights of the Child<sup>1</sup>. As of 2025, the country is considering ratifying the 2019 Violence and Harassment Convention<sup>2</sup>. These conventions further reflect the Vietnamese government's commitment to eliminating gender-based violence and promoting gender equality. However, gender-based violence remains a complex problem, and Vietnam must focus on developing more decisive intervention measures to achieve the goals of the 2030 Agenda for Sustainable Development (2015).

Raising awareness is the first step towards preventing and reducing domestic violence in Vietnam. The next step is to help families in need. This support can come from services provided by the state or

<sup>1</sup> Convention on the Rights of the Child. (1989, November). Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>.

<sup>2</sup> ILO Convention No. 190 "Violence and Harassment Convention". (2019, June). Retrieved from [https://normlex.ilo.org/dyn/nrmlx\\_en/?p=NORMLEXPUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:3999810](https://normlex.ilo.org/dyn/nrmlx_en/?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3999810).

from new programmes developed by the residents themselves. In recent years, many intervention models for preventing domestic violence have been widely deployed throughout the country, particularly in ethnic minority and mountainous areas. A typical example of such a model is the “Model for the Prevention and Minimisation of the Harmful Effects of Gender-Based Violence” led by the Ministry of Labour, War Invalids and Social Affairs. It is used to implement intervention measures, including: clubs for the prevention and minimisation of the harmful effects of gender-based violence, teams for the prevention and combating of gender-based violence, community shelters, etc. Other models include: a model for preventing and combating domestic violence, which is implemented within the framework of the “Creating Sustainable Families” club and groups for preventing and combating domestic violence; a model for preventing and combating domestic violence and building happy families; the model for communication on gender equality and preventing and combating gender-based violence, implemented within the framework of the “Farmers’ Association” (Lao Động, 2020).

From 1 to 30 June 2025, Vietnam launched the National Month of Action to Prevent and Combat Domestic Violence in 2025 with the communication theme: “End violence, promote love”. The objectives and requirements of the National Month of Action to Prevent and Combat Domestic Violence in 2025 were defined as follows: to enhance the role, responsibility and effectiveness of coordination at all levels and branches, from central to local, thereby mobilising the combined forces of the entire political system and the entire population to participate in preventing and combating domestic violence; strengthening communication activities to raise awareness and responsibility of institutions, organisations and individuals in preventing and combating domestic violence, promoting the protection of women and children and building happy families (Implementation of the National ..., 2025). The main themes of the National Month of Action to Prevent and Control Domestic Violence in 2025 include:

- Proactive prevention and response to domestic violence is the responsibility of all levels, sectors and society as a whole;
- Obstructing the detection, reporting and prosecution of domestic violence is a violation of the law;
- Discrimination based on physical appearance, gender, sexual orientation and abilities of family members is domestic violence.
- Forced pregnancy, abortion and gender selection are acts of domestic violence;
- Forced early marriage, marriage, divorce or obstruction of legal marriage or divorce are acts of domestic violence;

- Neglect or careless treatment of older persons is an act of violence against them.

The implementation of such programmes primarily reflects the synchronisation and consistency of policies to combat domestic violence, contributing to their effectiveness and efficiency, as well as economy and adequacy, taking into account the real situation in the relevant institutions, departments and localities in particular. In this regard, active promotion aimed at enhancing the role and cultural standards of family life, and supporting the development of prosperous, harmonious, and civilised family relationships, represents a positive investment and an effective step within policies designed to prevent and eradicate domestic violence.

## ■ Discussion

Over the past ten years, Vietnam has recorded a certain decline in incidents of physical violence committed by men and partners against women, while the prevalence of sexual violence has remained unchanged (MOLISA *et al.*, 2020). Intimate partner violence is a traumatic event that negatively affects not only child development but also women’s health (Duc Le & Thanh Giang, 2025). Overall, among women aged 15-19 who are sexually active, forced initiation into sexual activity is common not only in Vietnam but also worldwide (15%), including in the Asia-Pacific region (14%), and women account for 91% of victims (Yount *et al.*, 2023). At the same time, state perceptions of a stable, modern and civilised nation are linked to normative gender ideologies, where a happy family is seen as the basic unit of a stable society (Phinney, 2022; Gammeltoft, 2023).

In 2010, Vietnam conducted its first National Survey on Domestic Violence against Women (GSO 2010). The survey results drew particular attention from the government and the public to the widespread violence against women that occurs at home – a place that should be their safe haven. Domestic violence occurs daily in many forms, regardless of the victim’s ethnicity, socio-economic status or place of residence. Violence is passed down from generation to generation, and the economic losses it causes to families, communities and the country are significant.

Following this survey, the Vietnamese government has paid more attention to gradually improving relevant policies and laws, strengthening the enforcement of legal requirements and regulations, launching nationwide communication campaigns to raise public awareness, and rolling out a range of important services for victims of violence. Government agencies and civil society organisations have responded widely and actively to the government’s initiatives in both preventing and responding to cases of violence.

In 2019, Vietnam conducted its second National Survey using the World Health Organisation's Multinational Survey methodology on women's health and domestic violence, with some adjustments (Lao Động, 2020). This method was also used for the 2010 survey (GSO, 2010). The results of this survey provided Vietnam with a basis for understanding what has changed and what has not, as well as for determining what needs to be done to bring about change in the right direction in the future. The scope of this survey is broader, including an expansion of the age range from 15 to 64 years. The issue of violence is also being studied outside the family, extending to the workplace and other public places. Particular attention is paid to violence against the most vulnerable groups of women in Vietnam, namely women from ethnic minorities and women and girls with disabilities. Economic losses have been calculated to show how much the country has lost economically as a result of violence against women and girls.

The results of the second survey showed that violence by a husband/partner or other person affected 9,251,740 women aged 15 to 64 who had ever had a husband/partner in Vietnam, with serious consequences for them and their families. The rate of women experiencing various forms of violence in Vietnam remains high. The rate of all types of violence except sexual violence was lower in 2019 than in 2010, which may indicate the effectiveness of policies and programmes. However, the rate of sexual violence in 2019 was higher than in 2010, with nearly two-thirds of women still experiencing one or more forms of violence during their lifetime. It is therefore important to note that the rates are declining slowly and therefore require greater efforts to eradicate violence against women in the country.

During the COVID-19 pandemic, domestic violence in Vietnam has escalated due to social distancing policies. The COVID-19 pandemic has brought various challenges to people's daily lives, but its impact has been particularly severe for women, both in their professional and domestic spheres (Huong, 2024). As noted in a report by UN Women (2020), in the early months of the pandemic, women were disproportionately affected due to their higher representation in precarious jobs, particularly in the informal sector, where they receive inadequate pay and protection. Throughout the pandemic, women, girls and vulnerable groups faced an increased risk of gender-based violence due to their limited influence and participation in decision-making within households. This vulnerability has been exacerbated by changes in social protection systems, restrictions on mobility and limited access to information and services. The COVID-19 pandemic in Vietnam has disrupted the supply of contraceptives and essential medical

resources to women, reflecting global disruptions in the supply of various goods and services (World Bank, 2023). The rate of domestic violence in Vietnam has increased by at least 30% during the Covid-19 pandemic (UNICEF VietNam, 2020).

In a case study on the prevention of domestic violence in Vietnam, P.T.L. Huong (2024) concluded that there are legislative inconsistencies in the application of gender-sensitive procedures aimed at eliminating all forms of violence against women. In particular, the cessation of violence against women may simultaneously involve the application of different legal procedures, including criminal, civil and administrative procedures. The author notes that this lack of unity in the principles governing the handling of cases of violence against women leads to inconsistencies and an increased risk of victimisation. In addition, new forms of violence, such as cyber violence and dating violence, are not currently regulated by existing legislation. Thus, according to the researcher, Vietnam urgently needs to develop a comprehensive legal framework aimed at eradicating all forms of violence against women. The expert's position is debatable, as overcoming such challenges and threats primarily requires enhanced and comprehensive countermeasures.

R. Herrero-Arias *et al.* (2020), based on their study of the strategies used by victims to cope with violence from their partners and maximise their safety and well-being in Vietnam, emphasised that women's decisions to endure violence or leave their abusers are part of an active decision-making process in which they take into account complex structural barriers. These include poverty, social stigma, discrimination and cultural beliefs surrounding the ideal of family harmony. Motherhood is also a key factor shaping women's strategies. To better combat intimate partner violence, interventions must take into account structural gender inequality in family and social contexts. In the context of high levels of intimate partner violence and associated mental health problems and serious trauma, there is a need to improve the medical services and support available to women who suffer from intimate partner violence in Vietnam (Nguyen *et al.*, 2018). As shown, scholars primarily focus on domestic violence against women in Vietnam; however, an equally important group remains insufficiently considered – children, who should be regarded as a core priority for the development of any state.

Despite the growing interest in the phenomenon of domestic violence at the global level, as well as the positive dynamics in countering this phenomenon, the outlined problem continues to occupy an important place among issues of national importance in any country. Vietnam is no exception, where countering domestic violence must take into account

a gender-transformative approach that includes the needs of children, adolescents and their caregivers. Ensuring the well-being and protection of children requires ongoing investment in strengthening national child protection systems. Similarly, data on preventing and responding to violence against women underscore the need for a comprehensive, multisectoral approach to combating this phenomenon.

## ■ Conclusions

The Government of Vietnam is taking consistent steps to combat domestic violence, prioritising amendments to relevant laws and policies on the prevention and counteraction of domestic violence, and raising public awareness with the aim of changing stereotypes and patterns of behaviour. Despite the fact that combating this phenomenon requires long-term commitments, substantial human and financial resources, capacity-building, and strong political will from both central and local authorities, Vietnamese policy demonstrates progress in developing the institutional framework necessary to ensure an effective response to domestic violence and other forms of violence against women, as well as to provide support to its victims.

However, the practical implementation of measures aimed at preventing and combating domestic violence at the local level continues to face challenges connected with the mechanisms and capacities of institutions and organisations responsible for implementing this policy. In Vietnamese society, persistent gender inequality and a culture of male dominance socialise women into accepting, tolerating, and even rationalising domestic violence, while remaining silent about such incidents. International efforts have recognised the need for a comprehensive and multi-sectoral approach to this complex social issue, with law enforcement agencies and the justice sector playing a crucial role. Therefore, there is a pressing need for coordinated action to adopt a wide range of solutions to enhance the effectiveness of policy implementation and enforcement of domestic violence prevention laws.

As of 2025, the key directions (provisions) of the policy on countering domestic violence in Vietnam

can be defined as: 1) improving the legislative framework and policies for the prevention and control of domestic violence; 2) creating and operating a service provision system for domestic violence prevention; 3) educational and communication activities regarding the prevention and control of domestic violence; 4) capacity building (strengthening) for personnel directly involved in the prevention and control of domestic violence at all levels; 5) inter-sectoral cooperation in the prevention and fight against domestic violence.

In addition to the above, in the prevention of violent manifestations, measures aimed at minimising harm after violence primarily focus on: creating necessary support services that can respond to the violence and provide timely support or treatment for victims of violence; providing psychological assistance and rehabilitation for women who have suffered violence; ensuring mandatory treatment, rehabilitation of offenders, and implementing measures aimed at changing their violent behaviour.

Considering the above, it can be summarised that the main provisions of the policy on countering domestic violence that can be highlighted for the purposes of implementation are: 1) a comprehensive response to domestic violence incidents, meaning working not only with victims but also with offenders, which will enable the cessation of violence and contribute to a reduction in the overall level of violence; 2) information and education are two key elements upon which Vietnam's policy relies in counteracting and preventing domestic violence; 3) prevention of aggressive relationships in the family, particularly through fostering an intolerant attitude towards any form of violence.

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## Міжнародні механізми протидії домашньому насильству: досвід В'єтнаму

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■ **Анотація.** Статтю присвячено аналізу особливостей запобігання домашньому насильству за законодавством В'єтнаму з метою обміну та запозичення позитивного досвіду з протидії такому явищу. Методологічну основу дослідження становили нормативний, історичний, компаративістський, формально-догматичний, системно-структурний методи. Увагу акцентовано на політиці В'єтнаму в запобіганні та протидії домашньому насильству, яку реалізують у напрямках сталого розвитку та виконанні міжнародних зобов'язань, а також забезпеченні розвитку суспільства. З'ясовано, що надзвичайної актуальності у В'єтнамі це питання набуло після приєднання країни до Конвенції про ліквідацію всіх форм дискримінації щодо жінок, і саме в частині виконання міжнародних зобов'язань започатковано вжиття заходів, спрямованих на забезпечення гендерної рівності в усіх сферах суспільного життя. Визначено, що основною причиною домашнього насильства в країні є гендерна нерівність і стереотипи ролей чоловіків та жінок, тому викорінення їх є важливою складовою попередження такого насильства. Оглядово висвітлено основні елементи в'єтнамської системи протидії домашньому насильству, яка охоплює як юридичні (покарання кривдників), так і соціальні (консультативна підтримка, медична допомога постраждалим) заходи. На підставі аналізу законодавства В'єтнаму визначено, що заходи протидії домашньому насильству орієнтовані передусім на захист осіб, які переживають насильство, і надання соціальної, психологічної та юридичної допомоги таким особам, а також проведення реабілітаційної та корекційної роботи із членами сім'ї. Виокремлено ті інструменти й механізми, які можна імплементувати в політику протидії домашньому насильству в Україні

■ **Ключові слова:** міжнародний досвід; нормативне забезпечення; запобігання; насильство; гендерна рівність; сім'я; захист жертв