

**A STUDY ON
CHILD RIGHTS AND THE CURRENT STATUS OF
PROTECTING THE RIGHTS OF CHILDREN IN CONFLICT
WITH THE LAW IN THE CENTRAL REGION**

SUMMARY

Vietnam's transition to a market economy in 1992 has brought noticeable impacts, which also affected children. In recent years, there has been a tendency that children get involved in social activities at an early age, especially those from families with difficult economic conditions, divorced or busy working parents. Children taking part in social activities while having not been fully developed both physically and emotionally are very likely to get into conflict with the law. The rights of those children have not been fully enforced; and many provisions regarding the rights of this group of children have not yet been put into practice. This requires realistic views on the current situation of children in conflict with the law, the causes of this phenomenon, and the gaps in the mechanism to implement children's right to protection.

This research focused on investigating in popular law-violating behaviors of juveniles as well as the consequences of such behaviors for the 03 groups of children involved, namely the offenders, the victims, and the witnesses. The research also analyzed the causes of the law-violating behaviors and assessed the actual situation of the protection of the rights of children in conflict with the law. Approximately 300 secondary pupils between the age of 13 and 15 in 03 central provinces of Thua Thien Hue, Da Nang and Quang Nam were interviewed. In addition, consultation with 20 experts and officials working in or relating to the field of protecting the rights of children in conflict with the law was also conducted.

The research results showed that there were 03 common groups of violations that juveniles often committed: offenses against public order (including disturbing public

order and causing injury intentionally); serious crimes (including murder, robbery and rape); other crimes (e.g. gambling, drug use and drug trafficking), in which offenses against public order was the most commonly committed. Of the 300 pupils interviewed, 11% confessed having committed law violations. As for the victims, 20% of them revealed that they had been victims of violence and traffic violations. Behaviors related to physical and spiritual violence in schools they had suffered included fighting, scolding, backbiting, neglecting, and dissemination of pornographic products. Both boys and girls fought, and the fights were often between one person against a large group. Backbiting and scolding were also popular, especially on social networks. Neglecting occurred when some students gathered in a group, staying away and ignoring some other ones. The dissemination of inappropriate products has also become popular.

There were cases when children who were victims of law-violating behaviors fell into a state of anxiety, depression, failure to focus on learning, leading to poor learning outcomes. In the worst case, the child might commit suicide. Up to 40-50% of the pupils interviewed disclosed that they had witnessed physical and spiritual violence which happened in schools, at home, and outside of school. The witnesses tend to isolate themselves from the outside world, lose faith in good values. It case was even worse to children who were victims of violence or assault. Whether the pupils were victims or witnesses of violent behaviors, it is likely that they may engage in such behaviors as adults. All the 03 groups of children as victims, witnesses or offenders, once under no control, might be at risk of defying or evading the law and increasing the frequency and scale of physical and spiritual violence.

The right to protection of children in direct and indirect conflict with the law has not been fully implemented. The lack of timely, adequate and effective support and concern from agencies, organizations, authorities, society and families when children get into conflict with the law made the violence more serious. Therefore, in order to better protect the rights of children in conflict with the law as well as to prevent behaviors

relating to physical and spiritual violence, it is necessary to complete legal provisions, institution, mechanisms of operation and cooperation among stakeholders.