

# STATE MANAGEMENT OF PREVENTION OF EARLY MARRIAGE AND CONCUBINES IN ETHNIC MINORITY AREAS IN VIETNAM TODAY

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## Summary:

Early marriage and consanguineous marriage are still notable social issues in many ethnic minority areas in Vietnam, negatively impacting children's rights, reproductive health and population quality. This article analyzes the role and effectiveness of state management in preventing and combating these two phenomena, based on a mixed method: synthesizing official documents, analyzing policy documents, surveying specialized documents and local reports, and analyzing a number of reports evaluating the implementation of the Project to reduce early marriage and consanguineous marriage in ethnic minority areas (2015-2025 period). The results show that: (1) The State has built a relatively complete legal framework (Law on Marriage and Family 2014; Decree 82/2020), issued specialized decisions and Projects, and implemented many communication interventions, pilot models and inter-sectoral cooperation programs; (2) However, implementation still faces many limitations: weak capacity and resources at the commune and village levels; interventions are not sensitive enough to culture; program fragmentation and lack of monitoring, supervision and evaluation systems; (3) These factors make progress in reducing child marriage and Consanguineous Marriage uneven among localities. Based on the analysis, the article proposes: (i) perfecting institutions and inter-sectoral coordination mechanisms with clear responsibilities; (ii) improving grassroots administrative capacity and financial resources for the program; (iii) developing culturally sensitive interventions, involving prestigious people in the village; (iv) building a monitoring system and interconnected data; (v) linking social security and education policies with prevention interventions. The article emphasizes that state management must both ensure strict laws and be flexible in soft interventions to change customs in the community.

**Keywords:** early marriage, incest, ethnic minorities, Vietnam.

## 1. PROBLEM STATEMENT

Child marriage (marriage when one or both parties are under the legal age) and consanguineous marriage are two closely related and persistent realities in many ethnic minority communities in Vietnam. The State has issued a system of legal documents and implemented a Project to reduce child marriage and Consanguineous Marriage in ethnic minority areas (Decision and guidance of the Committee for Ethnic Minorities; Project for the period 2015–2025) to reduce the frequency and consequences of these two phenomena (UBDT, 2021). However, synthesis reports and local studies show that progress and effectiveness in provinces and regions vary greatly; many places still have child marriage and Consanguineous Marriage due to diverse causes: customs, poverty, limited awareness, and limited state management at the grassroots level (MST, 2023; UNICEF). Therefore, it is necessary to deeply analyze the functions, mechanisms and capacity of state management to point out the shortcomings and propose improvements to achieve the planned reduction target by 2025. (References: UBDT, MST, Decree 82/2020) (UBDT, 2021; MST, 2023; Decree 82/2020).

## 2. Research methods

Document research: systematization of laws (Law on Marriage & Family 2014; Decree 82/2020), Decisions/Directives/Projects of the Ethnic Committee, reports of Ministries, Departments, academic research articles, reports of international organizations (UNICEF, WHO) and local press investigative news. References are collected up to the most recent month publicly available.

Policy analysis: assessment of institutional framework (legal categories, action plans, inter-sectoral coordination mechanisms) according to the “multi-level management” model (central – provincial – district – commune – village).

Synthesize practical reports: collect provincial-level Project implementation reports, case studies and published statistics (2014–2024/2025) to evaluate implementation effectiveness.

Content analysis: compare the differences between planned policies and actual implementation to point out the causes of problems.

### 3. RESEARCH RESULTS AND DISCUSSION

#### 3.1. Concepts

In Vietnam, State management is understood as: “State management is the activity of state agencies to exercise state power to manage and operate areas in social life. The goal of state management is to maintain order, promote economic, cultural and social development and protect people's rights. State management includes the promulgation of laws and policies; organizing the implementation of administrative activities; monitoring, inspecting and resolving issues arising in society. This activity requires coordination between levels and sectors and is governed by legal principles and transparency and publicity” (Ministry of Home Affairs, 2018, 7). Accordingly, state management is often divided into 5 basic contents, including: (1) Building and promulgating laws: Establishing regulations, laws, and policies to regulate activities in society within the legal framework; (2). Administrative management: Organizing and operating the state apparatus to implement policies and laws, including licensing, enforcement and handling of administrative procedures; (3) Economic management: Operating and orienting the development of economic activities, managing national resources and finances, and creating favorable conditions for businesses and people; (4) Cultural and social management: Promoting the development of education, health, culture, and social issues such as employment, social security, and protecting people's rights; (5). Supervision and inspection: Monitoring, inspection, and handling of violations to ensure compliance with the law and proper implementation of policies.

The concept of early marriage and incestuous marriage. The Vietnamese State defines early marriage as “getting married when one or both parties are under the age of marriage according to the provisions of the Law on Marriage and Family, specifically: men under 20 years old and women under 18 years old” (Ministry of Information and Communications, 2023, 75). Consanguineous marriage “is the marriage or cohabitation as husband and wife between a man and a woman of the same bloodline, or between a man and a woman related within three generations. Consanguineous is first of all understood as a biological genetic relationship, a relationship between father, mother and child in which one person gives birth to the other. Thus, consanguineous is a situation where one or more people are closely related by blood, possibly having the same origin or having father, mother, grandfather, grandmother born to the same person, the degree of closeness between these people depends on each specific case” (Ministry of Information and Communications, 2023, 76).

Terminology of ethnic minority regions in Vietnam. Vietnam has 54 ethnic groups. Accordingly, according to Clauses 2 and 3, Article 4 of Decree 05/2011/ND-CP: (1) Ethnic minorities are ethnic groups with a smaller population than the majority ethnic group within the territory of the Socialist Republic of Vietnam; (2) The majority ethnic group is the ethnic group with a population accounting for over 50% of the total population of the country, according to the national census. Currently, Vietnam has 82,085,729 Kinh people, accounting for 85.3% and 14,123,255 other ethnic groups, accounting for 14.7% of the total population of the country. Thus, ethnic minorities in Vietnam are 53 ethnic groups in the Vietnamese ethnic composition, except for the Kinh people, which is the majority ethnic group" (Vietnam Law Library).

#### 3.2. Process of building legal and policy framework

In recent years, the Vietnamese State has gradually improved the legal system and policies to prevent and combat child marriage and consanguineous marriage (CNCHT), especially focusing on ethnic minority areas where this situation is still common. The most important legal basis is the 2014 Law on Marriage and Family, which clearly stipulates the minimum age of marriage as 20 years for men and 18 years for women, and prohibits acts of child marriage, forced marriage, fake marriage or consanguineous marriage (National Assembly, 2014, 74). This law is not only principled but also creates a legal basis for applying administrative and criminal sanctions against violations. Complementing that legal framework, Decree No. 82/2020/ND-CP of the Government has specified forms of administrative sanctions for acts of organizing, brokering, or maintaining child marriage. Accordingly, the fine can be up to 3-5 million VND for individuals and 10 million VND for organizations, along with remedial measures such as forcing the termination of child

marriage (Government, 2020). This is an important step in enhancing deterrence, while demonstrating the State's determination to protect children's rights and gender equality.

In terms of ethnic policy, the Ethnic Minority Committee has played a pivotal role in implementing the Project "Reducing child marriage and consanguineous marriage in ethnic minority areas in the period 2015-2025". Phase II of the Project was specified through Decision No. 98/QD-UBDT (2021), which emphasized the goal of reducing the number of child marriages by 2-3% each year, and ending consanguineous marriage in at least 50% of ethnic groups with this situation. This Decision also assigned specific tasks to localities, while promoting pilot models of propaganda, counseling, and communication to change behavior, combined with national target programs on sustainable development of ethnic minority and mountainous areas (Ethnic Minority Committee, 2021, 76). In addition, ministries and branches such as the Ministry of Labor, War Invalids and Social Affairs, the Ministry of Education and Training, the Vietnam Women's Union and the Ho Chi Minh Communist Youth Union have also issued many coordinated programs to enhance sex education, life skills and legal awareness for ethnic minority youth (UNFPA, 2022; Ministry of Labor, War Invalids and Social Affairs, 2021). Many pilot models such as "Pre-marriage Club", "Village without Child Marriage", or "Reputable People Say No to Child Marriage" have been replicated in provinces such as Ha Giang, Lao Cai, Son La and Kon Tum, bringing initial effectiveness in changing community awareness (MST, 2023). However, in general, the legal and policy framework still has some limitations. First, the feasibility and deterrence of sanctions are not high, because many cases of child marriage are not registered, making it difficult to detect and handle (Nguyen, 2022). Second, resources for implementation at the grassroots level are still limited, especially in remote communes; ethnic minority and judicial - civil status officials lack specialized training. Third, inter-sectoral coordination is sometimes not synchronized, leading to duplication or omission of subjects in need of intervention (UNICEF, 2023). In general, it can be affirmed that the process of perfecting laws and policies on preventing and combating child marriage and Consanguineous Marriage in Vietnam has achieved many important results, contributing to creating a solid legal corridor for the protection and development of people in ethnic minority areas. However, for the policy to truly come into life, it is necessary to continue to improve enforcement capacity, strengthen social supervision, and integrate gender equality and children's rights into ethnic minority development programs (ADB, 2021; UNFPA, 2022).

### 3.3. Achievements noted

After nearly a decade of implementing policies and programs to prevent and combat child marriage and consanguineous marriage (CNM), Vietnam has achieved some positive results, demonstrated through community education and communication work, the emergence of effective pilot models, a gradual decline in the rate of child marriage, and increasingly close inter-sectoral coordination.

First, on propaganda and replication of model points.

Many ethnic minority localities have proactively implemented pilot models combining propaganda - counseling - education to prevent child marriage. According to the Ethnic Committee (2021), hundreds of "Pre-marriage Clubs", "Village without child marriage and consanguineous marriage", or "Reputable people say no to child marriage" have been established in provinces such as Ha Giang, Son La, Dien Bien, Kon Tum, Gia Lai, and Ninh Thuan. These models do not only stop at disseminating the law, but also integrate activities of adolescent reproductive health education, marriage counseling, and sharing of progressive cultural and customary experiences (MST, 2023). In particular, communication work has been diversified in form, from ethnic language radio, dramatization of communication scripts, to social networks and online platforms. The integration of child marriage prevention content into schools is also emphasized, helping students – especially adolescents – improve their understanding of the legal age of marriage and the consequences of early marriage (Ministry of Education and Training, 2022). This is considered an important step forward from passive propaganda to proactive and sustainable education.

Second, on the trend of decreasing rates of early marriage and Consanguineous Marriage.

According to the synthesis report of the Northern mountainous provinces and the Central Highlands, the rate of child marriage in the period 2015–2023 has tended to decrease slightly by 2–3% in many localities (MST, 2023). Some provinces such as Ha Giang, Lao Cai, and Lai Chau recorded a clear decrease in communes where pilot models were implemented. However, this decrease is not uniform among ethnic groups; for example, the rate of child marriage among the Mong people is still 3–4 times higher than the national average, while among the Tay, Nung or Thai ethnic groups there has been significant improvement (UBDT, 2021; Ha Giang Report, 2023). This shows that the policy has been initially effective, but needs to continue to be adjusted in the direction of specificity for each ethnic group to ensure cultural and social suitability.

Third, on inter-sectoral engagement and coordination.

A notable achievement is the close connection between sectors and socio-political organizations in the implementation process. The Ethnic Minorities, Education, Health, Labor - Invalids & Social Affairs sectors,

together with the Vietnam Women's Union, the Youth Union and the Vietnam Fatherland Front have coordinated to implement many interdisciplinary programs such as "Reproductive health counseling for ethnic minority adolescents", "Friendly schools, no early marriage", or "Ethnic minority youth with progressive marriage" (UNFPA, 2022). This coordination not only helps to synchronize information and resources, but also creates a ripple effect of awareness in the community - where prestigious people, village elders, and village chiefs are mobilized as agents of social behavior change (UBDT, 2021; Nguyen, 2022). In addition, policies to support socio-economic development in ethnic minority areas such as the National Target Program for the period 2021-2030 (National Assembly, 2020) also indirectly contribute to reducing child marriage through improving living standards, intellectual level and access to education. When people have stable economic conditions, they tend to marry later and pay more attention to children's education, thereby contributing to changing traditional marriage practices. Thus, it can be seen that state management of child marriage prevention and control and Consanguineous Marriage in ethnic minority areas in Vietnam has achieved remarkable achievements, reflected in changes in social awareness, a trend of reducing child marriage rates, and increasingly creative and sustainable propaganda models. However, the level of transformation still varies between regions, requiring a flexible approach suitable to the cultural and economic conditions of each specific ethnic group and locality (ADB, 2021; UNICEF, 2023).

### 3.4. Current limitations and challenges

Although state management of child marriage and consanguineous marriage (CNMC) prevention and control has achieved positive results, in reality, many difficulties, limitations and challenges still exist, hindering the sustainability of policies and effective implementation at the grassroots level. These limitations can be considered in three main aspects: institutional and organizational implementation, social awareness, and specific cultural and economic factors.

First, institutional and organizational shortcomings in implementation.

Although the legal system on preventing and combating child marriage and Consanguineous Marriage has been formed relatively synchronously, it lacks specificity and connection between levels of government. Some regulations are still in principle, without detailed instructions for effective implementation at the commune and village levels - where child marriage is most common (Nguyen, 2022). Administrative sanctions under Decree 82/2020/ND-CP mainly stop at the level of warning or fine, but are difficult to apply in the context of many cases of unregistered marriage, even taking place according to customs and practices (Government, 2020). In addition, enforcement resources at the grassroots level are limited. Many mountainous communes lack well-trained ethnic and judicial - civil status officials. According to statistics from the Ethnic Committee (2021), more than 40% of officials working on ethnic affairs at the commune level have not received formal training in social work or law. This deficiency makes monitoring, reporting, and handling of violations formal and untimely. On the other hand, coordination between sectors such as education, health, women and youth is sometimes not synchronized, there is duplication of content, or a lack of clear division of responsibilities (UNICEF, 2023).

Second, limitations in social cognition and behavior.

One of the underlying causes of early marriage is the low awareness of people about children's rights, reproductive health and the consequences of early marriage. In many ethnic minority areas, marriage is considered an important social ritual rather than a legal commitment, leading to people "ignoring" regulations on marriage age (UBDT, 2021). According to a survey by UNFPA (2022) in the Northwestern provinces, up to 35% of ethnic minority adolescents believe that "early marriage helps stabilize life", while only 18% are aware of the risks to reproductive health. Moreover, the tradition of "parents arrange the child" or the practice of marriage within the same clan still exists in some ethnic groups such as Mong, Chut, and Pu Peo (MST, 2023). This not only perpetuates Consanguineous Marriage but also causes genetic and health consequences for the next generation, increasing the public health burden (WHO, 2021). Changing perceptions, therefore, requires a long time and perseverance, in which communication must be appropriate to local language, culture and beliefs (ADB, 2021).

Third, specific cultural and economic factors.

In ethnic minority areas, poverty, illiteracy and labor migration are factors that directly contribute to promoting early marriage. According to the General Statistics Office (2023), the average income per capita of ethnic minorities is only 55% of the national average; the high school dropout rate accounts for 25-30% in many mountainous provinces. The lack of opportunities for education and employment causes many families to consider early marriage as an "economic solution" to share the burden of livelihood. On the other hand, programs and projects to support the prevention of early marriage often depend on foreign project funding and lack sustainability after the end of funding. This causes many pilot models to be "frozen" when there is no longer a budget to maintain (Nguyen & Tran, 2023). In addition, some policies have not paid enough attention to gender factors: child marriage directly affects women more, but propaganda activities

and psychological and legal support for girls are still limited (UN Women, 2022). In summary, current challenges reflect that state management on child marriage and Consanguineous Marriage prevention and control still needs to be raised to a strategic level, linked to policies for sustainable development of ethnic minority areas, gender equality, and children's rights. Institutional improvement must go hand in hand with improving staff capacity, innovating communication methods, and increasing community participation - especially prestigious people, village elders, and grassroots social organizations. Only then can the goal of eliminating child marriage and consanguineous marriage be achieved in a sustainable and comprehensive manner (UNFPA, 2022; MST, 2023).

#### 4. CONCLUSIONS AND POLICY RECOMMENDATIONS

##### 4.1. Conclusion

In recent years, state management of the work of preventing and combating child marriage and consanguineous marriage (CNM) in ethnic minority areas has achieved many initial results. The State has issued and completed a relatively synchronous legal framework, typically the Law on Marriage and Family (2014), Decree No. 82/2020/ND-CP regulating administrative sanctions for child marriage, along with Decision No. 498/QD-TTg and Decision No. 98/QD-UBDT (2021) on implementing the Project to reduce child marriage and CNM among ethnic minorities. These documents have created an important legal foundation for implementing communication activities, pilot models, and mobilizing social resources to change community awareness. However, the implementation effectiveness is still uneven among localities and ethnic groups. Some areas have seen a significant reduction in the rate of early marriage, but many places still maintain the practice of early marriage, especially in remote areas where socio-economic conditions are still difficult. The main reasons are limited organizational and monitoring capacity at the grassroots level; propaganda activities are not deep enough and not really sensitive to cultural and linguistic factors; the inter-sectoral coordination mechanism is still loose; and especially the lack of a unified database system to serve policy monitoring and evaluation. To achieve the goal of significantly reducing early marriage and Consanguineous Marriage in the coming period, it is necessary to approach this issue not only as an administrative management task, but also as a core content of social development governance based on human rights. State management needs to be oriented towards prevention, early intervention and support for community capacity development, instead of just focusing on handling violations. Accordingly, it is necessary to simultaneously implement:

- (1) Perfecting institutions and inter-sectoral coordination mechanisms;
- (2) Strengthening capacity and funding for grassroots level;
- (3) Apply culturally sensitive intervention solutions, mobilize prestigious people in the community;
- (4) Building an interconnected monitoring data system to serve policy planning and evaluation; and
- (5) Link policies on preventing and combating child marriage with human development policies such as education, social security, sustainable poverty reduction and gender equality.

This process requires sustained political commitment, long-term investment, and the active participation of ethnic minority communities – who are both beneficiaries and core forces in changing backward social practices.

##### 4.2. Policy recommendations

To improve the effectiveness of state management in preventing and combating child marriage and Consanguineous Marriage in ethnic minority areas in the period 2025-2035, it is necessary to synchronously implement the following groups of policy recommendations:

- (1) Perfecting the institutional framework and inter-sectoral coordination mechanism. Reviewing, adjusting and supplementing legal regulations to ensure consistency between the Law on Marriage and Family, the Law on Gender Equality, the Law on Children and implementing guidelines. Establish a unified coordination mechanism among relevant ministries and sectors such as the Ethnic Committee, the Ministry of Education and Training, the Ministry of Health, the Ministry of Labor, War Invalids and Social Affairs, the Vietnam Women's Union and the Ho Chi Minh Communist Youth Union. Strengthen decentralization to district and commune authorities in implementing activities to prevent and combat child marriage, associated with monitoring, evaluation and periodic reporting mechanisms.
- (2) Enhance capacity and ensure resources for the grassroots level. Organize training courses and specialized training for ethnic affairs officers, social workers, village elders, village chiefs and prestigious people on legal knowledge, counseling skills and behavior change communication. Ensure stable funding sources, integrate into national target programs to support communication activities, pre-marital counseling, and alternative livelihood models for ethnic minority youth. Apply information technology in record

management, reporting, and local monitoring, contributing to improving transparency and administrative efficiency.

(3) Promote culturally sensitive approaches and mobilize the role of the community. Design propaganda content suitable to the language, customs and beliefs of each ethnic group; use local media and indigenous languages to improve the effectiveness of outreach. Promote the role of village elders, religious dignitaries, prestigious people and outstanding women in propagating, reconciling and monitoring the implementation of the convention "villages and hamlets without early marriage, without Consanguineous Marriage". Replicate successful models, build a social emulation movement on "Cultural families and communities - no early marriage, no incestuous marriage".

(4) Develop a data system and a mechanism for inter-connected monitoring and evaluation. Develop a national database on child marriage and Consanguineous Marriage, integrated with the population, education and health data systems. Periodically publish status reports and digital maps of high-risk areas to guide priority intervention policies. Promote sociological, ethnological and gender studies research to clarify the economic, cultural and psychological factors leading to child marriage, thereby developing policies with a more scientific and practical basis.

(5) Linking child marriage prevention and control with human development and gender equality. Integrating child marriage and Consanguineous Marriage reduction targets into national target programs on poverty reduction, education, population and gender equality. Increasing learning, vocational training and employment opportunities for ethnic minority youth, especially female students, to enhance their capacity to make their own decisions about marriage and life. Integrating child marriage prevention and control with livelihood support programs, raising awareness about reproductive health, child protection and gender-based violence prevention. Thus, preventing child marriage and consanguineous marriage in ethnic minority areas is a task that is both legal and culturally and socially profound. The success of the policy depends on the harmonious combination of political will, State governance capacity and community consensus. Building a culturally sensitive policy system with scientific evidence and ensuring human rights not only contributes to protecting the race and improving population quality but also promotes sustainable, equitable and inclusive development in ethnic minority areas in Vietnam.

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