

**LAW DISSEMINATION AND EDUCATION FOR ETHNIC MINORITIES IN
MOUNTAINOUS AREAS IN VIETNAM**

***DIVULGAÇÃO DA LEI E EDUCAÇÃO PARA MINORIAS ÉTNICAS NAS ÁREAS
MONTANHAS DO VIETNÃ***

***DIFUSIÓN DE LA LEY Y EDUCACIÓN PARA LAS MINORÍAS ÉTNICAS EN
LAS ZONAS MONTAÑAS DE VIETNAM***

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ABSTRACT: The law dissemination and education for ethnic minority people in Vietnam is still facing challenges and suffering from shortcomings; hence, the effectiveness of law popularization is limited. Based on the aforementioned facts, this paper is dedicated to highlighting some important achievements in the law dissemination and education for the ethnic minorities, analyzing the drawbacks with the law dissemination and education for these populations and the causes of these drawbacks, and accordingly suggesting some radical solutions to the dissemination and education of law for ethnic minority people in Vietnam in the coming time. Thereby, the author proposes 4 groups of solutions in the coming time: First, improving professional capacity and skills for the contingent of legal reporters and propagandists who directly do legal education for people in ethnic minority and mountainous areas; Second, renewing the content of legal for these people; Third, innovating legal education methods; Fourth, reforming the form of legal education.

KEYWORDS: Dissemination. Education. Ethnic minority.

RESUMO: *A disseminação da lei e educação para minorias étnicas no Vietnã ainda enfrenta desafios e sofre com deficiências; portanto, a eficácia da popularização da lei é limitada. Com base nos fatos acima mencionados, este trabalho se dedica a destacar algumas conquistas importantes na divulgação e educação da lei para as minorias étnicas, analisando os percalços com a divulgação e educação da lei para essas populações e as causas desses percalços, e assim sugerindo alguns radicais soluções para a disseminação e educação da lei para pessoas de minorias étnicas no Vietnã nos próximos tempos. Assim, o autor propõe 4 grupos de soluções para os próximos tempos: Primeiro, melhorar capacidades e habilidades profissionais para o contingente de repórteres jurídicos e propagandistas que fazem educação jurídica diretamente para pessoas em minorias étnicas e áreas montanhosas; em segundo lugar, renovando o conteúdo legal para essas pessoas; em terceiro lugar, inovando os métodos de educação jurídica; quarto, reformando a forma de educação jurídica.*

PALVRAS-CHAVE: *Disseminação. Educação. Minoria étnica.*

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RESUMEN: *La difusión de la ley y la educación para las personas de minorías étnicas en Vietnam todavía enfrenta desafíos y sufre de deficiencias; por lo tanto, la efectividad de la popularización de la ley es limitada. Con base en los hechos mencionados, este artículo se dedica a resaltar algunos logros importantes en la difusión y educación del derecho para las minorías étnicas, analizando los inconvenientes de la difusión y educación del derecho para estas poblaciones y las causas de estos inconvenientes, y en consecuencia sugiriendo algunas soluciones radicales para la difusión y educación de la ley para las minorías étnicas en Vietnam en el futuro próximo. Por lo tanto, el autor propone 4 grupos de soluciones en el futuro: Primero, mejorar la capacidad y las habilidades profesionales para el contingente de reporteros y propagandistas legales que directamente hacen educación legal para personas en minorías étnicas y áreas montañosas; En segundo lugar, renovar el contenido legal para estas personas; Tercero, métodos innovadores de educación legal; En cuarto lugar, reformar la forma de educación jurídica.*

RESUMEN: *Diseminación. Educación. Minoría étnica.*

Introduction

The dissemination and education of law for ethnic minorities are oriented and organized activities which are undertaken by dissemination and education agents and follow certain guidelines, syllabus, methods, and forms which are suitable for the cultures, traditions, religions, faiths, production practices and normal life of the ethnic minorities (NGUYEN, 2017). This develops their consciousness of law, their positive attitudes toward law, and their appropriate behavior that complies with the applicable law and contributes to developing and enhancing the awareness of human and citizen rights among people from ethnic minority groups, in order for them to be able to gain access to and effectively protect these rights.

Objective of The Study

The dissemination and education of law for people from ethnic minority groups are oriented and organized activities which are undertaken by competent dissemination and education agents with specific methods and various and flexible forms that are suitable for the cultures, traditions, religions, faiths, production practices, and normal life of the ethnic minorities. They aim at providing these people with essential knowledge and understanding regarding general legal issues, and regarding some certain legal fields

closely related to their daily life and activities, developing their skills apply the knowledge and understanding to resolving legal problems and events arising in their daily life, and developing their consciousness of law, their positive attitudes toward law, and their appropriate behavior that complies with the applicable law. Hence, the author finds studying the dissemination and education of law for ethnic minorities in Vietnam essential and urgent.

Achievements in the dissemination and education of law for people from ethnic minorities

Firstly, regarding legal institutions, the dissemination and education of law for people from ethnic minorities have received the attention, direction, and instruction by the Communist Party of Vietnam (“the Party”), the State, the Committee for Ethnic Minority Affairs, and relevant agencies from all levels and sectors through the legal documents.

From time to time, the Government and the Prime Minister have issued official dispatches on the dissemination and education of law for ethnic minorities, with the latest being the Decision No. 1163/QQD-TTg dated 8 August 2017 by the Prime minister approving the project of “*Promoting the practices of dissemination and education of law and its communication and support mobilization among ethnic minorities for the period from 2017 to 2021*”. Recently, in Vietnam, there have been approximately 90 workshops held in order to improve the law communication, mobilization, dissemination, and education skills of cadres dealing with ethnic minority affairs, well-established figures, and religious dignitaries of the ethnic minorities; approximately 200 refresher courses on law dissemination and education for reporters and communicators at provincial and district levels.

The 1163 project has impacted the daily life of the people in all areas through many flexible and creative methods of communication. In the coming time, local authorities should focus on the cooperation among groups to carry out the Project with a view to improving the quality and choosing the appropriate for methods for each area (THY, 2020).

Secondly, competent agencies and authorities at all levels of all provinces accommodating ethnic minorities have actively mobilized the human resource,



formulated the plans and programs, and provided the education of law with people from ethnic minorities.

In order to ensure the synchronized and smooth coordination between the aforementioned agents, *the Committee for the coordination of law dissemination and education at all levels* in all provinces have been established and come into operation with a standing role and are under the Judiciary (THAO, 2016).

Thirdly, *the teams of reporters and communicators of law dissemination and education for all objects and for people from ethnic minorities have grown in number and improved their qualifications.*

In order to mobilize the human resource for the dissemination and education of law, competent agencies and the authorities of all levels and sectors of all provinces accommodating ethnic minorities have always focused on building the teams of reporters and communicators of law dissemination and education for all objects including people from ethnic minority groups. As a result, the teams of reporters and communicators have grown in number and improved their qualifications. According to incomplete statistics, currently in Vietnam, there are approximately *300 law Reporters of the provincial level, 1800 law Reporters of the district level, and 100.000 law Communicators of the commune, ward, and town levels* (COMMITTEE FOR ETHNIC MINORITY AFFAIRS, 2019).

Fourthly, *regarding the objects, law dissemination and education have encouraged the participation of many objects such as village heads, cadres of Vietnamese Fatherland Front, well-established figures in communities, and a great number of people from ethnic minority groups.*

The objects of law dissemination and education for people from ethnic minority groups are village heads, cadres of Vietnamese Fatherland Front, well-established in communities, and a great number of people from ethnic minority groups, so their enthusiastic and full participation is an important achievement (COMMITTEE, 2019). Only with the mentioned participation can the knowledge of law exert the impacts on people's daily life. In order to achieve these impacts, competent agencies and the authorities of all levels should first carry out the dissemination and education for ethnic minorities. The results of the survey have shown that of all 1540 local cadres and civil servants asked for their opinions regarding the dissemination and education of law in the

areas of ethnic minorities, 90.6% claim that the local authorities have started the dissemination and education of law for people from ethnic minority groups, and 9.4% respond that law dissemination and education have not been started. The results of the survey conducted in each province are shown in the table below:

Table 1 – People’s opinions regarding the dissemination and education of law for ethnic minorities

No.	Province/city	Not disseminated and educated	Disseminated and educated	Total
1	An Giang	3.6	96.4	100.0
2	Ha Giang	13.8	86.2	100.0
3	Quang Ninh	8.2	91.8	100.0
4	Ho Chi Minh city	14.3	85.7	100.0
5	Binh Thuan	12.8	87.2	100.0
6	Kon Tum	4.5	95.5	100.0
7	Quang Ngai	0.9	99.1	100.0
8	Thanh Hoa	6.6	93.4	100.0
9	Đak Nong	17.6	82.4	100.0
10	Đak Lak	21.1	78.9	100.0
11	Đien Bien	3.6	96.4	100.0
12	Bac Lieu	8.2	91.8	100.0
13	Lang Son	4.5	95.5	100.0
14	Lao Cai	13.4	86.6	100.0

Source: National Project: Fundamental and urgent issues in making and enforcing law in ethnic minority and mountainous areas of Vietnam

As can be seen, a great majority of people from ethnic minorities have been provided with law dissemination and education.

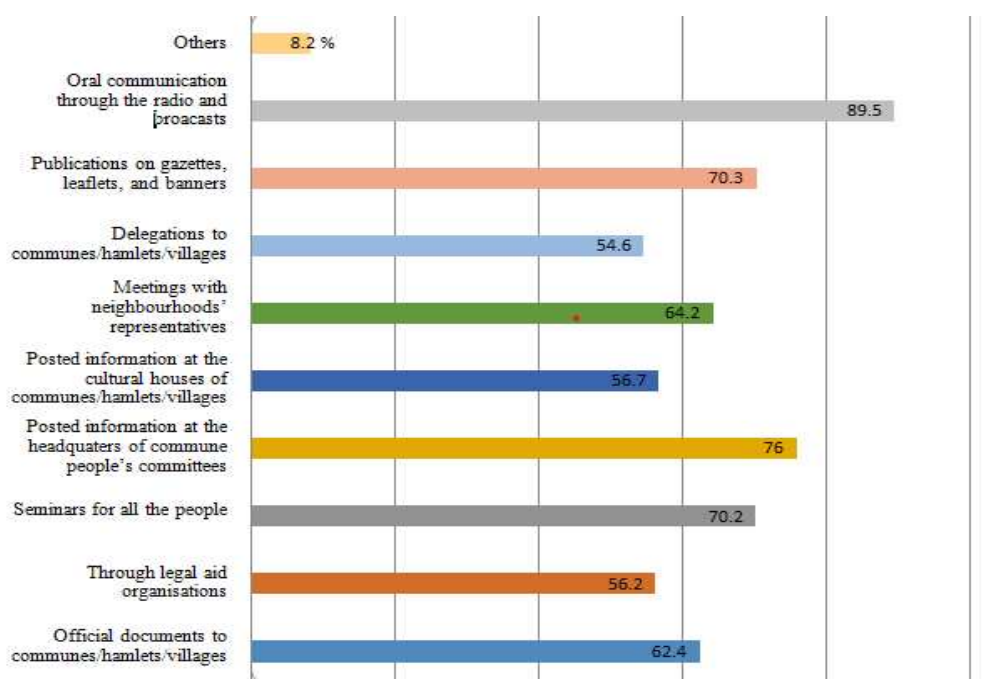
Fifthly, regarding the contents, law dissemination and education agents within the country have chosen the contents of law which are suitable for the objects, the socio-economic characteristics, and the law enforcement situations of each area accommodating ethnic minorities.

Sixthly, regarding the forms of law dissemination and education for all objects and for people from ethnic minority groups, the activities have been done flexibly in many diverse ways.

The activities of law dissemination and education are mainly done through the forms of oral communication, workshops, refresher courses, conferences on newly enacted legal documents, and official documents meeting the need to gain legal

knowledge of cadres, civil servants, and the people. Furthermore, there are also other forms of law education such as organizing talks about law, holding legal knowledge contests, compiling legal materials for all objects, establishing law library, and providing law education with schools.

Chart 1 – Percentage of the forms used for law dissemination and education for ethnic minorities



Source: National Project: Fundamental and urgent issues in making and enforcing law in ethnic minority and mountainous areas of Vietnam

It can be asserted that the achievements in law dissemination and education for people from ethnic minorities have *contributed to improving and broadening the knowledge and understanding about law of people from ethnic minorities*. The improvement and increase in such knowledge and understanding are gradually, *actively, and positively altering the behavior and manners of the people, making their behavior and manners compliant with legal provisions*, rather than in instinctive ways.



Shortcomings and drawbacks in law dissemination and education for people from ethnic minorities

- Law dissemination and education for people from ethnic minority groups in the past few years have not been considered as important as required for the administration of the society using law. The activities have not been done regularly, constantly, and consistently, with no central goals and emphases. There have been lacks the smooth coordination between agencies, organizations, associations, and the authorities of all levels and sectors, which is often required to mobilize the resources of the whole political system and to encourage the participation of the whole society. As a consequence, the need for the information and knowledge about law of people from ethnic minority groups has not been satisfied fully and timely (HOANG; PHAN, 2014).

- Law dissemination and education for people from ethnic minorities, in many places, are only superficial, following the fad, which does not ensure the quality and effectiveness of the activities (COMMITTEE, 2019). The programs and plans are patchy and lacking the programs exclusive for people from ethnic minorities.

- Most of the law reporters and communicators are serving concurrently more than one position, which means their legal knowledge as well as pedagogical skills are limited. These law reporters and communicators work unprofessionally and unscientifically and have not met the requirements to reform law education.

- The coordination among agents is not regular and unsynchronized. Law dissemination and education for all people in general and for people from ethnic minorities in particular seem to be simple, but, in fact, are difficult and complex tasks, requiring a combination of many factors to ensure the effectiveness. There should be more agencies and authorities, both law-related ones and others, participating in the dissemination and education of law for all groups of subjects.

- The contents, methods, and forms of law dissemination and education for people from ethnic minorities still have many shortcomings, and have not taken the features of ethnic minorities into consideration.





Results and Discussion

Improving the professional competence and skills of law reporters and communicators who directly give law education to the people from ethnic minorities

Firstly, improve the professional competence, qualifications, and the legal knowledge of the reporters and communicators of law. Improving the professional competence and skills of the reporters and communicators of law who directly provide the education of law to people from ethnic minority groups is an urgent issue.

Secondly, emphasis on improving and refreshing the pedagogical, communication, and problem-solving skills of the reporters and communicators of law. Apart from improving and refreshing the qualification and knowledge of law, competent agencies should also focus more on training the reporters and communicators of law in, and equipping them with pedagogical methods, information-communicating experience, problem-solving skills in legal situations, communication skills, and proper manners when providing law education (RAMCHARAN, 1997). Such crews should also be trained in soft skills such as making and compiling lessons, convincing people, delivering slick presentations before a crowd. In order to achieve this, there has to be cooperation and assistance from teachers, well-established and experienced experts from education and training institutions that major in law.

Thirdly, each reporter and communicator of law should improve their professional competence and practice their skills and professional skills in an active, flexible, and creative way, and should also be enthusiastic about the education of law for people from ethnic minorities. Apart from participating in training courses, workshops, and refresher courses on legal knowledge held by competent agencies, each reporter and communicator of law should regularly update information and knowledge about policies and legal documents, especially ones related to legal fields that need disseminating and teaching to people from ethnic minorities. Besides the knowledge and understanding of law, reporters and communicators of law should also improve their qualification of political theory, acquire more knowledge and understanding about social issues, and understand certain cultural traditions and customs of people from ethnic minority groups, especially the languages, in order to meet the requirements of law education practices for people from ethnic minority groups in the current period (PHAN, 2014).





Fourthly, paying attention to training and building a team of reporters and communicators of law who are ethnic minority people is a key measure in both the short and the long run. Chief cadres who provide law communication, dissemination, and education should be ethnic minority people and be well-established among the people from ethnic minorities. Designated law communicators have to be competent and enthusiastic, and fully understand law. If reporters of law are cadres or civil servants who are ethnic minority people, it will be of better interest (NGUYEN, 2017).

Refreshing the content of law education for people from ethnic minority groups

Firstly, immediately add fundamental knowledge about general theory of state and law to the law education programs for people from ethnic minority groups. Furthermore, such knowledge should be compiled, with a view to being brief, and compact with illustrations and examples to make it easier to understand. The chosen methods and forms of law education should be compatible with the cognition of people from ethnic minorities. Such mentioned knowledge is fundamental knowledge which helps people from ethnic minorities understand technical legal contents. Equipping people from ethnic minorities, who are the objects of law education, with such knowledge is to solve the main problem with understanding law.

Secondly, choose the contents of law which are specific and closely related to the daily life, production practices, and daily activities of people from ethnic minorities for the dissemination and education. Contents of law which are specific and closely related to the daily life, production practices, and daily activities of people from ethnic minorities should be chosen for dissemination and education. On the other hand, newly enacted legal documents should be updated and added. The content of law education must be reformed to reduce subjective imposition, to update law education with new content according to the needs of people from ethnic minorities, and to follow the motto: “equipping people from ethnic minorities with knowledge about law that they need, not forcing them to listen to the knowledge about law that the subjects have”.

Thirdly, emphasize on updating law education with knowledge about by-law documents enacted by People’s Councils and People’s Committees, particularly ones related to the daily life, production practices, jobs, and benefits of people from ethnic





minorities. Basically, the dissemination and education of law for people from ethnic minorities incorporate contents of by-law documents, particularly ones enacted by authorities at district and commune levels, which are vital bases for the enforcement of law regarding democracy at the commune level and consolidate the power of people from ethnic minorities (NGUYEN; NGUYEN, 2011).

Fourthly, *inform people from ethnic minorities about real activities that comply with the law in areas accommodating people from ethnic minorities*. Being informed of real activities that comply with the law helps encourage people from ethnic minority groups to follow the good examples, raise their awareness of compliance, warn them of conspiracies and tricks against the law, and encourage them to actively participate in combatting crimes and to maintain social order and discipline in provinces accommodating people from ethnic minorities.

Fifthly, *the content of law education should aim at equipping people from ethnic minorities with practical knowledge, experience, and the skills to apply legal documents to solving legal problems, events, and situations arising in their daily life*. In many cases, merely due to the lack of such practical experience and skills, insignificant events, such as family conflicts, conflicts among neighbors, or civil disputes, have led to wrongdoings and illegal acts, which happened among people from ethnic minorities. Therefore, it is certainly high time to make sufficient room, in the content of law education for ethnic minority people, for such practical knowledge and skills to solve legal problems, events, and situations in real life.

Sixthly, *law education agents should quickly develop programmes of law dissemination and education exclusively dedicated to people from ethnic minority groups and respectively suitable for each group of objects*. These exclusive law education programs have to incorporate enough knowledge and understanding of law mentioned above and includes reference materials exclusively compiled for each group of ethnic minority objects, in order to ensure that the information and knowledge of law are suitable for different groups of objects such as ethnic minority cadres, civil servants, officers, young adults, students, and people. When designing law education programmes exclusively dedicated to people from ethnic minorities, the need for legal information and knowledge of each group the mentioned should be taken into consideration, and new legal documents and policies should be timely added and updated to the programmes.





Reforming the methods of law education

Firstly, reforming the methods of teaching and communicating knowledge of law to people from ethnic minorities.

A radical shift away from the method “centering around reporters of law” to the method “centering around people from ethnic minority groups”. The methods of presentations and guided discussions should always be improved and changed to make themselves more interesting and attractive to people from ethnic minority groups, which encourages their initiative, self-discipline, and creativity.

Secondly, adopting a combination of different methods in law education for people from ethnic minority groups to suit each group of objects.

Reforming the methods of teaching and communicating knowledge of law to people from ethnic minority groups requires that methods of law education become vivid, intriguing, and attractive to its objects by using the techniques of asking questions, bringing up situations, associating the knowledge with specific legal problems and events, and encouraging lively debates and discussions with a view to finding the solutions under the instructions and orientation of the reporters of law. Reforming the methods of law education should also aim at training people from ethnic minority groups in the skills to apply knowledge of law to solving legal events and situations that they may encounter in real life.

Thirdly, law education agents need to make quick and full summaries and evaluations that point out the strengths and weaknesses of law education methods for people from ethnic minority groups.

Based on the quick and full summaries and evaluations that point out the strengths and weaknesses of law education methods for people from ethnic minority groups, the agents can decide on methods of law education suitable for the ethnic minorities. The agents should also assess the content of law education and categorize people from ethnic minorities into specific groups of objects according to place of living, age, occupation, social status within a community, and the need for knowledge of law in order to employ suitable law education methods, and to avoid the waste of time, efforts, and money of the State and the people (NGUYEN, 2014).



Reforming the forms of law education

Firstly, law education agents should have a consistent understanding about, and clearly perceive the difference between methods and forms of law education for people from ethnic minority groups to pay adequate attention to the role of law education forms for such objects. Methods of law education are determined by the content of law. It is the way communicators disseminate and deliver the contents to listeners, which helps listeners to accumulate and acquire knowledge of law in an easy, interesting, and convenient way. Meanwhile, forms of law education are how law education for such objects is organized and launched; with the forms of law education, the relationship between the contents and methods of law education is established, and the objectives of law education for people from ethnic minority groups are realized. Always, between the methods and the contents of law education exists an organic relationship.

Secondly, keep diversifying the forms of law education for people from ethnic minority groups, which suit the cultural traditions, ways of life, activities, religions, and places of living of each group of people from ethnic minority groups. For most people from ethnic minority groups the forms of law education which can be employed are:

- Providing law education through people's meeting, and conference, and religious activities;
- Compiling books on general law in ethnic minority languages, and encouraging people from ethnic minorities to read books on law from commune, ward, and town law libraries;
- Employing brochures with contents of law education;
- Providing law dissemination and education through Radio and Television programs in provinces with great numbers of people from ethnic minority groups.
- Besides, specialized forms of law education conducted through the activities of the courts and legal enforcement agencies are also suitable for people from ethnic minority groups;

Thirdly, together with being diversified, major forms of law education for people from ethnic minorities should be restricted to only ones that are considered appropriate. Such forms are:



- Running extensive courses to disseminate and communicate law which are comprehensible to people from ethnic minority groups;
- Launching programs for law dissemination and education exclusively dedicated to people from ethnic minority groups through mass media (local newspapers and televisions, Legal News, provincial Radios and Televisions);
- Holding knowledge contests regarding popular legal topics in order to provide people from ethnic minority groups with law education;
- Offering intensive training workshops on legal topics to communicate to key members of ethnic minorities (village chiefs, religious dignitaries, and well-established figures), who will, then, communicate the knowledge to the people in their communities.
- Boosting the employment of more mass media channels, radios, the internet, panels, posters, and placards for the education of law for people from ethnic minority groups; posting information about law on the websites of provinces, districts, agencies, and authorities of all sectors; and posting information about law on the bulletin boards at government's headquarters in neighborhoods.
- Providing law education via activities of judging and handling administrative violations, activities of citizen reception, activities of handling complaints and denunciations, and other activities by State agencies; consolidating the practices of legal aids and local reconciliation, which are appropriate forms of law education for people from ethnic minority groups.

Conclusion

Ethnic groups in Vietnam is a united and solidified community with a diversity of values, cultural identities, customs, traditions, and languages. Scattered distribution of ethnic minority populations in remote and mountainous areas, and uneven development among ethnic minorities are significant features of the ethnic minority structure in Vietnam. Throughout thousands of years of creating and defending the nation, ethnic groups in Vietnam have always stood side by side and closely united in the fights against invaders, natural disasters, and in the process of developing the country. In any periods of the history, in ethnic minority and mountainous areas, there have always been economic, political, cultural, social, security, national defense, and legal issues which



require that the State pay attentions to working on and finding solutions in both theories and practices, and the law making and enforcing processes are some of the mentioned issues (PHAN, 2014).

The adherence to the principles and provisions of the Constitution, the guidelines and the policy of the Party, and the policies and law of the State regarding attention, priority of investment, and aids in development given to ethnic minority and mountainous areas has been consistent throughout times. Recently, the National Assembly has approved the *Master plan on the socio-economic development of ethnic minority and mountainous areas in the period from 2021 to 2030* (RESOLUTION, 2019), which clearly states the point of “Reviewing, amending, and adding to, and completing the policy and law regarding people from ethnic minority groups. Socio-economic, national defense, security development policies for ethnic minority and mountainous areas have to be comprehensive and aim at attaining the sustainable development and making use of the local advantages, potentials, and the people’s self-reliance. Communicating practices of knowledge of law to people from ethnic minorities should be boosted, full social consent for law dissemination and education should be obtained, and the people’s potential should be harnessed in order to overcome difficulties and challenges, to integrate such areas to the development of the country, and to consolidate the great national unity and the trust in the Party and the State by the people from ethnic minorities.

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