

## NEW MECHANISM ON PROTECTING CIVIL RIGHTS OF VULNERABLE GROUPS IN VIETNAM - OPPORTUNITIES AND CHALLENGES

### NOVO MECANISMO DE PROTEÇÃO DOS DIREITOS CIVIS DE GRUPOS VULNERÁVEIS NO VIETNÃ - OPORTUNIDADES E DESAFIOS

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#### Abstract

The National Assembly's authorization for the People's Procuracy to pilot the filing of civil lawsuits to protect the civil rights of vulnerable groups (disadvantaged subjects) is a historic step forward, demonstrating the determination of the Vietnamese State in realizing the goal of protecting human rights and citizens' rights. With the new mechanism on protecting the civil rights of vulnerable subjects, the role of the People's Procuracy as the "gatekeeper of justice" is clearly demonstrated; at the same time, it has breakthrough significance in protecting vulnerable groups by realizing their right to access justice, promoting social equity, and contributing to sustainable national development. However, along with new opportunities, protecting the civil rights of vulnerable groups through the mechanism of the People's Procuracy initiating civil lawsuits also poses challenges, requiring timely and synchronous solutions to enhance the effectiveness of the pilot implementation in the coming time.

**Keywords:** People's Procuracy. Filing Civil Lawsuits. Protecting Civil Rights. Vulnerable Groups.

#### Resumo

A autorização da Assembleia Nacional para que o Ministério Público Popular implemente um projeto-piloto de ajuizamento de ações cíveis para proteger os direitos civis de grupos vulneráveis (sujeitos em situação de desvantagem) representa um avanço histórico, demonstrando a determinação do Estado vietnamita em concretizar o objetivo de proteger os direitos humanos e os direitos dos cidadãos. Com o novo mecanismo de proteção dos direitos civis de sujeitos vulneráveis, o papel do Ministério Público Popular como "guardião da justiça" fica claramente demonstrado; ao mesmo tempo, essa medida possui um significado inovador na proteção de grupos vulneráveis, ao garantir seu direito de acesso à justiça, promover a equidade social e contribuir para o desenvolvimento nacional sustentável. Contudo, juntamente com as novas oportunidades, a proteção dos direitos civis de grupos vulneráveis por meio do mecanismo de ajuizamento de ações cíveis pelo Ministério Público Popular também apresenta desafios, exigindo soluções oportunas e sincronizadas para aprimorar a eficácia da implementação do projeto-piloto no futuro.

**Palavras-chave:** Ministério Público Popular. Ajuizamento de Ações Cíveis. Proteção dos Direitos Civis. Grupos Vulneráveis.

## 1 INTRODUCTION

On June 24, 2025, at its 9th Session, the 15th National Assembly passed Resolution No. 205/2025/QH15 on "Piloting the People's Procuracy to initiate civil



lawsuits to protect the civil rights of vulnerable groups and public interests" (Resolution 205/2025/QH15). The Resolution shall take effect from January 1, 2026, and will be implemented on a pilot basis for a period of 03 years in 06 localities, including: Hanoi, Ho Chi Minh City, Da Nang, Can Tho, Quang Ninh, and Dak Lak.

The issue of initiating civil lawsuits to protect the civil rights of vulnerable subjects has long been stipulated in Vietnamese law through specialized legal documents. Specifically, under the 2015 Civil Procedure Code (amended and supplemented in 2025), entities with the "right to initiate civil lawsuits to protect the legitimate rights and interests of others" in specific cases include: State management agencies on families, state management agencies on children, and the Vietnam Women's Union; Representative organizations of labor collectives; and Social organizations participating in consumer rights protection.<sup>1</sup> However, while the Civil Procedure Code grants these agencies, organizations, and individuals the right to sue to protect vulnerable subjects, it lacks sanctions for cases where these entities discover violations of the legitimate rights and interests of vulnerable subjects within their scope of duty and authority but fail to exercise their right to sue. If these agencies or organizations do not initiate a lawsuit, the Court cannot protect the legitimate rights and interests of those subjects under civil procedure (Thi The, N, Van Tam, Ph and Thi Phuong, N, 2025). The People's Procuracy, with its constitutional function of exercising the right to public prosecution and supervising judicial activities,<sup>2</sup> has detected violations infringing upon the legitimate rights and interests of vulnerable groups through the performance of its functions. However, due to the lack of a full legal mechanism, the Procuracy has previously been unable to directly initiate lawsuits to request the Court to protect those rights via civil proceedings.

The promulgation of Resolution 205/2025/QH15 has contributed to addressing the "litigation gap" that has long existed in the practice of protecting justice. Accordingly, Vietnam is piloting the mechanism where the People's Procuracy initiates civil lawsuits to protect the civil rights of vulnerable subjects or to protect public interests when there is no other plaintiff. Resolution 205/2025/QH15 defines the scope of vulnerable groups protected by the Procuracy when their legitimate rights and interests are infringed, including: i) Children as prescribed by the Law on Children; ii) The elderly as prescribed

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<sup>1</sup> Clauses 1, 2, 3, and 5 of Article 187 of the 2015 Civil Procedure Code, as amended and supplemented in 2025.

<sup>2</sup> Article 107 of the 2013 Constitution, as amended and supplemented in 2025.

by the Law on the Elderly; iii) Persons with disabilities as prescribed by the Law on Persons with Disabilities; iv) Pregnant women or women raising children under 36 months of age; v) Persons with difficulties in cognition or behavior control, and persons with a loss of civil act capacity as prescribed by the Civil Code; vi) Ethnic minority people residing in areas with exceptionally difficult socio-economic conditions as prescribed by law.<sup>3</sup>

The regulations in Resolution 205/2025/QH15 have expanded the role of the People's Procuracy in protecting human rights in general and the civil rights of vulnerable groups in particular. The shift of the People's Procuracy from a subject that "supervises law observance" to a subject that directly participates in protecting justice through civil litigation reflects a strong innovation in legislative thinking in Vietnam.

Researching and evaluating this new mechanism on protecting the civil rights of vulnerable groups through the initiation of civil lawsuits by the People's Procuracy bears significant importance in the process of perfecting judicial institutions and mechanisms. This aims to enhance the operational efficiency of the People's Procuracy as well as to protect the civil rights of vulnerable groups in Vietnam.

## 2 OVERVIEW

The initiation of civil lawsuits to protect the civil rights of subjects belonging to vulnerable groups has been recognized early by Vietnamese law. However, in recent years, this issue has gained significant attention from scholars and experts, stemming from the viewpoints, guidelines, and policies of the Vietnamese State on strengthening the protection of human rights and citizens' rights. Research works have approached the issue of protecting the rights of vulnerable groups from various aspects, such as: the content of rights, mechanisms for rights protection, and solutions for rights protection, etc.. Notable works include: Nguyen Huy Tien (2022) with *"The role of the People's Procuracy in protecting public interest in China, lessons for Vietnam"*; Le Ngoc Duy (2023) with *"Perfecting the institution of public interest litigation supervision of the People's Procuracy to protect human rights and citizens' rights"*; Nguyen Thi The (2025)

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<sup>3</sup> Clause 1 of Article 3 of Resolution No. 205/2025/QH15 dated June 24, 2025 of the National Assembly of the Socialist Republic of Viet Nam on "the pilot implementation of the People's Procuracy initiating civil lawsuits to protect the civil rights of vulnerable groups or to safeguard public interests."

with *"Institution of initiating administrative lawsuits to protect public interest and state interest - Trend of perfecting Vietnamese law in the new period"*; Vu Thi Hong Van (2025) with *"Development trends of Vietnamese procedural law and the responsibility of the People's Procuracy"*; Luong Quoc Phong (2025) with *"The role of the Da Nang City People's Procuracy in the pilot of initiating public interest civil lawsuits"*; Nguyen Duc Tuong Vy (2025) with *"People's Procuracy initiating civil lawsuits - a pilot legal mechanism towards social justice"*; Le Thi Phuong Thao, Nguyen Tra My, Nguyen Thi Quynh Trang, Ton Luong Bao (2025) with *"Public interest litigation - strategic vision in building and perfecting the Socialist Rule-of-Law State"*; Nguyen Thi The, Phan Van Tam, and Nguyen Thi Phuong (2025) with *"Vietnamese law on civil litigation to protect the rights of vulnerable subjects"*, *Vederas do Direito Journal*, Vol. 22 No. 7 (2025); Nguyen Xuyen (2025) with *"National Assembly pilots Procuracy initiating public interest civil lawsuits: A breakthrough in protecting vulnerable groups and public interest"....*

However, the published works have not comprehensively and systematically researched and evaluated issues related to the mechanism of the Procuracy initiating civil lawsuits. Therefore, on the basis of inheriting existing research results, this article aims to comprehensively and holistically analyze current regulations on the mechanism of the People's Procuracy initiating civil lawsuits to protect the rights of vulnerable groups. Thereby, it assesses the opportunities and challenges in practical application and proposes recommendations to ensure effective implementation in Vietnam in the coming time.

### 3 METHODOLOGY

This article employs a qualitative research method, grounded in the analysis and evaluation of secondary data derived from the system of legal documents and other texts regarding civil litigation, civil rights, and vulnerable groups. Particular emphasis is placed on the functions and tasks of the People's Procuracy concerning the initiation of civil lawsuits, alongside relevant reports, scientific works, and reference materials. On this basis, the author utilizes theoretical research methods—including analysis, synthesis, induction, and systematization—to clarify Vietnamese legal regulations regarding the mechanism of the People's Procuracy initiating civil lawsuits to protect the civil rights of

vulnerable groups. Simultaneously, the study evaluates the role of this mechanism in protecting the civil rights of these subjects.

This approach facilitates a dual objective: providing a comprehensive overview of the legal landscape while identifying the challenges of practical application. Consequently, specific solutions are proposed to enhance the effectiveness of the People's Procuracy's mechanism for initiating civil lawsuits to protect the civil rights of vulnerable groups in Vietnam.

## 4 RESULTS AND DISCUSSION

### 4.1 Regulations on cases where the People's Procuracy initiates civil lawsuits to protect the rights of vulnerable groups

According to Resolution No. 205/2025/QH15, the People's Procuracy shall only initiate a lawsuit after notifying and recommending the agencies, organizations, or individuals with the right and responsibility to sue under the law, provided that no plaintiff comes forward.<sup>4</sup> Thus, not in all cases where a violation causing damage to the civil rights of a vulnerable subject is identified does the Procuracy file suit; such action is only taken in the absence of a plaintiff. Cases considered as having "no plaintiff" include: i) The law has not yet specified which agency, organization, or individual has the right and responsibility to sue; ii) The law has specified the responsible entity, but said agency, organization, or individual fails to file a lawsuit.<sup>5</sup>

Under the Civil Procedure Code, the entities primarily entitled to file lawsuits to protect vulnerable groups include state management agencies on families/children, the Women's Union, trade unions, and consumer protection organizations.<sup>6</sup> The People's Procuracy will proceed to initiate a civil lawsuit in the following instances:

*First*, upon receiving information, the Procuracy verifies and determines whether there is a violation causing damage to the civil rights of a vulnerable subject. Within 30 days of confirming the infringement, the Procuracy shall: i) Notify the vulnerable subject or their legal representative to file a lawsuit; ii) Recommend the

<sup>4</sup> Clause 2 of Article 2 of Resolution No. 205/2025/QH15.

<sup>5</sup> Clause 3 of Article 3 of Resolution No. 205/2025/QH15.

<sup>6</sup> Article 187 of the 2015 Civil Code (as amended and supplemented in 2025).

agency/organization/individual with the right and responsibility to sue to do so, while also sending the recommendation to their direct superior agency. If the deadline passes and the responsible entity fails to sue, the Procuracy shall initiate the lawsuit.

*Second*, during the supervision of the resolution of another civil matter, if the Procuracy detects a violation damaging the civil rights of a vulnerable subject that cannot be resolved within that same case, and after notifying/recommending responsible parties without result, the Procuracy shall initiate the lawsuit.

This regulation helps address the "gap" in the Vietnamese legal system regarding the protection of vulnerable subjects, shifting the Procuracy's role from indirect to direct participation in protecting justice.

## **4.2 Regulations on the procedure for initiating civil lawsuits by the Procuracy to protect the rights of vulnerable groups**

*4.2.1 Firstly, the Procuracy receives and inspects, verifies, and collects information, documents, and evidence about cases of infringing upon the rights of subjects belonging to vulnerable groups*

Information about civil lawsuits related to the civil rights of subjects belonging to vulnerable groups is received by the Procuracy from the following sources: i) Information sent to the Procuracy by agencies, organizations, and individuals; ii) Information from the media or public opinion; iii) Information discovered by the Procuracy through the settlement of other cases; iv) Other lawful sources of information. Within 30 days from the date of receiving information, the competent Procuracy carries out the processing of the received information through checking the authenticity of the event, reviewing the documents and evidence received; if it finds that the information about the civil lawsuit related to the civil rights of the subject belonging to a vulnerable group is grounded, the Procuracy accepts the public interest civil case; if the information is unfounded, it terminates the processing of information and notifies the agency, organization, or individual that provided the information as prescribed.

The Procuracy may collect information, documents, and evidence about civil lawsuits related to the rights of vulnerable groups through the following measures: Requesting agencies, organizations, and individuals to provide information, documents,

and evidence; Requesting assessment; Pricing assets; Requesting opinions from agencies, organizations, and individuals with expertise; Taking testimonies, conducting confrontations; Reviewing and appraising on the spot; Inspecting and evaluating the scene; Authorizing the inspection, verification, and collection of information, documents, electronic data, and material evidence.<sup>7</sup>

The Procuracy decides on the suspension, termination, or restoration of the inspection and verification in each corresponding case, specifically:

- The Procuracy issues a decision to suspend the inspection and verification when it falls into one of the following cases: i) There is no act of infringing upon the civil rights of the subject belonging to a vulnerable group; ii) The act of infringing upon the civil rights of the subject belonging to a vulnerable group has ended and the consequences have been remedied; iii) A lawsuit has been initiated; iv) The subject belonging to a vulnerable group whose civil rights have been infringed upon or their legal representative requests not to initiate a lawsuit; v) The violating individual has died without anyone inheriting their rights and obligations; the violating agency or organization has ceased operation without any agency, organization, or individual inheriting their rights and obligations.

The Procuracy re-accepts the case to conduct inspection, verification, and collection of documents and evidence after it has been suspended when the subject who initiated the civil lawsuit to protect the civil rights of vulnerable groups withdraws the lawsuit and the vulnerable subject or their legal representative does not agree, has a written request for the Procuracy to initiate a lawsuit, and the Procuracy considers it necessary to initiate a lawsuit to protect their civil rights.

- The Procuracy issues a decision to terminate the inspection and verification when the Procuracy has accepted a civil case related to the infringement of the rights of a vulnerable group and the subject belonging to the vulnerable group who is the object of protection dies. - The Procuracy issues a decision to restore the inspection and verification in the case of suspending the inspection and verification because the subject belonging to a vulnerable group whose civil rights have been infringed upon or their legal representative requests not to initiate a

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<sup>7</sup> Articles 9, 10, 11, 12, 13, 14, 15, and 16 of Joint Circular No. 09/2025/TTLT-VKSNDTC-TANDTC-KTNN-TTCP-BCA-BTP-BTC-BCT-BXD-BYT-BNNMT-BVHTTDL-BDTTG.

lawsuit, but later there is a basis to determine that the failure to request the Procuracy to initiate a lawsuit is due to being deceived, threatened, coerced, or mistaken.

*4.2.2 Secondly, the Procuracy carries out the notification, recommendation to initiate a lawsuit, and support for initiating a lawsuit to protect the rights of vulnerable groups.*

After inspecting and verifying the case, the Procuracy issues a decision requiring the agency, organization, or individual with an act of infringing upon the civil rights of vulnerable groups to stop the infringing act and take measures to prevent and remedy the consequences.<sup>8</sup> The decision requesting the termination of the infringing act and the application of measures to prevent and remedy the consequences is sent to the agency, organization, or individual with the infringing act immediately after issuance; it may be accompanied by documents and evidence that the Procuracy has collected about the authenticity of the event, the infringing act, the subject with the infringing act, and the resulting damage. The agency, organization, or individual with the infringing act must respond in writing to the issues requested by the Procuracy within 15 days from the date of receiving the decision.

The Procuracy monitors and inspects the agency, organization, or individual that is required to terminate the infringing act and apply measures to prevent and remedy the consequences as requested by the Procuracy. After the prescribed time limit, if the agency, organization, or individual that is required does not have a written response or has a written response that does not accept the implementation of the Procuracy's request; the agency, organization, or individual implements the Procuracy's request incompletely or ineffectively without a legitimate reason, the Procuracy considers carrying out the notification of initiating a lawsuit or recommending the initiation of a civil lawsuit. Accordingly, the Procuracy notifies in writing the subject belonging to a vulnerable group whose civil rights have been infringed upon or their legal representative so that they can initiate a civil lawsuit. After the prescribed time limit, if the Procuracy does not receive a written response from the subject mentioned above, the Procuracy carries out the

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<sup>8</sup> Clause 1 of Article 13 of Resolution No. 205/2025/QH15.

recommendation to the agency, organization managing, in charge of the industry or field to initiate a civil lawsuit to protect the rights of vulnerable groups.

Within 30 days from the date of receiving the notification or recommendation from the Procuracy, the agency, organization, or individual with the responsibility to respond in writing to the Procuracy about the implementation of the right and responsibility to initiate a lawsuit.<sup>9</sup>

#### *4.2.3 Thirdly, the Procuracy initiates a civil lawsuit to protect the rights of vulnerable groups.*

Within 02 months from the date of the expiration of the time limit for responding in writing to the Procuracy about the implementation of the right and responsibility to initiate a lawsuit without anyone initiating a lawsuit or the Procuracy not receiving a written response from the agency, organization, or individual with the right and responsibility to initiate a lawsuit, the Procuracy considers and decides to initiate a lawsuit to protect the civil rights of the subject belonging to a vulnerable group when the person whose civil rights have been infringed upon or their legal representative cannot initiate a lawsuit themselves and requests the Procuracy to initiate a lawsuit; in case there is a basis to determine that their failure to request the initiation of a lawsuit is due to being deceived, threatened, coerced, or mistaken, the Procuracy considers and decides on the initiation of a lawsuit.

Within 05 working days from the date of issuance, the Procuracy sends the decision to initiate a lawsuit along with documents and evidence to the competent Court to settle the case.<sup>10</sup> Within 05 working days from the date of receiving the decision to initiate a lawsuit from the Procuracy and the accompanying documents and evidence, the Court proceeds to accept the case if the case falls under the Court's jurisdiction and proceeds with the settlement procedure as prescribed by the Civil Procedure Code.

The Procuracy initiating a civil lawsuit has the rights and obligations of the plaintiff, except for the following rights and obligations: i) To voluntarily agree with the sued organization or individual on the settlement of the case, except for the case where the sued organization or individual agrees to fully implement the responsibilities

<sup>9</sup> Clause 3 of Article 13 of Resolution No. 205/2025/QH15.

<sup>10</sup> Clause 3 of Article 14 of Resolution No. 205/2025/QH15.

according to the lawsuit request of the Procuracy and the Court recognizes the agreement of the parties; ii) The Procuracy does not have to pay advance court fees, does not have to bear court fees; iii) The Procuracy requesting the application of urgent temporary measures does not have to take security measures; in case the application of urgent temporary measures is incorrect and causes damage, it must compensate as prescribed by the Law on State Compensation Liability.

### **4.3 Opportunities and challenges for protecting the rights of vulnerable subjects through the mechanism of the People's Procuracy initiating civil lawsuits**

#### *4.3.1 Regarding opportunities*

Firstly, the mechanism of the Procuracy initiating civil lawsuits will ensure that the Procuracy performs its functions and tasks effectively and thoroughly.

In practice, when performing the function of exercising the right to public prosecution and supervising judicial activities in settling cases, in many cases, the Procuracy detects violations causing damage to the civil rights of subjects belonging to vulnerable groups, but it cannot be resolved in the same case. However, due to the lack of a mechanism to initiate civil lawsuits on its own, it is difficult for the Procuracy to protect the rights of vulnerable subjects in a timely and thorough manner. The promulgation of Resolution 205/2025/QH15 is an important legal basis to ensure that the Procuracy effectively performs its constitutionally mandated tasks.<sup>11</sup>

Secondly, the mechanism of the Procuracy initiating civil lawsuits contributes to the effective implementation of the goal of protecting human rights and citizens' rights.

It can be seen that Resolution No. 205/2025/QH15 of the National Assembly contributes to increasing the proactiveness of the Procuracy in protecting vulnerable groups, reducing the burden of costs, time, and mental pressure for these subjects in seeking justice. At the same time, it contributes to raising the awareness of respecting the law of organizations and individuals; preventing and limiting acts of violation infringing upon the civil rights of subjects, especially vulnerable groups. Through receiving information from various sources and the process of performing the function and task of

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<sup>11</sup> Article 107 of the 2013 Constitution (as amended and supplemented in 2025).

supervising the settlement of cases, the Procuracy promptly verifies and clarifies whether there is an act of infringing upon the civil rights of vulnerable subjects, thereby promptly carrying out the necessary activities to ensure the rights of vulnerable groups.

Thirdly, with the issuance of Resolution No. 205/2025/QH15, it will contribute to strengthening the coordination relationship as well as the responsibility of agencies and organizations when performing the task of managing the assigned field or acting as a representative. From there, it promptly detects acts of infringing upon the rights of vulnerable subjects to carry out the initiation of lawsuits requesting the Court to protect the legitimate rights and interests of those subjects. The Procuracy, with the role of a central subject and closely coordinating with the People's Court, forms a relationship of "support - coordination - supervision" in the process of initiating and settling civil lawsuits to protect the rights of vulnerable subjects. On the other hand, the new mechanism also contributes to strengthening the participation of the people in detecting and providing information about cases to competent agencies and organizations about acts of violation, as a basis for competent agencies and organizations to promptly handle in order to effectively protect the rights of subjects belonging to vulnerable groups.

#### *4.3.2 Regarding challenges*

Firstly, the related legal system on the Procuracy initiating civil lawsuits to protect the rights of vulnerable groups is not synchronous.

Although Resolution 205/2025/QH15 has created a new mechanism for initiating civil lawsuits to protect the rights of vulnerable groups. However, the system of related regulations does not have full compatibility, which will lead to inconsistent application, posing a requirement for Vietnam to continue to improve the law in the process of implementation.

According to Resolution 205/2025/QH15, the scope of vulnerable groups includes: Children as prescribed by the Law on Children; Elderly people as prescribed by the Law on Elderly People; People with disabilities as prescribed by the Law on People with Disabilities; Women who are pregnant or raising children under 36 months of age; People with cognitive difficulties, difficulty in controlling their behavior, and people who have lost civil act capacity as prescribed by the Civil Code; Ethnic minorities residing in

areas with particularly difficult socio-economic conditions as prescribed by law.<sup>12</sup> Thus, to determine whether the person whose rights have been infringed upon belongs to a vulnerable group, Resolution 205/2025/QH15 refers to specialized laws. However, the identification of subjects belonging to vulnerable groups in Resolution 205/2025/QH15 is not yet suitable for the reality of social life in Vietnam, specifically:

One is that the regulation of the scope of vulnerable groups is not diverse and flexible, referring to the laws of some other countries such as China and the United States shows that the criteria for determining subjects belonging to vulnerable groups are expanded, thereby the rights of vulnerable subjects are protected promptly and effectively.<sup>13</sup>

Two is that the general regulation leads to difficult accurate identification of vulnerable subjects. For example: one of the vulnerable subjects stipulated in Resolution 205/2025/QH15 is "Elderly people as prescribed by the Law on Elderly People". In which, elderly people are defined according to the Law on Elderly People "as Vietnamese citizens aged 60 years or older".<sup>14</sup> With the conditions, living standards, and average age of Vietnamese people today, a person aged 60 years or older is not considered an elderly person; not to mention many people have good personal economic conditions due to their own accumulation or being supported by their families, children, and relatives with conditions.

Secondly, the determination of the scope of "vulnerable groups" in Resolution 205/2025/QH15 (may) lead to inequality in Vietnamese society.

As analyzed, stemming from the fact that the regulation of vulnerable groups is not yet appropriate and diverse. Basing on the criteria of age (children, elderly people) to determine belonging to a vulnerable group leads to missing, omitting people who need to be protected. A person who is eligible to be identified as an elderly person but has full factors of health, spirit, economy, etc., is eligible to be considered a vulnerable subject or not? Meanwhile, those who are truly "vulnerable", need to be supported to protect their rights due to factors of: economic conditions (due to poor health, unable to participate in labor and without relatives to support); health conditions (people infected with the human

<sup>12</sup> **Clause 1 of Article 3 of Resolution No. 205/2025/QH15.**

<sup>13</sup> Nguyen Thi The, Phan Van Tam and Nguyen Thi Phuong, (2025), Vietnamese law on civil litigation to protect the rights of vulnerable subjects, *Vederas do Direito*, Vol. 22 No. 7 (2025), ISSN: 2806-3845; e-ISSN: 2179-8699, Publication date: 2025-12-30, <https://doi.org/10.18623/rvd.v22.n7.4205>.

<sup>14</sup> Article 2 of the 2009 Law on the Elderly.

immunodeficiency virus (HIV) or those with other chronic diseases)... are not within the scope of Resolution 205/2025/QH15, this leads to inequality in enjoying the mechanism of protecting civil rights through the initiation of civil lawsuits by the Procuracy.

Thirdly, the issue of professional capacity of Prosecutors is also a major barrier affecting the effectiveness of initiating civil lawsuits to protect the rights of vulnerable groups.

Initiating civil lawsuits is a new task assigned by the National Assembly to the Procuracy, requiring specialized knowledge and skills. The cases often relate to many fields with complex nature...; posing a requirement for Prosecutors not only to have knowledge of the law but also to have basic knowledge or the ability to access and understand other specialized fields. In addition, it requires additional investigation and evidence collection skills to prove whether there is an act of violation infringing upon the rights of vulnerable subjects or not - these highly specialized requirements ensure the effectiveness of protecting the rights of vulnerable groups through the mechanism of initiating civil lawsuits by the Procuracy.

Fourthly, budget and resources are also an important issue affecting the quality and effectiveness of the mechanism of initiating civil lawsuits by the Procuracy.

Clarifying civil cases infringing upon the rights of vulnerable groups is often lengthy and costly in terms of assessment costs, experts, travel, time... The Procuracy needs to be equipped with sufficient budget and resources to avoid interrupting the litigation process. The cases initiated by the Procuracy will receive great attention from public opinion, so unsatisfactory handling may cause frustration and affect people's trust, which will create pressure for the Procuracy in showing its role in protecting human rights, citizens' rights in general, and the rights of vulnerable groups in particular.

## 5 CONCLUSION

The National Assembly's authorization for the People's Procuracy to initiate civil lawsuits to protect the rights of vulnerable groups marks a significant stride in the progression of protecting human rights and citizens' rights in Vietnam. The implementation of synchronous solutions—ranging from institutional perfection and the enhancement of prosecutors' professional qualifications, skills, and professional courage, to the assurance of operational funding—will contribute to ensuring the effectiveness of

initiating civil lawsuits to protect the rights of vulnerable groups. Simultaneously, this lays the foundation for the codification of the mechanism for the People's Procuracy to initiate public interest civil lawsuits in the future.

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### **Authors' Contribution**

All authors contributed equally to the development of this article.

### **Data availability**

All datasets relevant to this study's findings are fully available within the article.

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