

SHORTCOMINGS AND RECOMMENDATIONS FOR IMPROVING DIVORCE REGULATIONS UNDER VIETNAMESE LAW

Dr. Nguyen Hai Ngan

Faculty of Law, Thai Nguyen University of Sciences

ABSTRACT

This article analyzes the legal provisions on divorce under Vietnam's 2014 Law on Marriage and Family, thereby providing a multidimensional assessment of the legal framework and the issues arising in its practical application. On that basis, the author identifies the limitations and shortcomings of the current divorce regulations. At the same time, the article proposes several solutions and recommendations for the development and improvement of divorce-related legal provisions, with a view to supplementing and refining the legal framework on marriage and family in a more coherent and comprehensive manner.

Keyword: Divorce; Vietnam's 2014 Law on Marriage and Family; marriage and family.

1. INTRODUCTION

The 2014 Law on Marriage and Family devotes a separate section to the regulation of divorce, with provisions ranging from Article 51 to Article 64 under Chapter IV, Section 1. In addition, matters relating to divorce are addressed in Articles 81 to 84, which govern the rights and obligations concerning common children upon divorce, and Article 115, which regulates obligations between former spouses after divorce.

The Law recognizes the right of both spouses to request a divorce while imposing restrictions on the husband's right to do so when the wife is pregnant, giving birth, or raising a child under twelve months of age, with the aim of protecting the rights and interests of women and children. Regarding the grounds for divorce, the Law differentiates between specific circumstances, namely divorce by mutual consent and divorce upon the request of one spouse, thereby overcoming the previously generalized approach and ensuring consistency with the nature of the marital relationship.

With respect to the settlement of property issues, the Law introduces principles that correspond to the matrimonial property regime of the spouses and recognizes fault as a factor to be considered in the division of marital property in order to ensure fairness. Furthermore, the provision concerning the division of jointly owned property used for business purposes (Article 64) establishes a legal basis for handling assets

associated with production and commercial activities. Similarly, the provision on the right of temporary residence in a dwelling that constitutes the separate property of one spouse (Article 63) reflects the humanitarian nature of the legislation by ensuring temporary accommodation for a spouse experiencing difficulties after divorce.

Overall, the provisions of the 2014 Law on Marriage and Family are more specific and comprehensive than those of previous legislation, thereby contributing to greater effectiveness in practical application. Nevertheless, during the course of implementation, the Law has revealed a number of difficulties and shortcomings, failing in certain respects to provide a sufficiently comprehensive and adequate legal basis for resolving issues arising in practice.

1.1. Restrictions on the Husband's Right to Request Divorce

Article 51(3) of the 2014 Law on Marriage and Family provides that: "A husband does not have the right to request a divorce when his wife is pregnant, giving birth, or raising a child under twelve months of age." This provision gives concrete effect to the principle of protecting women and children enshrined in Article 2(4) of the Law and reflects the humanitarian orientation of Vietnamese marriage and family law. Nevertheless, from the perspective of legal interpretation and practical application, the provision still reveals several shortcomings that warrant further refinement.

First, the current regulation does not contemplate situations in which a wife becomes pregnant but subsequently suffers a miscarriage or is required to terminate the pregnancy. In essence, this period remains one during which a woman experiences serious physical and psychological harm, the consequences of which may be comparable to, or even more severe than, those experienced during the postpartum period. Judicial practice has recognized this legislative gap, and Resolution No. 01/2024/NQ-HĐTP has partially addressed the issue by extending the restriction on the husband's right to request divorce to cases where "the wife is at least 22 weeks pregnant and is required to terminate the pregnancy." However, this approach remains limited because it applies only to pregnancies of 22 weeks or more and therefore does not adequately cover cases of miscarriage occurring during earlier stages of pregnancy. Accordingly, in the spirit of ensuring comprehensive protection of women's rights and interests, it is necessary to supplement the law by providing that, where a wife suffers a miscarriage, the husband may request a divorce only after the expiration of a reasonable period of time (for example, twelve months), thereby safeguarding the wife's physical and emotional stability.

Furthermore, Article 51(3) establishes an absolute restriction and does not provide for any exceptions, which may result in inequitable consequences in certain exceptional circumstances. For example, where a husband is able to prove that his wife is pregnant by another man or that a child born during the marriage is not biologically related to him, Resolution No. 01/2024/NQ-HĐTP nevertheless maintains the restriction on the husband's right to request divorce, irrespective of biological parentage¹ [11]. This approach, while serving the legitimate objective of protecting mothers and children, overlooks the principle of equality between spouses as well as the right to terminate a marital relationship in cases involving serious violations of the duty of fidelity as prescribed in Article 19 of the 2014 Law on Marriage and Family. In such circumstances, maintaining the restriction in an absolute manner may lead to undesirable consequences and may even give rise to family conflicts or domestic violence. Therefore, it is

necessary to introduce an exception whereby the restriction set forth in Article 51(3) shall not apply where a legally effective judgment or decision of the Court has determined that the child is not the biological child of the husband.

Finally, with regard to altruistic surrogacy arrangements, current legislation does not provide direct regulation within the Law itself but instead relies primarily on guidance contained in Resolution No. 01/2024/NQ-HĐTP. In cases of surrogacy for humanitarian purposes, the law restricts the husband's right to request divorce in order to ensure psychological stability, health protection, and adequate care for pregnant women, mothers, and children under twelve months of age. Accordingly, the husband of the surrogate mother is not entitled to request a divorce while his wife is pregnant, giving birth, or raising a child under twelve months of age. Similarly, the husband of the intended mother is also restricted from requesting a divorce during the period in which his wife is raising a child under twelve months of age or while the surrogate mother is pregnant, giving birth, or caring for a child under twelve months of age.

However, this approach fails to clearly distinguish between the biological aspect of reproduction (the woman who physically carries the pregnancy) and the legal and genetic aspects of parenthood (the legal parents of the child). A more appropriate approach would be to distinguish between different stages of the surrogacy process:

(1) During the period in which the woman is pregnant (prior to the transfer of the child), the restriction should apply to both husbands in order to ensure their responsibility to provide support, care, and protection for the pregnancy. This approach is consistent with the humanitarian objective of safeguarding maternal health and fetal development, while also ensuring that both parties involved in the surrogacy arrangement fulfill their respective obligations throughout the gestational period² [10].

(2) After the transfer of the child has been completed, the legal parent-child relationship is established in favor of the intended parents pursuant to Articles 94 and 95 of the 2014 Law on

¹ Clause 4 and Clause 5, Article 2 of Resolution No. 01/2024/NQ-HĐTP of the Council of Judges of the Supreme People's Court.

² Article 97(1) of the 2014 Law on Marriage and Family

Marriage and Family. Accordingly, the restriction on the right to request divorce should continue to apply only to the husband within the couple commissioning the surrogacy arrangement, whereas the husband of the surrogate mother should no longer be subject to such restriction, as there is no longer a legal basis for maintaining the limitation.

In conclusion, although Article 51(3) of the 2014 Law on Marriage and Family clearly embodies humanitarian values and reflects the legislative objective of protecting vulnerable groups, further refinement is necessary to ensure greater reasonableness, balance, and practical feasibility. In particular, the law should be improved by extending protection to cases involving miscarriage, introducing reasonable exceptions in circumstances involving serious violations of marital obligations, and providing more specific guidance for the application of the provision in special situations such as altruistic surrogacy arrangements. Such amendments would not only enhance the effectiveness of legal regulation but also provide stronger protection for the legitimate rights and interests of parties involved in marriage and family relationships.

1.2. Grounds for Divorce upon the Request of One Spouse

Article 56(1) of the 2014 Law on Marriage and Family provides that where either spouse requests a divorce, the Court shall grant the request only if mediation has failed and there is sufficient evidence demonstrating that domestic violence or a serious violation of the rights and obligations of spouses has caused the marital relationship to deteriorate seriously, rendering cohabitation impossible and the purposes of marriage unattainable. From a legislative perspective, this provision reflects a cautious approach aimed at preventing arbitrary divorce and preserving family stability. However, from the standpoint of legislative drafting and legal technique, the use of highly qualitative concepts has significantly diminished legal certainty and the consistency of judicial application.

In practice, phrases such as “serious deterioration of the marital relationship,” “cohabitation can no longer be maintained,” and “the purposes of marriage cannot be achieved” lack specific legal criteria capable of objective assessment. Consequently, the determination of these conditions depends heavily upon the subjective judgment of individual judges. In an effort to address this limitation, Resolution No. 01/2024/NQ-HĐTP has provided more detailed indicators for identifying marital breakdown, including the absence of marital affection, acts of adultery, infringements upon honor, dignity, or health, and the failure to ensure equality and mutual respect between spouses. Compared with the earlier guidance provided in Resolution No. 02/2000/NQ-HĐTP, the new approach is more specific and better aligned with practical realities³[12].

The new approach is more specific and practical, thereby helping to narrow the gap in the application of the law. However, from a systemic perspective, the fact that a subordinate legislative instrument effectively “expands the interpretation” of statutory provisions raises concerns regarding the hierarchy and coherence of the legal system, given that the original provision in Article 56(1) of the 2014 Law on Marriage and Family remains inherently abstract.

From the perspective of comparative law, it can be observed that many jurisdictions tend to formulate divorce grounds in a manner that is clear, objective, and verifiable. For example, French law recognizes various grounds for divorce, including situations where the marital relationship has effectively ceased to exist due to the spouses living separately for a specified period of time⁴[6] [7]. Similarly, German law adopts the principle of the “breakdown of marriage,” under which prolonged separation serves as a key indicator of marital breakdown. In particular, where spouses have lived separately for one year and both consent to divorce, the marriage is presumed to have irretrievably broken down. Where the separation has lasted for three years, the marriage is deemed to have broken down irretrievably even if one spouse opposes the

³ Section 8 of Resolution No. 02/2000/NQ-HĐTP dated 23 December 2000 of the Council of Judges of the Supreme People's Court, providing guidance on

the application of certain provisions of the 2000 Law on Marriage and Family.

⁴ Article 237 of the French Civil Code; Article 238 of the French Civil Code

divorce⁵[8]. Chinese law likewise recognizes both marital fault and the actual breakdown of the marital relationship as direct grounds for judicial dissolution of marriage. In particular, where spouses have lived separately for a continuous period of two years as a result of irreconcilable marital discord and reconciliation efforts have failed, the court shall grant a divorce⁶[3]. Accordingly, these legal models aim to minimize the use of subjective and conjectural criteria, relying instead on objective legal indicators that are capable of independent verification and consistent application.

Turning to Vietnamese law, it should be recognized that marriage is, by its very nature, a unique personal and emotional relationship in which the spouses themselves are best positioned to understand the extent of their emotional attachment or marital breakdown. In practice, courts assess the condition of a marriage primarily on the basis of the parties' statements, attitudes, conduct, and relevant evidence, such as domestic violence, adultery, violations of the duty of fidelity, or prolonged separation. However, by requiring the simultaneous proof of cumulative and highly abstract elements such as "serious deterioration," "the impossibility of maintaining cohabitation," and "the failure to achieve the purposes of marriage," the law effectively imposes an unnecessary burden of proof and increases the risk of inconsistent application among judicial authorities.

From the perspective of legal policy, it may reasonably be argued that where one spouse persistently seeks a divorce and reconciliation efforts have failed, this in itself constitutes a clear indication that the marital relationship has, in substance, broken down. Where such circumstances are accompanied by factors such as serious fault on the part of one spouse—including domestic violence, adultery, or serious violations of fundamental marital obligations—or by a prolonged period of separation, the continued legal existence of the marriage becomes largely formalistic. In such situations, requiring additional proof of abstract and indeterminate criteria is not only unnecessary but may also prolong disputes and adversely affect the lawful rights and interests of the parties.

Based on the foregoing analysis, it is proposed that Article 56(1) of the 2014 Law on Marriage and Family be amended in the following directions: (i) removing highly qualitative and indeterminate criteria; and (ii) clearly defining the grounds for divorce on the basis of two principal categories, namely serious fault on the part of either spouse and the actual breakdown of the marital relationship, as evidenced by objective circumstances such as a prolonged period of separation (for example, one year or more). Such an approach would enhance transparency, legal certainty, and practical applicability, while aligning Vietnamese law with progressive legislative trends in comparative jurisdictions. More importantly, it would accurately reflect the fundamental nature of marriage as a voluntary and equal relationship that should not be compelled to continue once it has genuinely and irretrievably broken down.

1.3. Jurisdiction over Divorce Proceedings in Cases of Divorce by Mutual Consent

The determination of the authority competent to resolve and recognize divorce is of particular significance in the context of international integration. This issue concerns not only procedural matters but also the protection of the personal rights and legitimate interests of spouses and children. The proper allocation of jurisdiction contributes to enhancing the protection of human rights in the field of marriage and family law while ensuring that the legal system remains sufficiently flexible to respond to practical demands.

Under the current provisions of the 2014 Law on Marriage and Family and the 2015 Civil Procedure Code, the Court is the sole authority vested with jurisdiction to resolve divorce cases and matters. In cases of divorce by mutual consent, the Court is required to comply fully with civil procedural requirements, including accepting the petition, preparing the matter for consideration within the statutory time limit (normally one month), issuing a decision to open a hearing, and subsequently conducting a hearing for the resolution of the civil matter within the prescribed period. Only after the completion of these procedural steps may the

⁵ Section 1566 of the German Civil Code (BGB) – Presumption of Breakdown of Marriage

⁶ *Article 1079 of the Civil Code of the People's Republic of China (2020)*

Court issue a decision recognizing the divorce by mutual consent⁷ [4].

However, from the perspective of legal efficiency and procedural rationality, it can be observed that in cases of genuine divorce by mutual consent—where the parties voluntarily agree to terminate the marriage, have reached a full agreement regarding their common children, and have no disputes concerning property—the application of the aforementioned judicial procedure appears somewhat formalistic and disproportionate to the relatively simple nature of the legal relationship involved. In practice, such procedures often fail to provide any additional protection for the parties' rights and interests, while at the same time prolonging the process, increasing costs, and causing unnecessary inconvenience for citizens. This reality highlights the need to diversify divorce mechanisms, particularly in cases where no dispute exists.

From a legislative perspective, a reasonable approach would be to establish a parallel mechanism allowing spouses to choose between divorce proceedings before the Court and divorce registration before a civil status authority in cases of divorce by mutual consent. In fact, during the drafting process for amendments to the Law on Marriage and Family, proposals were made to permit civil status authorities to certify divorces where the parties had reached full agreement on matters relating to children and property. Under such a model, should disputes arise after the divorce has been registered with the civil status authority, jurisdiction to resolve those disputes would remain vested in the Court. This approach would ensure both procedural flexibility and the preservation of judicial oversight over any subsequent disputes.

Comparative legal experience indicates that this model has been widely embraced in many jurisdictions. For instance, Chinese law allows spouses seeking a divorce by mutual consent to register their divorce before a civil affairs authority, provided that they have entered into a written agreement governing the dissolution of the marriage, arrangements for child custody and

upbringing, the division of marital property, and the allocation of financial obligations⁸ [3]. Likewise, in the Russian Federation and Japan, administrative divorce is recognized as an effective and expeditious means of dissolving a marriage in cases where the parties have reached agreement on all relevant issues and no disputes remain to be resolved⁹ [6] [1]. Particularly noteworthy is the extensive reform undertaken in France in 2016, which introduced a mechanism allowing divorce by mutual consent through an agreement prepared with the assistance of lawyers and subsequently certified by a notary, without the need for a judicial decision. This approach places significant emphasis on the autonomy and free will of the parties while substantially reducing the workload of the judicial system.

The foregoing analysis suggests that maintaining the exclusive jurisdiction of the Court over all divorce cases may no longer be entirely consistent with the objectives of contemporary judicial reform. In straightforward cases where no dispute exists, extending jurisdiction to civil status authorities would not only shorten the time required for resolution and reduce social costs, but would also better reflect the consensual nature of divorce by mutual consent, which is fundamentally based upon the parties' agreement and voluntary choice.

Accordingly, the law should be further developed to formally recognize a mechanism for the registration and recognition of divorce by mutual consent before civil status authorities, while simultaneously establishing stringent requirements concerning the content of divorce agreements, reflection periods, and post-registration review mechanisms. Such a reform would not only enhance procedural efficiency but would also align Vietnamese law with contemporary international legislative trends, thereby contributing to stronger protection of human rights in the field of marriage and family law.

1.4. Legal Consequences of Divorce

⁷ Article 366 of the 2015 Civil Procedure Code of Vietnam

⁸ Article 1076 of the Civil Code of the People's Republic of China (2020)

⁹ **Article 19 of the Family Code of the Russian Federation** (*Dissolution of Marriage before Civil Status Registration Authorities*); Article 763 of the Civil Code of Japan

1.4.1. Providing More Specific Regulations on the Determination of Child Custody Following Divorce

Article 81 of the 2014 Law on Marriage and Family establishes the legal framework for determining the parent who will directly care for and raise a child following the divorce of the parents, with the overarching objective of safeguarding the best interests of the child. This protection extends not only to minor children but also to adult children who have lost civil act capacity or who are unable to work and possess no assets sufficient for their own maintenance. From a legislative perspective, this provision clearly reflects humanitarian values and is consistent with the child-protection principles recognized in modern family law. Nevertheless, from the standpoint of practical application, the provision remains largely principle-based and has not been sufficiently translated into operational standards, thereby giving rise to various difficulties in judicial practice.

Experience from divorce proceedings demonstrates that courts generally designate either the father or the mother as the parent directly responsible for the child's upbringing until the child reaches adulthood, unless a subsequent request for modification is granted by the court. While this approach appears to ensure stability in child-rearing arrangements, it may, in substance, restrict the meaningful involvement of the non-custodial parent in the care and education of the child. Where the rights and obligations of the non-custodial parent are recognized only in broad and general terms, without specific conditions governing their exercise, disputes frequently arise during the enforcement stage concerning visitation rights, child support obligations, and parental cooperation in the child's education. As a consequence, rather than promoting the child's welfare, the existing framework may in certain circumstances disrupt the emotional bond between the child and one of the parents.

In light of these practical concerns, it is necessary to further refine Article 82(3) of the 2014 Law on Marriage and Family by providing more detailed regulations regarding the exercise of visitation and caregiving rights. Clearly defining factors such as the timing, location, and manner of exercising these rights—while prioritizing agreements reached between the parties—would contribute

significantly to reducing disputes and enhancing the enforceability of judicial decisions. This is not merely a matter of legislative drafting technique but also a prerequisite for ensuring the effective protection of children's rights in the post-divorce environment.

More fundamentally, consideration should be given to adopting a more flexible and family-oriented approach to determining child custody arrangements. Rather than maintaining a model under which custody is granted exclusively to one parent for an extended period, the law could recognize joint or shared custody arrangements based either on parental agreement or on a judicial determination that such an arrangement serves the child's best interests. Under this model, the child may reside alternately with each parent during specified periods of time, such as on a weekly or monthly basis, thereby preserving close and meaningful relationships with both parents. Such an approach not only reflects the shared nature of parental responsibility but also enables both parents to remain actively involved in the child's upbringing and education.

In conclusion, although the current legal framework establishes an appropriate foundation in principle, further legislative refinement is necessary to ensure effective implementation. In particular, reforms should focus on: (i) providing greater specificity regarding the rights and obligations of the non-custodial parent; (ii) diversifying post-divorce child custody arrangements, including the recognition of joint or shared custody models; and (iii) strengthening the role of courts in designing child-centered solutions tailored to the circumstances of each individual case. Such reforms would contribute to more comprehensive protection of children's rights and interests, recognizing that children remain the central concern of marriage and family law.

1.4.2. Providing Greater Clarity in the Division of Marital Property upon Divorce

Article 59 of the 2014 Law on Marriage and Family currently provides that marital property shall be divided upon divorce according to the principle of equal division, while taking into account various factors such as the circumstances of the family, the contributions made by each spouse, and other relevant conditions. This legislative design reflects an intention to achieve substantive fairness in

individual cases through a flexible approach. However, the reliance on qualitative and difficult-to-quantify criteria has generated significant challenges in practical application.

Judicial practice demonstrates that the assessment of factors such as the “contributions of each spouse,” the “circumstances of the spouses,” or “domestic labor” depends largely upon the subjective evaluation of the adjudicating panel. Although Joint Circular No. 01/2016/TTLT-TANDTC-VKSNDTC-BTP provides guidance intended to clarify these criteria, the level of specificity remains insufficient to ensure uniform application. As a consequence, courts may reach different property division ratios in cases with substantially similar factual circumstances (such as 50/50, 60/40, or 70/30), particularly where assets have been jointly gifted by the families of both spouses. This lack of consistency not only reduces the predictability of the law but also increases the likelihood of complaints, appeals, and prolonged disputes.

From the perspective of legal reform, the existing framework should be revised to enhance transparency in the division process and reduce dependence on qualitative assessments. In particular:

First, the law should expressly recognize the principle of reimbursement for contributions made between separate property and marital property. Where one spouse can demonstrate that separate property has been used to invest in, improve, or increase the value of marital property, the value of such contribution should be reimbursed before the division of property takes place. Conversely, where marital property has been used to enhance the value of the separate property of one spouse, an equivalent reimbursement should likewise be required. Such a provision would safeguard the principle of protecting lawful ownership rights and more accurately reflect the economic realities of transactions occurring during the marriage.

Second, the law should clarify the mechanism for addressing acts that infringe upon either marital property or separate property. Where one spouse intentionally dissipates, conceals, destroys, or unlawfully disposes of property, that spouse should be held liable for compensation in accordance with the 2015 Civil Code. Although this principle is already reflected in Article 29(3)

of the 2014 Law on Marriage and Family, it should be emphasized and applied consistently as an independent sanction, separate from the process of property division, in order to avoid arbitrary offsetting of liabilities during the allocation of marital assets.

Third, after issues relating to reimbursement and compensation have been fully resolved, the remaining marital property should be divided equally according to a clear and stable rule. Further adjustments to the division ratio based on qualitative considerations such as contributions in the form of labor or income should be minimized. While recognizing the economic value of domestic labor is entirely justified in principle, continuing to rely upon this factor as a basis for adjusting property shares inevitably introduces a degree of subjectivity into the decision-making process. Therefore, distinguishing between quantifiable contributions—which should be reimbursed—and the equal division of the remaining marital property would establish a more transparent, predictable, and easily applicable framework while reducing the potential for disputes.

In conclusion, although Article 59 of the 2014 Law on Marriage and Family provides a flexible mechanism for property division, it lacks predictability and consistency in practical application. Amending the provision by standardizing division criteria, prioritizing objectively quantifiable factors, and establishing a clear sequence of legal consequences—reimbursement, compensation, and equal division—would significantly improve the effectiveness of the law while providing stronger protection for the legitimate rights and interests of parties involved in marital relationships.

2. CONCLUSION

The foregoing analysis demonstrates that the provisions of the 2014 Law on Marriage and Family concerning divorce, child custody, and the settlement of marital property have established a legal framework grounded in humanitarian values, emphasizing the protection of families, women, and children while safeguarding the principle of freedom of marriage. Nevertheless, a fundamental limitation of the current legal regime lies in its predominantly principle-based and qualitative nature, coupled with the absence of sufficiently specific criteria and clearly defined operational mechanisms. This has resulted in

inconsistencies in the practical application of the law.

Although guiding instruments such as Resolution No. 01/2024/NQ-HĐTP and Joint Circular No. 01/2016/TTLT-TANDTC-VKSNDTC-BTP have contributed to addressing certain gaps in the legal framework, reliance on subordinate legislation to clarify statutory provisions cannot, in the long term, substitute for the need to improve the law itself. The essential requirements for clarification and legal certainty should be incorporated directly into the Law on Marriage and Family rather than being left to interpretation through implementing regulations.

In the context of judicial reform and international integration, marriage and family law should be revised in a manner that enhances transparency, specificity, and predictability, while preserving the flexibility necessary to regulate the unique nature of family relationships. In particular, the law should move away from a predominantly qualitative approach and instead establish clear criteria for determining the grounds for divorce, diversify mechanisms for divorce resolution—especially in cases of divorce by mutual consent—refine the framework governing parental rights and obligations following divorce in a more flexible manner, and standardize methods of property division based on objectively quantifiable factors.

The selective incorporation of international legislative experience, combined with insights derived from domestic judicial practice, would contribute to the development of a legal system that is more effective, equitable, and responsive to the social realities of Vietnam. Such reforms would, in turn, provide stronger protection for the legitimate rights and interests of individuals involved in marriage and family relationships.

3. ACKNOWLEDGMENTS

I would like to thank TNU- University of Sciences for supporting us to complete this article.

REFERENCES

- [1]. Civil Code of Japan, Article 763 (Divorce by Agreement).
- [2]. Civil Code of the Kingdom of Cambodia, provisions on grounds for divorce.

- [3]. Civil Code of the People's Republic of China 2020, provisions on divorce and divorce registration.
- [4]. Civil Code of the Socialist Republic of Vietnam 2015.
- [5]. Civil Procedure Code of the Socialist Republic of Vietnam 2015.
- [6]. Family Code of the Russian Federation, Article 19 (Divorce through Civil Status Registration Authorities).
- [7]. French Civil Code (Code Civil), Articles 229-1 to 229-4, concerning divorce.
- [8]. German Civil Code (Bürgerliches Gesetzbuch – BGB), provisions on divorce based on the irretrievable breakdown of marriage.
- [9]. Joint Circular No. 01/2016/TTLT-TANDTC-VKSNDTC-BTP dated 6 January 2016, guiding the implementation of certain provisions of the Law on Marriage and Family.
- [10]. Law on Marriage and Family of the Socialist Republic of Vietnam 2014.
- [11]. Resolution No. 01/2024/NQ-HĐTP dated 16 May 2024 of the Council of Judges of the Supreme People's Court, providing guidance on the application of certain legal provisions in the settlement of marriage and family matters.
- [12]. Resolution No. 02/2000/NQ-HĐTP dated 23 December 2000 of the Council of Judges of the Supreme People's Court, providing guidance on the application of marriage and family law.