

Examining Prisoners' Rights to Educational Participation: A Comparative Analysis of Vietnam and Global Practices

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Abstract: Ensuring prisoners' rights to educational participation is a fundamental aspect of human rights that significantly contributes to the rehabilitation and reintegration of offenders into society. This paper explores the current landscape of prisoner education in Vietnam, highlighting existing policies, challenges, and opportunities for improvement. By conducting a comparative analysis with global practices, the study aims to identify effective educational models that can enhance the learning experiences of incarcerated individuals. The research begins with an overview of the legal frameworks governing prisoners' rights to education in Vietnam, assessing their alignment with international human rights standards. It then delves into the barriers that hinder access to educational programs, including socio-economic factors, institutional limitations, and societal perceptions of prisoners. In contrast, the paper examines successful educational initiatives from various countries, focusing on innovative approaches that have proven effective in promoting educational participation among prisoners. These examples illustrate the potential benefits of tailored educational programs that address the unique needs of incarcerated individuals, fostering personal development and reducing recidivism rates. By synthesizing insights from both Vietnam and international contexts, this paper aims to comprehensively understand best prisoner education practices. The findings underscore the importance of adopting a holistic approach that prioritizes educational access and integrates support services, such as counseling and vocational training, to facilitate successful reintegration into society. Ultimately, this study advocates for policy reforms that enhance prisoners' educational rights, emphasizing that investing in their educational opportunities is a moral imperative and a strategic approach to fostering safer communities and reducing crime rates.

Key words: Justice reforms, Education in prisons, prisoners' well-being, rehabilitation of prisoners, Correctional education.

1. Introduction

The right to education is a fundamental human right recognized in various international legal instruments, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights. In fact, Vorhaus notes that the fact that education is considered one of the human rights, those behind bars are not exempt¹. In another study Coa argued that prisoners are not to be subjected to inhumane treatment, torture and cruelty². However, the application of the right to education within the prison system remains a contentious issue, particularly regarding the educational participation of prisoners³. In prisons,

¹ Vorhaus, John. "Prisoners' right to education: A philosophical survey." *London Review of Education* 12, no. 2 (2014).

² Coa, Laura. "Human Rights Behind Bars: preventing torture and ill-treatment in prison." (2021).

³ Easton, Susan. "Not just another brick in the wall? Protecting prisoners' right to education." *International Journal of Law, Crime and Justice* 69 (2022): 100530.

education provision could entail language tuition, access to informal education, access to higher education, civil sensitization, availability of library infrastructure, and social integration strategies⁴.

In many jurisdictions, including Vietnam, the legal framework surrounding prisoners' rights to education has been inadequate, leading to significant disparities in access to educational opportunities⁵. This study examines the legal context and implications of prisoners' rights to educational participation, focusing on Vietnam and comparing it with global practices. Additionally, the paper highlights gaps and challenges faced by prisoners in accessing educational resources and opportunities. The significance of this study is that it identifies best practices from other jurisdictions that could inform policy reforms in Vietnam, ultimately advocating for a more inclusive and equitable approach to education within the prison system. This study reveals that understanding these rights remains crucial for rehabilitating offenders and the broader goals of social justice and human rights.

2. METHODOLOGY

This study employs a qualitative comparative analysis methodology to examine prisoners' rights to educational participation in Vietnam and other jurisdictions across the globe. The study exclusively focuses on literature, relying on a comprehensive examination of existing research, legal frameworks, and scholarly articles related to the topic. The analysis begins with thoroughly investigating the legal texts governing prisoners' rights to education in Vietnam. This includes an examination of the Penal Code, the Law on Education, and any relevant regulations or policies that address educational access for prisoners. To provide a broader context, the study incorporates a comparative analysis of educational policies and practices in selected countries known for their progressive approaches to prisoners' rights. This involves examining case studies from jurisdictions such as Norway, Germany, and the United States, where educational programs for prisoners have been successfully implemented. The comparative analysis identifies best practices, challenges, and outcomes associated with these programs, offering valuable insights that could inform potential reforms in Vietnam. The findings from the literature, legal framework analysis, and comparative studies are synthesized to draw conclusions and recommendations about the state of prisoners' rights to education in Vietnam and the implications for policy reform. This methodology acknowledges the limitations inherent in relying solely on literature, including the potential lack of comprehensive data on prisoners' educational participation rates in Vietnam and the subjective nature of qualitative research. However, by carefully selecting sources and presenting a balanced view of the issues, this study aims to contribute meaningfully to the discourse on legal reform and promoting human rights within the prison system. Ultimately, this approach provides a comprehensive and informed analysis of prisoners' rights to educational

⁴ Behan, Cormac. "Education in Prison: A Literature Review." *UNESCO Institute for Lifelong Learning* (2021).

⁵ Dao, Le Thu, and Yvon Dandurand. "Social, cultural and systemic barriers to child justice reform: lessons from Vietnam." *Youth Justice* 23, no. 1 (2023): 29-48.

participation, highlighting the critical need for enhanced access to education to foster rehabilitation and social reintegration.

3. RESULTS AND DISCUSSION

3.1 Prisoner Education in Vietnam: Current Practices

Vietnam's current practices in prisoner education have been shaped by the historical experiences, specifically the controversial re-education camps. Established back in the late 20th century after the Vietnam War, re-education camps sought to retrain former military and government officials for ideological indoctrination. A study by Mac reveals that the experiences of the prisoners of the Vietnam War in the Vietnamese re-education camps were bloody and inhumane, characterized by ideological re-orientation and manual labor.⁶ However, with increasing international engagement, modernization, and industrialization, Vietnam has faced growing pressure to reform its legal frameworks to align the re-education camp model with contemporary human rights standards and global legal norms.⁷ Consequently, prisoner education in Vietnam continues to evolve significantly over the years, supported by a dynamic legal framework designed to improve the underlying conditions through which the incarcerated individuals have access to educational and vocational training opportunities.

The shift toward a more structured and humane correctional philosophy began to crystallize with the introduction of Circular No. 09/2006/TT-BGDĐT, issued by the Ministry of Education and Training on March 7, 2006.⁸ This circular is the first significant legal document to acknowledge and formalize the right to education for prisoners. It marks a foundational step in moving away from ideologically driven re-education models toward a rights-based and development-oriented framework that recognizes education as a pivotal instrument for rehabilitation. The circular provides comprehensive guidelines for implementing educational programs within correctional institutions. It highlights the importance of offering prisoners access to basic education, vocational training, and essential life skills. By promoting the development of tailored curricula that respond to the specific needs and capacities of incarcerated individuals, the circular ensures that education within prisons is not only accessible but also meaningful. In addition to curriculum design, the circular outlines implementation mechanisms, including prison administrators' and educational institutions' roles and responsibilities. These provisions are supported by processes for monitoring academic progress and certifying accomplishments. This innovation allows prisoners to carry

⁶ Mac, Quang Hong. *The Bloody Experience's Hell Reeducation Camp: The Inhuman Treatment of Vietnamese Prisoners of War*. Strategic Book Publishing & Rights Agency, 2020.

⁷ Nguyen, Son Thanh. "Industrialization Process in Vietnam: 40 years of Economic Renovation." *Studies on Russian Economic Development* 35, no. 6 (2024): 928-937.

⁸ Ministry of Education and Training of Vietnam, *Circular No. 09/2006/TT-BGDĐT on Guidelines for Implementing Educational Programs for Prisoners*, issued March 7, 2006, <https://thuvienphapluat.vn/van-ban/EN/The-thao-Y-te/09-2006-TT-BYT/73452/tieng-anh.aspx>.

recognized qualifications into life after release, thereby enhancing their opportunities for reintegration.

Additionally, this shift in policy not only underscores a broader transformation in the Vietnamese legal and correctional systems, aligning more closely with international norms on prisoner rights and rehabilitation but also acknowledges the efforts of human rights activist institution such as the Human Rights Watch⁹ and the Amnesty International¹⁰. The emphasis on collaboration between correctional facilities and educational agencies signals a commitment to holistic reform, and reinforces the idea that prisoners are entitled to personal development and a second chance. Therefore, enactment of the Circular No. 09/2006/TT-BGDDT symbolizes not only a legal milestone but also a cultural and institutional shift. It acknowledges education as a tool of empowerment, healing, and societal repair, and moves Vietnam away from punitive models toward more progressive, restorative approaches as previously noted by Truong¹¹. In the years since its adoption, additional policies have been introduced to expand and strengthen the educational landscape within prisons, reflecting a growing recognition that meaningful rehabilitation must be grounded in access to learning, personal growth, and human dignity¹².

In 2017, Vietnam introduced additional policies to enhance educational opportunities for prisoners nearing the completion of their sentences, focusing on reintegration into society. One significant policy is Circular 44/2016/TT-BLDTBXH, effective from February 12, 2017, which provides guidance on vocational training and employment support for individuals who have completed their prison sentences. This circular outlines support measures such as tuition fee waivers or reductions, study cost assistance, and boarding policies for those undergoing vocational training at various levels. For training at the elementary level or courses under three months, it includes provisions for training costs, meal allowances, and travel expenses. Circular 44/2016/TT-BLDTBXH represents a significant advancement in Vietnam's legal framework concerning the rehabilitation and reintegration of former prisoners. Its relevance lies in the way it bridges the gap between incarceration and re-entry into society, recognizing that legal reform must extend beyond punitive measures to include constructive pathways for social reintegration. By institutionalizing vocational training and employment support for individuals who have completed their sentences, the circular addresses one of the key challenges faced by former inmates—economic insecurity and social marginalization.

⁹ Human Rights Watch, *Relatório Mundial 2020* (2020), <https://www.hrw.org/pt/world-report/2020>.

¹⁰ Amnesty International, *Amnesty International Report 2020/21: The State of the World's Human Rights* (2021), https://www.amnistia.pt/wp-content/uploads/2021/03/Amnesty_Report_2020.pdf.

¹¹ Truong, Hoa Minh, and Minh Hoa Truong. *The Dark Journey: Inside the Reeducation Camps of Viet Cong*. Strategic Book Publishing, 2010.

¹² Barros Filho, Armando Dantas de, Carlinda Leite, and Angélica Maria Reis Monteiro. "Education policies in prisons: An analysis focused on the 10 largest prison populations." *Revista Brasileira de Educação* 28 (2023): e280069.

Contributing to the broader provisions of the Decree No. 44/2016/ND/-CP¹³, Circular 44/2016/TT-BLDTBXH contributes to the legal framework by formalizing the rights of ex-prisoners to access vocational education under state-supported conditions. This includes clear provisions for funding mechanisms such as tuition waivers, meal allowances, and travel reimbursements, ensuring that even those without personal financial resources can benefit. In doing so, it shifts the narrative around prisoner rehabilitation from one of charity to one of entitlement grounded in law, signaling the state's accountability in supporting reintegration.

Moreover, Circular 44/2016/TT-BLDTBXH aligns with broader human rights commitments by emphasizing dignity and opportunity over stigma. It reinforces the principle that individuals, even after incarceration, remain citizens entitled to growth, education, and employment. This legal recognition not only helps to reduce recidivism by equipping former prisoners with viable skills and pathways to independence, but also contributes to public safety and social harmony. In essence, the circular strengthens Vietnam's rehabilitation strategy by embedding support systems into the post-release phase, ensuring that reintegration is not left to chance but structured and guided by legal obligations. This reflects a maturing justice system that values transformation, rehabilitation, and the long-term social good.

Despite the progress made in establishing a legal framework for prisoner education in Vietnam, Hanh observed that challenges remain in the effective implementation of these regulations. Access to quality educational resources, trained instructors, and adequate facilities can vary significantly across different prison institutions. In some cases, limited funding and resources may hinder the development of comprehensive educational programs. Additionally, societal stigma surrounding prisoners can pose barriers to the successful reintegration of individuals who have served their sentences, making it imperative for the education system to not only focus on skill acquisition but also on fostering a positive perception of rehabilitation¹⁴.

To address these challenges, it is essential for the Vietnamese government and relevant stakeholders to prioritize the development and enhancement of educational programs within the prison system¹⁵. This includes investing in infrastructure, training educators, and creating partnerships with educational institutions and community organizations¹⁶. By fostering a culture of learning and rehabilitation within prisons, Vietnam can affirm its commitment to the principle that education is a right for all individuals, regardless of their circumstances. Moreover, the integration of technology into prisoner education presents an opportunity for

¹³ Ministry of Labour, Invalids and Social Affairs (MOLISA), *Legislation On-line*, accessed April 17, 2025, <http://www.molisa.gov.vn/>.

¹⁴ Hanh, Bui Thi. "Protecting human rights in Vietnam's prison sentences: insights from judicial supervision today: insights from judicial supervision today." *Revista do Curso de Direito do UNIFOR* 16, no. 1 (2025): e252037-e252037.

¹⁵ Lien, Tran Thuy. "Principles of Punishment Without Deprivation of Liberty in The Provisions of Vietnamese Law." *South Asian Journal of Social Sciences & Humanities* 4, no. 2 (2023).

¹⁶ Ibid.

innovation and improvement¹⁷. Utilizing digital resources and online learning platforms can enhance access to educational materials and facilitate remote learning, particularly in situations where physical resources are limited. By embracing technology, the Vietnamese prison system can expand the range of educational opportunities available to prisoners, making learning more engaging and accessible.

3.2 Educational and Vocational Training Programs for Prisoners in Vietnam

Being one of the member states to the United Nations Convention on the Rights of the Child (CRC), Vietnam has been obligated to protect the rights, including the right to education, of both children and adults in prison¹⁸. In Vietnam, the prison system has made significant strides in offering a range of educational and vocational training programs designed to equip prisoners with essential skills for reintegration into society under Decree No. 44/2016/ND/-CP. Recognizing that education is a fundamental right and a critical component of rehabilitation, these programs aim to address the diverse needs of incarcerated individuals, ultimately fostering personal development and reducing recidivism¹⁹. One of the primary focuses of these initiatives is literacy and general education. Many prisoners enter the system with limited educational backgrounds, often lacking basic literacy and numeracy skills. To address this gap, the Vietnamese prison system has implemented programs tailored explicitly for illiterate individuals and those who have not completed primary or secondary education. These programs are designed to provide foundational skills crucial for everyday life, enabling prisoners to read, write, and perform basic mathematical operations. By equipping individuals with these essential skills, the programs facilitate their reintegration into society, allowing them to navigate the complexities of daily life and increasing their chances of securing employment upon release.²⁰ The emphasis on general knowledge also helps prisoners develop a broader understanding of the world, fostering critical thinking and informed decision-making.

In addition to literacy and general education, vocational training is vital in preparing prisoners for successful reintegration. The Vietnamese prison system offers a variety of vocational training programs in fields such as agriculture, carpentry, mechanics, and textiles, following the provisions of the Circular 44/2016/TT-BLDTBXH. These programs are carefully designed to align with the interests of the prisoners as well as the needs of the labor market. Tinh notes that by providing training in practical skills that are in demand, the prison system enhances the employability of individuals upon their release. This focus on vocational education empowers prisoners to rebuild their lives and contributes to the community's overall economic

¹⁷ Mahlangu, Vimbi Petrus. "Examining the Motivators of Prisoners to Study Using Technology While in Prison." *Journal of Culture and Values in Education* 7, no. 4 (2024): 39-53.

¹⁸ Tan Duy, Le Huynh, and Yvon Dandurand. "Alignment of Vietnamese law on the treatment of juvenile prisoners with international standards and norms." *Youth Justice* 22, no. 1 (2022): 3-20.

¹⁹ Ibid. 12

²⁰ Do, Ha. "Experiences in a rehabilitation programme: Case studies of male juvenile offenders in a correctional school in Vietnam." PhD diss., Open Access Te Herenga Waka-Victoria University of Wellington, 2019.

development.²¹ This study underscores that as individuals acquire marketable skills, they are better positioned to secure stable employment, reducing the likelihood of re-offending and promoting social stability.

Legal education is one of the critical component of the educational programs which ought to be offered to prisoners in Vietnam. According to Do, understanding one's legal rights and responsibilities is essential for successful reintegration into society. Courses on legal education ought to be provided to ensure that prisoners are informed about the legal system and aware of their rights and obligations. This knowledge is crucial for fostering a sense of responsibility and accountability among prisoners, as it empowers them to make informed choices and navigate the complexities of the legal landscape.²² According to the reports from the Vietnam Times, the Vietnamese government has demonstrated a commitment to ensuring inmates receive education on human rights, legal knowledge, and life skills.²³ However, Trang identifies that major challenges in the education of prisoners include inconsistencies in implementing education programs across prisons in the country, limited focus on practical legal rights, a shortage of expertise, a lack of monitoring and evaluation, and a language barrier²⁴.

To address the persistent challenges within the prison education system, the Vietnamese government and relevant stakeholders must prioritize developing and enhancing comprehensive educational programs. This involves investing in physical infrastructure, training qualified educators, and fostering partnerships with academic institutions and community organizations to ensure consistent and equitable access to learning. In tandem, integrating technology offers a promising avenue for innovation, enabling the use of digital resources and online platforms to supplement traditional instruction. Especially in contexts where physical resources are scarce, technology can broaden access to educational content, facilitate remote learning, and make the educational experience more engaging and adaptive to diverse learning needs. By cultivating a culture of learning and rehabilitation grounded in human and technological resources, Vietnam can reinforce its commitment to the fundamental principle that education is a right for all individuals, including those within the prison system.

3.3. The Right to Education for Prisoners: International Framework

²¹ Tinh, Mai Thi, and Nguyen Duc Huu. "Post-Rehabilitation and Post-Incarceration Social Security Support for Individuals in Hanoi, Vietnam." *J. Legal Ethical & Regul. Issues* 27 (2023): 1.

²² Van Do, Tran. "Life Imprisonment and Recommendation to Meet Justice Reform Requirements in Vietnam."

²³ Vietnam Times. "Vietnam Committed to Ensuring Rights of Prisoners." Accessed on April 17, 2025. <https://vietnamtimes.org.vn/vietnam-committed-to-ensuring-rights-of-prisoners-80692.html>.

²⁴ Trang, Nguyen Minh, and Pham Minh Khoi. "Difficulties in reintegration of young ex-offenders." *International Journal of Education and Social Science Research* 6, no. 04 (2023): 353-369.

The right to education is a fundamental human right which defines one of the basic principles of social justice and extends to all individuals, including those who are incarcerated²⁵. International human rights instruments underscore the critical importance of education as a means of personal development, rehabilitation, and reintegration into society. The Universal Declaration of Human Rights (UDHR), adopted by the United Nations in 1948, unequivocally states that "everyone has the right to education." This declaration serves as a cornerstone of international human rights law, affirming that education is not merely a privilege but a universal entitlement that should be accessible to all individuals, regardless of their circumstances²⁶.

In alignment with the UDHR, the International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted in 1966, further reinforces the notion of education as a fundamental right. The ICESCR obliges state parties to ensure that education is accessible, accessible, and adaptable to all individuals without discrimination. This framework emphasizes the necessity for states to take proactive measures to eliminate barriers to education, particularly for marginalized and vulnerable populations, including prisoners. The recognition of education as a right for all individuals, including those deprived of their liberty, reflects a broader commitment to human dignity and the belief that education can be a powerful tool for transformation and empowerment.²⁷

Within the context of imprisonment, the United Nations Standard Minimum Rules for the Treatment of Prisoners, commonly called the Nelson Mandela Rules, provide comprehensive guidelines that address the educational needs of incarcerated individuals. These rules are designed to ensure that prisoners are treated with respect and dignity, and they recognize the importance of education in the rehabilitation process. Rule 104 of the Nelson Mandela Rules emphasizes that "the education of prisoners shall be integrated with the educational and vocational training system in the country."²⁸ This integration is crucial, as it allows prisoners to access the same educational opportunities available to the general population, facilitating their reintegration into society upon release. Moreover, Rule 105 highlights the need for specialized instruction and training for illiterate and educationally deficient prisoners. This provision acknowledges that many individuals entering the prison system may have faced significant educational disadvantages prior to their incarceration. The current study notes that by providing tailored educational programs that address the specific needs of these individuals,

²⁵ Rangel Torrijo, Hugo, and Marc De Maeyer. "Education in prison: A basic right and an essential tool." *International review of education* 65 (2019): 671-685.

²⁶ Rahman, Mohammad Habibur. "The Universal Declaration of Human Rights (UDHR) as Foundation of the International Human Rights Law." (2020).

²⁷ United Nations Office of the High Commissioner for Human Rights (OHCHR), *International Covenant on Economic, Social and Cultural Rights*, accessed April 17, 2025, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>.

²⁸ United Nations. *United Nations standard minimum rules for the treatment of prisoners*. Centre for Human Rights and Rehabilitation (CHRR)--Malawi, 2015.

the prison system can play a vital role in breaking the cycle of disadvantage and promoting social inclusion. Education in prison not only equips individuals with essential skills and knowledge but also fosters a sense of hope and purpose, which is critical for successful rehabilitation.

According to Easton, the right to education for prisoners is not merely a legal obligation; it is a moral imperative that reflects society's commitment to human rights and social justice. Education has the potential to transform lives, offering individuals the opportunity to acquire new skills, gain knowledge, and develop critical thinking abilities.²⁹ For prisoners, access to education can be a pathway to personal growth and rehabilitation, enabling them to reintegrate into society as productive and responsible citizens. Furthermore, Kajawo et al. Notes that education can contribute to reducing recidivism rates, as individuals who engage in educational programs while incarcerated are more likely to find stable employment and avoid re-offending upon release.³⁰

Despite the clear international framework supporting the right to education for prisoners, significant challenges remain in its implementation. For instance, Behan points out that many prison systems worldwide lack adequate educational resources, trained staff, and supportive environments conducive to learning. In some cases, academic programs may be underfunded or poorly designed, failing to meet the diverse needs of the prison population. Additionally, societal stigma and negative perceptions of prisoners can hinder efforts to provide meaningful educational opportunities, as there may be resistance to investing in the education of individuals who have committed crimes.³¹ The prevalence of such challenges across the globe suggests that the concepts and models of education for prisoners are still evolving. Therefore, this study acknowledges that ideal scenarios cannot be achieved in Vietnam; hence, it proposes viable, realistic, comparable alternatives to improve the frameworks around educating prisoners.

3.4 International Experiences in Prisoner Education

To comprehend real-life scenarios regarding educating prisoners in developing countries like Vietnam, it is worth exploring the dynamics of the subject matter in developed countries. International experiences in prisoner education reveal a diverse array of innovative programs implemented across various countries, each yielding positive outcomes in rehabilitation and societal reintegration. These programs reflect a growing recognition of the importance of education as a fundamental component of the correctional process, aimed at equipping

²⁹ Easton, Susan. "Not just another brick in the wall? Protecting prisoners' right to education." *International Journal of Law, Crime and Justice* 69 (2022): 100530.

³⁰ Kajawo, Samson Chaima, and Lineo R. Johnson. "The right to education: A reality or pipe dream for incarcerated young prisoners in Malawi." *Journal of Prison Education and Reentry* (2014-2023) 7, no. 3 (2023): 267-289.

³¹ Ibid., 4.

incarcerated individuals with the skills and knowledge necessary for successful reintegration into society.

In Norway, the approach to prisoner education is deeply rooted in the philosophy of normalization, which seeks to ensure that prison life closely resembles life outside. The Norwegian Correctional Service emphasizes the importance of creating an environment that fosters personal development and rehabilitation. Educational programs are tailored to meet the individual needs of prisoners, allowing them to pursue a wide range of courses, including university-level education.³² This commitment to personalized education has contributed significantly to Norway's remarkably low recidivism rates. Research indicates that when prisoners are provided with meaningful educational opportunities, they are more likely to reintegrate successfully into society, reducing the likelihood of re-offending³³. This study notes that the Norwegian model serves as a compelling example of how a supportive and individualized approach to education can transform the lives of incarcerated individuals.

Similarly, Canada has made significant strides in developing comprehensive educational programs within its correctional system. Behan notes that the Correctional Service of Canada offers a variety of educational opportunities, including literacy classes, secondary and post-secondary education, and vocational training. These programs are designed to address the diverse needs of the prison population, recognizing that individuals enter the system with varying levels of educational attainment and different learning needs.³⁴ Looking at Canada's model, it is evident that the country seeks to reduce reoffending rates and support successful reintegration into society. Furthermore, the Canadian model highlights the importance of a holistic approach to prisoner education, one that considers the unique circumstances and challenges each faces.

In the United States, various states have implemented prison education programs that have demonstrated positive outcomes for incarcerated individuals. For instance, Walker reveals that the "Second Chance Pell" program, which allows eligible incarcerated individuals to access federal Pell Grants to pursue post-secondary education, has proven effective. This program seeks to reduce recidivism and improve employment prospects for individuals upon their release.³⁵ The current study notes that providing financial support to facilitate education in the Second Chance Pell program empowers prisoners to pursue higher education, thereby enhancing their skills and qualifications. Notably, a study by Donaldson et al. indicated that

³² Tønseth, Christin, and Ragnhild Bergsland. "Prison education in Norway—The importance for work and life after release." *Cogent Education* 6, no. 1 (2019): 1628408.

³³ Manger, Terje, Ole Johan Eikeland, and Arve Asbjørnsen. "Why do not more prisoners participate in adult education? An analysis of barriers to education in Norwegian prisons." *International Review of Education* 65 (2019): 711-733.

³⁴ *Ibid.*, 4

³⁵ Walker, Brittany. "Second Chance Pell Experiment: How the United States is Starting to Recognize Education as a Right." *Human Rights Brief* 26, no. 2 (2023): 8.

access to post-secondary education significantly reduced the likelihood of re-offending³⁶. These findings show that education in prison plays a critical role in rehabilitation. Therefore, the experience in the U.S. demonstrates the potential for educational programs to serve as a transformative force in the lives of incarcerated individuals, providing them with the tools they need to succeed after their release.

Romania has equally embraced innovative approaches to prisoner education by incorporating e-learning platforms into its correctional system. Using platforms such as Moodle facilitates distance education, addressing challenges related to resource limitations and enhancing access to educational content for prisoners. This approach allows incarcerated individuals to engage with educational materials and participate in courses remotely, overcoming some of the barriers associated with traditional classroom settings.³⁷ The integration of technology into prisoner education not only expands access to learning opportunities but also prepares individuals for a digital world, equipping them with skills that are increasingly relevant in today's job market. The Romanian experience highlights the potential of technology to enhance educational access and engagement within the prison system.³⁸ These observations reveal that innovative solutions can address incarcerated individuals' unique challenges.

Across these diverse international contexts, it is evident that education is a vital component of rehabilitation and reintegration. The experiences of Norway, Canada, the United States, and Romania illustrate the transformative power of educational programs in the lives of prisoners. By providing access to education, these countries are addressing the immediate needs of incarcerated individuals and investing in the long-term social and economic well-being of their communities. However, despite the positive outcomes associated with these programs, challenges have still prevailed, undermining the effective implementation and sustainability of educational initiatives within prison systems worldwide. These challenges, which are equally identical to those facing developing countries like Vietnam, include inconsistencies in the access to quality educational resources, trained instructors, and adequate facilities, which can vary significantly across different jurisdictions. In some cases, limited funding and resources may hinder the development of comprehensive educational programs. Additionally, societal stigma surrounding prisoners can pose barriers to the successful reintegration of individuals who have served their sentences³⁹, making it imperative for educational systems to not only focus on skill

³⁶ Donaldson, Vernisa M., and Christopher Viera. "College after Prison: A Review of the Literature on Barriers and Supports to Postsecondary Education for Formerly Incarcerated College Students." *John Jay College Institute for Justice and Opportunity* (2021).

³⁷ Stamatiou, Yannis C., Constantinos Halkiopoulos, Athanasios Giannoulis, and Hera Antonopoulou. "Utilizing a restricted access e-learning platform for reform, equity, and self-development in correctional facilities." *Emerging Science Journal* 6 (2022): 241-252.

³⁸ Postu, Ion, and Svetlana Gheorghieva. "Access to information technology and prospects of distance education in penal institutions in Moldova." *Legea și Viața* 377, no. 1 (2024): 15-21.

³⁹ Buck, Kaylin, Adelaide Cochran, Hallie Young, Morgan J. Gordon, Hon K. Yuen, and Sarah C. Tucker. "The facilitators and barriers faced when transitioning back into the community following a prison

acquisition but also on fostering a positive perception of rehabilitation. Moreover, integrating technology into prisoner education presents an opportunity for innovation and improvement. Utilizing digital resources and online learning platforms can enhance access to educational materials and facilitate remote learning, particularly when physical resources are limited.

3.5 Comparative Analysis: Vietnam and International Practices

Vietnam's regulations regarding prisoner education demonstrate a commitment to aligning with international standards, particularly in the areas of legal education, vocational training, and recreational activities. The Vietnamese government has established a legal framework that emphasizes the importance of providing prisoners with access to education as a means of rehabilitation and reintegration. This framework reflects a broader recognition of education as a fundamental human right, consistent with international human rights instruments. However, while the regulations are in place, the integration of these programs could be enhanced to provide more comprehensive, and case-specific rehabilitation services. For instance, while vocational training is offered, there may be opportunities to better align these programs with the specific needs of the labor market, ensuring that prisoners acquire skills that are in demand upon their release. By fostering stronger connections between educational programs and employment opportunities, Vietnam can enhance the effectiveness of its rehabilitation efforts.

Resource allocation presents another significant challenge within the Vietnamese prison education system. Although various educational programs are available, resource constraints can limit the availability and quality of educational materials and trained personnel. Many prisons may struggle with inadequate funding, which can hinder the development of comprehensive educational initiatives. In contrast, international examples, such as Romania's innovative use of e-learning platforms, offer potential solutions to overcome these challenges. By leveraging technology, Romania has expanded access to educational content and facilitated distance learning, addressing some of the limitations associated with traditional classroom settings. This approach enhances educational access and prepares prisoners for a digital world, equipping them with skills that are increasingly relevant in today's job market. Vietnam could benefit from exploring similar technological solutions to improve the quality and accessibility of educational programs within its prison system.

Additionally, international practices in prisoner education emphasize individualized education plans tailored to each prisoner's needs. While Vietnam has embraced a one-size-fits-all approach, most of the developed countries, such as the US, have recognized such an approach to education as insufficient for addressing the diverse backgrounds and learning requirements of incarcerated individuals. By implementing individualized education plans, educational programs can be more effectively aligned with each prisoner's specific goals, interests, and challenges. This personalized approach enhances program effectiveness and fosters greater engagement among prisoners, as they are more likely to invest in their education when it is

sentence." *International journal of offender therapy and comparative criminology* 66, no. 10-11 (2022): 1156-1174.

relevant to their personal circumstances. In Vietnam, adopting such individualized approaches could significantly improve the overall impact of educational programs, leading to better outcomes in terms of rehabilitation and reintegration.

The cultural context in which education is delivered plays a crucial role in shaping the effectiveness of prisoner education programs. In many international settings, there is a strong emphasis on creating a supportive and respectful learning environment that fosters personal development. This includes the physical aspects of the educational setting and the attitudes and approaches of educators and prison staff. In Vietnam, enhancing educators' training and professional development within the prison system could create a more positive learning environment. By equipping educators with the skills and knowledge necessary to engage effectively with prisoners, the overall quality of education can be improved, leading to more meaningful learning experiences.

The role of recreational activities in the educational framework cannot be overlooked. International practices often incorporate recreational and cultural activities as integral components of prisoner education, recognizing their importance in promoting physical and mental well-being. While recreational activities are available in Vietnam, there may be opportunities to integrate these activities further into the educational framework. By providing prisoners with opportunities for creative expression, physical activity, and social interaction, the prison system can foster a more holistic approach to rehabilitation. This not only supports the development of essential life skills but also contributes to the overall well-being of prisoners, enhancing their readiness for reintegration into society.

7. 4 Recommendations for Enhancing Prisoner Education in Vietnam

Enhancing prisoner education in Vietnam requires a multifaceted and human-centered approach, informed by successful international practices and adapted to the country's specific socio-economic context. A critical starting point is the integration of comprehensive educational programs that align vocational training with current labor market needs, enabling prisoners to acquire practical and employable skills. This alignment can be strengthened through strategic partnerships with local businesses, which would help tailor training to the actual demands of the community and increase the chances of employment upon release. At the same time, increased investment in educational infrastructure is essential, particularly through the adoption of innovative digital solutions such as e-learning platforms. These technologies expand access to quality educational content despite resource limitations and equip prisoners with the competencies needed in an increasingly digital workforce. Personalization is another key element; implementing individualized education plans that respond to each prisoner's background, learning style, and aspirations can significantly improve engagement and outcomes. Such tailored approaches humanize the educational process, making it more inclusive and meaningful. In parallel, a well-supported and trained cadre of educators and correctional staff is crucial in fostering a positive and supportive learning environment that encourages growth and self-improvement. Moreover, incorporating recreational and cultural activities into the educational structure can enhance emotional and

social development, supporting the holistic rehabilitation of prisoners. Together, these measures affirm the transformative potential of education in correctional settings and highlight Vietnam's opportunity to strengthen its commitment to human dignity and successful reintegration.

5. CONCLUSION

In conclusion, examining prisoners' rights to educational participation through a comparative analysis of Vietnam and global practices highlights several key insights. Vietnam has established a legal framework that aligns with international standards, emphasizing the importance of legal education, vocational training, and recreational activities for prisoners. However, challenges such as resource constraints and the need for individualized educational approaches remain. By drawing on successful international models, such as Norway's normalization approach and Romania's use of e-learning, Vietnam can enhance its academic programs to better meet the diverse needs of its prison population. The significance of this review lies in its potential to advance understanding of the critical role education plays in prisoner rehabilitation and societal reintegration. Education is not merely a right but a transformative tool that can reduce recidivism and empower individuals to rebuild their lives. As such, policymakers, educators, and stakeholders must prioritize enhancing prisoner education in Vietnam. This includes investing in resources, adopting innovative teaching methods, and fostering a supportive learning environment. Ultimately, further research and policy changes are essential to ensure that prisoners' rights to educational participation are fully realized, paving the way for a more just and rehabilitative correctional system that benefits both individuals and society.

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