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Legal Foundations and International Experience in Leveraging Cultural and Artistic Events for Local Branding to Advance Sustainable Development and Product Export

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Abstract
This paper explores the legal foundations and international experiences in promoting cultural and artistic events as strategic resources for local branding in service of sustainable development and product export. Culture and the arts, traditionally regarded as expressions of human values, are increasingly recognized as drivers of economic growth and instruments for enhancing local competitiveness in a globalized economy. By examining the role of cultural and artistic events—ranging from traditional festivals and heritage weeks to contemporary art programs—the paper highlights their capacity to strengthen cultural identity, attract tourism, stimulate product consumption, and elevate local brands internationally. The analysis underscores the importance of establishing a coherent legal framework that leverages international treaties such as the UNESCO Conventions (2003, 2005) and the TRIPS Agreement, while also drawing lessons from comparative experiences worldwide. It argues that aligning domestic legal mechanisms with global best practices is essential for safeguarding cultural heritage, enhancing brand value, and ensuring sustainable integration into global markets.

Keywords: Cultural Events, Artistic Events, Legal Framework, Local Branding, Sustainable Development, Product Export

1. Introduction

Culture and the arts have long been recognized as particularly important and sophisticated domains. They not only reflect humanity's aspirations toward truth, goodness, and beauty, but also serve as powerful drivers in building the spiritual foundation of society and fostering comprehensive human development. In the context of modern socio-economic development, culture and the arts are no longer seen merely as objectives of development, but also as instruments and strategic resources for driving growth.

In today's era of globalization and deep international integration, the promotion of local cultural values through cultural and artistic events has increasingly become a vital "touchpoint" for conveying identity, stimulating product consumption, and positioning local brands on the global stage. Moreover, cultural and artistic events — ranging from festivals, traditional ceremonies, and heritage weeks to contemporary art programs — not only generate promotional effects and attract large numbers of tourists but also enhance the visibility and recognition of local products.

However, to harness this potential effectively, it is essential to develop a robust legal framework that draws on the experiences of pioneering countries while safeguarding local interests. At the same time, localities must maximize opportunities provided by international treaties such as the UNESCO Conventions of 2003 and 2005, as well as the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). Such a framework enables localities both to preserve their cultural identity and to capitalize on their advantages to strengthen branding and expand markets.

2. Theoretical Foundations

2.1 The Concept of Cultural and Artistic Events in the Context of Local Branding

Cultural and artistic events are deliberately organized activities designed to introduce, honor, preserve, and promote the cultural and artistic values of a community or locality.[1] These events may be traditional, such as folk festivals and religious rituals tied to intangible heritage, or contemporary, such as festivals, exhibitions, and modern performances.

Accordingly, cultural and artistic events serve not only as vehicles for preserving identity but also as spaces for creativity, exchange, and innovation. In the context of local branding, such events transcend the role of mere cultural activities to become strategic tools for communicating a locality's story, identity, and core values to both domestic and international audiences.[2]

In Vietnam, initiatives such as the Huế Festival or the Buôn Ma Thuột Coffee Festival clearly demonstrate this dual function: they preserve heritage while simultaneously promoting products, expanding export markets, and generating revenue for the local economy.

2.2 The Concept of Local Branding and Its Connection with Sustainable Development

Local branding — also referred to as *place branding*, *destination branding*, or *location branding* — encompasses the construction and management of an overall image associated with a locality, including its geographical features, distinctive products, cultural heritage, traditions, history, and people.[3]

Scholars suggest that local branding is supported by eight pillars: four static (institutions, culture, infrastructure, and natural characteristics) and four dynamic (commerce, tourism, investment, and human resources). A local brand is often described as the "DNA" of a territory, representing core values accumulated and transmitted across generations, which distinguish one locality from another.[4]

From a brand management perspective, local branding extends beyond visible identifiers such as logos, symbols, and slogans. More importantly, it embodies the impressions, perceptions, reputation, and credibility of the locality in the minds of communities and stakeholders.[5]

Furthermore, local branding is the outcome of coordinated efforts among various actors — government, businesses, local communities, and social organizations — to build and sustain a positive image, reputation, and identity in both domestic and international relations. This process is shaped by multiple factors, including investment and economic development policies, transportation and urban infrastructure, employment and livelihood opportunities, preservation and utilization of local cultural values and traditional knowledge, and the reputation of local products, businesses, and tourist destinations.[6] In this process, local authorities play a central role in promoting co-participation and co-creation, while community consensus is considered the essential condition for success.

A strong local brand delivers sustainable benefits in several ways:

First, it enhances the competitiveness of distinctive products and services while strengthening consumer confidence in their origin and quality.

Second, a reputable local brand attracts tourists and investors, creating income and employment opportunities for communities.

Third, the process of brand-building inherently contributes to the preservation and promotion of cultural identity, raising awareness of heritage conservation for future generations.

Finally, local branding serves as a tool for community cohesion and fosters local pride.

From the perspective of sustainable development, local branding constitutes a strategic intangible asset that generates not only immediate economic benefits but also long-term cultural, social, and environmental values. This approach aligns with the principles of the 2005 UNESCO Convention, which emphasizes culture as both a pillar and a driver of sustainable development.

2.3 The Role of International Law in Promoting Cultural Exchange and Trade

International law provides the normative foundation and regulatory framework for ensuring that cultural exchange and trade activities, including cultural events, are conducted legally, transparently, and sustainably.

The 2005 UNESCO Convention guarantees cultural sovereignty and calls for the integration of culture into development strategies. This legitimizes localities' efforts to mobilize resources and engage in international cooperation when organizing cultural events.

At the market level, the geographical indications (GI) framework under TRIPS offers legal tools to protect names linked to origin, thereby transforming the "local story" into a competitive advantage for products showcased at cultural events.

The World Intellectual Property Organization (WIPO) complements these mechanisms by providing platforms for cooperation and new treaties, including requirements for transparency in origin. Meanwhile, regional regulations play a crucial role in translating international standards into practical enforcement and facilitating market access.

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[3] Lê Quốc Vinh. (n.d). *Xây dựng thương hiệu địa phương trong tổng thể chiến lược cạnh tranh phát triển kinh tế.* Truy cập từ: https://eliteprschool.edu.vn/xay-dung-thuong-hieu-dia-phuong-trong-tong-chien-luoc-canh-tranh-phat-trien-kinh-te/

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3. Legal Framework and International Experience

The promotion of cultural and artistic events is not only the goal of individual nations but also part of a broader global commitment to safeguarding and advancing humanity's cultural and artistic heritage. Around the world, numerous international legal frameworks have been established to guide heritage preservation and provide a foundation for cooperation among states.

First, at the policy level, the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions sets out the objective of safeguarding and promoting cultural diversity. It affirms the sovereign rights of states to adopt cultural policies while also encouraging cooperation and periodic reporting mechanisms. This provides a legal basis for localities and nations to integrate culture into development strategies, design and evaluate cultural programs and events, and legitimately mobilize international resources.[7]

Second, from a trade perspective, the WTO TRIPS Agreement includes provisions on geographical indications (GIs). Article 22 establishes general protection for GIs across all products, while Article 23 provides enhanced protection for wines and spirits. In addition, Article 24 sets out exceptions and negotiation mechanisms. This framework links product names, reputation, and quality to specific geographic regions, helping to combat market counterfeiting while also creating a legal foundation for incorporating "origin stories" into promotional activities at cultural events.[8]

Complementing TRIPS, the World Intellectual Property Organization (WIPO) adopted the Treaty on Intellectual Property, Genetic Resources, and Traditional Knowledge (GRTKF). For the first time, this treaty requires patent applicants to disclose the origin of genetic resources and the communities providing traditional knowledge when these elements underpin technical solutions. The aim is to enhance transparency, limit knowledge appropriation, and ensure fair benefit-sharing—particularly relevant for cultural events that draw upon indigenous knowledge and identity.[9]

At the regional level, the European Union (EU) has harmonized and upgraded its GI system through Regulation (EU) 2024/1143 for wines, spirits, and agricultural products, while also extending GI protection to craft and industrial goods under Regulation (EU) 2023/2411. Registration and enforcement are applied uniformly across the bloc. This is a clear example of translating international standards into concrete protection and enforcement processes in a major market, especially when local events promote handicrafts and specialty products to reach EU consumers.[10]

3.1 South Korea: The Korean Wave and Cultural Export Policy

The "Korean Wave" (Hallyu) refers to the global popularity and remarkable expansion of Korean culture since the 1980s, encompassing music, cinema, theater, online gaming, and cuisine.[11] Recognizing as early as the 1970s that a strong economy required a solid cultural foundation, the South Korean government developed long-term strategies to fully leverage cultural assets. As a result, South Korea's cultural industry rose to the 7th largest in the world.[12]

The country's cultural development strategy has evolved in phases, reflecting the government's adaptability in linking economic growth with cultural promotion. In the 1970s, the enactment of the Culture and Arts Promotion Act (1972) and the First Five-Year Cultural Development Plan (1974–1978) focused on post-war recovery, national identity, and investments in cultural infrastructure such as museums, theaters, and art centers. During the 1980s–1990s, policies shifted toward modernization, arts education, and international cooperation—particularly in broadcasting and music—laying the groundwork for the concept of cultural industries. From the 1990s onward, globalization efforts accelerated, with emphasis on film, music, publishing, copyright protection, and cultural exports, marking the rise of Hallyu worldwide.

Financial investment expanded steadily: from KRW 5.4 billion (USD 4.1 million) in 1994, to KRW 100 billion (USD 76.9 million) in 1999 with the creation of agencies supporting film, television, gaming, and music. By 2004, the budget rose to KRW 172.5 billion (USD 132.8 million), alongside specialized policy units. In 2007, the Ministry of Culture, Sports and Tourism established the "Cultural Industry Center" with KRW 197.7 billion (USD 152.2 million). By 2012, the budget reached KRW 249.1 billion (USD 191.7 million). From 2010 onward, the focus shifted to building a creative economy, expanding digital platforms, and supporting both major companies and independent artists. Entertainment conglomerates such as SM, YG, and JYP played a decisive role in propelling K-pop, TV dramas, and video games onto the global stage.[13] By 2023, the cultural industry budget reached USD 1.217 billion, and in 2024, the government plans to spend KRW 1.74 trillion (USD 1.31 billion) to reinforce Korea's position as a

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cultural powerhouse, expand overseas cultural centers, and enhance international cooperation.

This comprehensive strategy has not only generated substantial economic returns but has also positioned South Korea as a "cultural superpower," strengthening both national identity and brand value.

3.2 Japan: Cool Japan and Creative Industry Legislation

The "Cool Japan" initiative, part of the Abenomics economic revival policy, aims to promote Japan's cultural appeal globally while stimulating domestic economic growth.[14] The strategy extends beyond traditional culture to include creative industries such as gaming, manga, anime, fashion, cuisine, robotics, eco-technology, and high-tech manufacturing. Its goal is to present Japan as a charming, creative, and innovative nation with cultural assets to share worldwide.

The Ministry of Economy, Trade, and Industry (METI) serves as the lead agency, coordinating with the Cabinet.[15] A central tool is the Cool Japan Fund, a public-private investment fund supporting projects in food, fashion, film, animation, gaming, tourism, and digital content. By mid-2019, it had invested in 35 projects, with 87% of capital coming from the government. The fund supports not only production but also exhibitions, film festivals, and cultural exchanges.[16]

Japan has also built a strong legal foundation. The 2004 Law on the Promotion, Protection, and Utilization of Content established policy support for content industries from production to commercialization. The Basic Act on Culture and Arts, amended in 2017, expanded the integration of culture with tourism, education, urban development, and industry—framing cultural events as tools of socio-economic development. Earlier, the 1974 Traditional Craft Industries Promotion Act allowed state recognition of crafts linked to localities, supporting their protection and promotion at domestic and international events.

To enhance outreach, three Japan Houses were opened in London, Los Angeles, and São Paulo in 2017, offering cultural exhibitions, restaurants, cafés, and shops. [17] Traditional performances such as *Yosakoi* dance, combining folk heritage with modern music, have also been widely promoted internationally. Japan actively lobbied for UNESCO World Heritage recognition (26 sites, 14 designated in the 21st century) and successfully registered *Washoku* cuisine as intangible heritage in 2023. The Ministry of Foreign Affairs and the Ministry of Agriculture also launched *The Washoku Way* publications and global food events, while the Japan National Tourism Organization expanded its offices in key markets, including Vietnam.

These efforts have made tourism Japan's second-largest export sector (after automobiles), with international visitors increasing from 8 million in 2012 to 31 million in 2019. Japan ranked as the world's No. 1 nation brand in the 2023 Ipsos Nation Brands Index. However, cultural diplomacy still faces challenges, such as limited engagement with international experts and underutilization of global heritage management experience.

3.3 Europe: Geographical Indications and Regional Cultural Products

Europe has developed one of the most comprehensive legal systems linking culture with commerce, especially through the protection of geographical indications (GIs). This framework is considered one of the most effective tools for quality control and traceability, thereby securing product reputation and market positioning.[18]

The central legal instrument is Regulation (EU) No. 1151/2012 on quality schemes for agricultural and food products, which establishes three forms of protection: Protected Geographical Indications (PGI), Protected Designations of Origin (PDO), and Traditional Specialities Guaranteed (TSG). These mechanisms safeguard product quality and reputation tied to localities, while creating "regional brands" to promote culture through food, beverages, and traditional crafts.[19]

In practice, the EU combines GI protection with cultural promotion at both regional and international levels. French wines, Italian cheeses, and Belgian beers are not only legally protected but also heavily promoted through food festivals, trade fairs, and cultural tourism events across Europe, North America, and Asia. Associating GI products with cultural events reinforces Europe's image of cultural diversity while expanding export markets.

Moreover, the EU incorporates GI protection into its free trade agreements (FTAs), requiring trading partners to recognize and safeguard European GIs. This transforms GIs into instruments of both economic protection and cultural diplomacy. Initiatives such as "Taste Europe," "European Region of Gastronomy," and the "Cultural Routes of the Council of Europe" illustrate how GI law is integrated with cultural events to strengthen regional branding.

This European model highlights the importance of standardizing and protecting products linked to geography, combined with international cultural promotion. For Vietnam, it offers valuable lessons in building a robust GI legal framework and leveraging cultural events to enhance

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[14] Nguyễn Võ Huyền Dung. (2022). *Quá trình triển khai sức mạnh mềm của Nhật Bản tại Đông Nam Á (2001 - 2021)*. Trường Đại học Khoa học Xã hội và Nhân văn, Đại học Quốc gia Hà Nội.

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[16] Lê Thanh Bình (2021). *Ứng dụng ngoại giao văn hóa trong thực tiễn một số nước*. NXB. Chính trị quốc gia Sự thật.

[17] JAPAN HOUSE Activity Report, https://www.japanhouse.jp/en/#:~:text=WHAT's%20JAPAN%20HOUSE,no%20previous%20interest%20in%20Japan

[18] Trung tâm Nghiên cứu, Đào tạo và Hỗ trợ, Tư vấn Cục Sở hữu trí tuệ. (2021). *Kinh nghiệm quốc tế trong quảng bá đặc sản địa phương ra nước ngoài - Một số gợi ý cho đặc sản Việt Nam.* https://www.ipvietnam.gov.vn/phat-trien-chi-dan-ia-ly/-/asset_publisher/SGA9PgvmYtWI/content/kinh-nghiem-quoc-te-trong-quang-ba-ac-san-ia-phuong-ra-nuoc-ngoai-mot-so-goi-y-cho-ac-san-viet-nam?inheritRedirect=false

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the value of regional products, establish sustainable local brands, and boost international competitiveness.

3.4 Lessons for Vietnam

From the experiences of South Korea, Japan, and Europe, several important directions can be drawn for Vietnam:

First, it is essential to integrate intellectual property protection policies (including geographical indications, copyright, and related rights) with strategies for cultural promotion through artistic events, festivals, and trade fairs. This ensures that regional products are both legally protected and enriched in value through cultural contexts.

Second, Vietnam should promote a public–private partnership model in which the state plays the role of establishing the legal framework and providing foundational support, while businesses and creative communities participate in event organization and in bringing products to international markets.

Third, it is necessary to establish a cultural and creative industries support fund, similar to Japan's *Cool Japan Fund* or South Korea's cultural promotion funds, in order to provide sustainable resources for promotional activities.

Finally, Vietnam should proactively join international cooperation networks, actively register GIs and other intellectual property rights in major markets (such as the EU, Japan, and South Korea), and at the same time use cultural and artistic events as a "gateway" to enter markets and promote local brands on a global scale.

4. Current Situation and Opportunities in Vietnam

The development of cultural industries as a resource for building local brands to serve sustainable development and product exports is a strong global trend, and Vietnam is no exception. Vietnam has begun to recognize the importance of cultural industries, identifying them as a key driver of socio-economic development. Resolution No. 33-NQ/TW and Decision No. 1755/QĐ-TTg of the Prime Minister affirm that cultural industries must be considered an integral part of the national economy, with maximum mobilization of both state and social resources to achieve strategic objectives by 2030.

In practice, cultural and artistic events in some localities have yielded remarkable results. For example, the Huế Festival, dedicated to preserving the traditional values of the former imperial capital, has continued to affirm its role as a cultural–tourism brand at both national and international levels. Similarly, the Buôn Ma Thuột Coffee Festival has strongly leveraged the GI "Buôn Ma Thuột Coffee," creating significant commercial and tourism appeal. Despite these positive signs, Vietnam's cultural industries remain at a medium level compared to developed countries in the region.[20] In many provinces and cities, limitations in policies and cross-sector coordination have prevented cultural events from being effectively integrated with market branding strategies.

From a legal perspective, the amended Intellectual Property Law (2022) has paved the way for enhanced GI protection, marking an important step in raising the value of products associated with events. However, significant challenges remain in establishing effective collective management systems for GIs, ensuring product quality, and enforcing rights within local communities. Moreover, copyright infringement and broader intellectual property violations remain widespread, creating obstacles for creative enterprises and brand development.[21]

Alongside these challenges, new opportunities are emerging as Vietnam deepens its integration through free trade agreements (FTAs). Under the EVFTA, for example, the EU has committed to protecting several Vietnamese GIs, thereby opening doors for local products to access the European market with clear competitive advantages. In addition, the National Brand Program (*Vietnam Value*) provides a framework for linking local products and events with global export markets. According to the latest data, cultural industries contribute approximately 4% of GDP, with expectations of rising to 7% by 2030. Cultural exports have grown strongly, from USD 493 million in 2013 to nearly USD 2.5 billion in 2019.[22]

Overall, Vietnam's cultural industries are still in the early stages and face numerous difficulties. These include slow adaptation of state management to market mechanisms, bureaucratic and non-transparent practices, ineffective coordination among ministries, widespread intellectual property violations, inconsistent state investment, and a workforce lacking economic mindset and professionalism. Nonetheless, Vietnam has vast potential thanks to its long history, the cultural diversity of 54 ethnic groups, and its rich system of tangible and intangible heritage. If these resources are effectively harnessed—combined with the support of science and technology in the context of the Fourth Industrial Revolution, institutional reforms, incentive mechanisms, professional workforce development, and investments in creative infrastructure—Vietnam's cultural industries can become a powerful "market touchpoint" to project local brands globally.

5. Proposed Solutions

To address the limitations and challenges identified above, while at the same time maximizing the role of cultural and artistic events as an essential resource for building local brands that serve sustainable development and product exports, several solutions should be prioritized in the coming period:

First, the domestic legal system must be improved in line with international practices. Vietnam needs to establish a specific legal framework for the cultural industries—from laws to implementing decrees—that ensures copyright and intellectual property protection while fostering creativity in the context of digital transformation. Revisions and supplements to the Intellectual Property Law should also be aligned with free trade agreements such as the EVFTA,

[20] Minh Thuý. (2024). *Giải pháp thúc đẩy phát triển công nghiệp văn hóa Việt Nam đến năm 2030.* https://baochinhphu.vn/giai-phap-thuc-day-phat-trien-cong-nghiep-van-hoa-viet-nam-den-nam-2030-102240523225424213.htm?

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thereby guaranteeing GI (Geographical Indication) protection mechanisms consistent with international standards. In parallel, financial policies, tax incentives, and creative support funds should be clearly designed to encourage investment and enhance the competitiveness of cultural enterprises.

Second, a local branding strategy closely linked with cultural events must be developed. Provinces and cities across the country should identify their core values and distinctive cultural assets in order to design long-term branding strategies. Cultural and artistic events need to be integrated with signature products and tourism, following successful models such as the Huế Festival and the Buôn Ma Thuột Coffee Festival. In addition, the application of digital technologies and cultural databases will enable wider promotion of events and more efficient management.

Third, it is crucial to strengthen legal and international communication capacities at the local level. This includes training a cadre of cultural managers capable of organizing, promoting, and operating events to international standards. Vietnam should also expand cooperation networks through international cultural exchange centers, while drawing lessons from initiatives such as *Japan Houses* or UNESCO's programs on cultural diversity. Organizing cultural weeks and promotional events abroad will contribute significantly to spreading local identities on the global stage.

Finally, support for domestic enterprises and artists in accessing international markets is essential. The establishment of a national creative fund is necessary to provide financial assistance, trade promotion, and specialized training. At the same time, the state should assist enterprises in registering GIs in major markets such as the EU and the United States, reducing trade barriers, and investing in modern cultural and artistic infrastructure (theaters, studios, creative hubs) in order to improve event quality and foster international connectivity.

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