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Commercial Advertising Law in the Digital Economy: Governance, Consumer Protection and Sustainable Market Development in Vietnam

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Abstract

This paper develops an international conference-style analysis of commercial advertising law in Vietnam in the context of digital transformation, platform-mediated markets and cross-border advertising services. The study uses doctrinal legal analysis, structured policy synthesis, comparative reasoning and an illustrative descriptive dataset on advertising violations to examine the relationship between legal architecture, enforcement capacity and market outcomes. The findings show that Vietnam has established a relatively comprehensive legal framework through the Law on Advertising 2012, the Commercial Law 2005, the Competition Law 2018, the Law on Protection of Consumers Rights 2023 and relevant decrees on

administrative sanctions and cross-border advertising. Nevertheless, the digital environment creates several governance gaps related to platform accountability, influencer disclosure, algorithmic targeting, evidentiary burdens, cross-border enforcement and institutional coordination. The paper proposes an integrated reform model based on legal taxonomy, transparency duties, risk-based supervision, co-regulation and data-driven enforcement. The contribution of the paper is to reposition commercial advertising law as a strategic component of digital market governance and sustainable socio-economic development rather than a purely sectoral regulatory field.

Keywords: Commercial Advertising Law, Consumer Protection, Digital Platforms, Market Governance, Vietnam

1. Introduction

Commercial advertising has become one of the most visible institutions of the contemporary market economy. It links producers and service providers with consumers, reduces certain types of search costs, creates brand recognition and enables firms to compete beyond location-based advantages. At the same time, advertising has a distinctive normative quality because it does not merely describe products; it organizes attention, shapes expectations, creates symbolic value and influences consumer choice. This dual character makes advertising both an economic instrument and a legal object. When advertising is truthful, transparent and socially responsible, it contributes to efficient market exchange and informed consumption. When it is misleading, opaque or manipulative, it may distort competition, harm consumers, damage public health and undermine trust in digital markets.

The international relevance of the topic is clear. Advertising is no longer confined to national media channels with identifiable publishers. Digital advertising is increasingly organized by platform intermediaries that use automated bidding, behavioral targeting, algorithmic ranking, creator networks and real-time content distribution. In such a system, the legal relationship among advertisers, agencies, content creators, platforms and consumers becomes more complex. The traditional model, in which the product owner is the primary accountable actor, is insufficient when sponsored content is embedded in entertainment, when influencers present paid endorsements as personal experience, or when platforms distribute foreign advertisements to domestic users without a locally registered entity. These dynamics are common across jurisdictions, but they are particularly significant in emerging digital economies where regulatory capability is still developing.

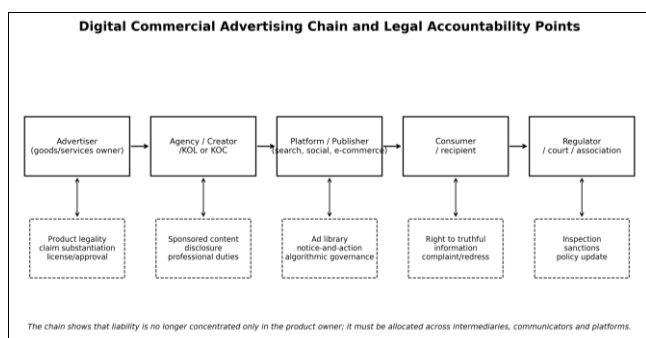
Vietnam provides a valuable case for analysis because its legal framework has evolved from fragmented provisions in commercial, advertising and sectoral legislation toward a more specialized and increasingly digital-aware regime. The Law on Advertising 2012 created a dedicated framework for advertising activities, while the Commercial Law 2005 continues to provide the conceptual basis for commercial advertising as a form of trade promotion. Subsequent instruments, including decrees on administrative sanctions, cross-border advertising and consumer protection, have attempted to close regulatory

gaps. More recently, the amendment of the advertising law in 2025 signals an official recognition that the regulatory system must be updated for digital platforms and new promotional actors. These developments allow Vietnam to be studied as a case of adaptive legal governance under conditions of technological acceleration.

This paper asks three questions. First, how should commercial advertising law be conceptualized in a digital market economy? Second, what are the main strengths and limitations of Vietnam's current regulatory architecture as described by the thesis and relevant legal developments? Third, what reform model can improve legal certainty, consumer protection, fair competition and sustainable market development? The central argument is that commercial advertising law should move from a content-control paradigm to an integrated governance paradigm. This does not mean abandoning prohibitions on misleading claims; it means embedding those prohibitions within a broader system of transparency, platform accountability, evidence-based enforcement, complaint mechanisms, data governance and professional responsibility.

The article contributes to the conference theme by treating advertising law as part of socio-economic development rather than a narrow technical field. Reliable advertising information is a condition for efficient consumption, entrepreneurial growth and market trust. Fair advertising regulation prevents deceptive competitive advantage and protects legitimate firms. Digital advertising governance is also linked to social inclusion because consumers with lower legal and digital literacy are more vulnerable to manipulative claims. Finally, advertising regulation contributes to sustainable development by discouraging harmful consumption, supporting responsible business conduct and aligning market communication with public interest values. For these reasons, the governance of commercial advertising deserves attention from scholars of economics, law, management and public policy.

2. Literature Review and Conceptual Background



Source: Author's synthesis.

Fig 1: Digital commercial advertising chain and accountability points

The literature on advertising regulation can be divided into at least four streams. The first is the economic stream, which views advertising as a mechanism of information, differentiation and market signalling. Under this view, advertising may increase competition by informing consumers and reducing transaction costs, but it may also create brand-based market power or manipulate demand. The second stream is consumer protection scholarship, which emphasizes informational asymmetry and the need to

prohibit false, misleading and unfair commercial practices. The third stream is competition law scholarship, which focuses on advertising as a tool that may support rivalry or become a vehicle for unfair competition through disparagement, imitation, false comparison or confusion. The fourth stream is digital governance scholarship, which studies platform accountability, data-driven targeting, algorithmic transparency and cross-border enforcement.

The Vietnamese thesis fits at the intersection of these streams. It treats commercial advertising as a legal-economic phenomenon in which market freedom must be balanced against consumer protection and state management. It also emphasizes that the digital economy has altered the practical operation of advertising law. Traditional legal categories remain necessary, but they do not fully capture the role of digital intermediaries, social media influencers or automated ad distribution. This point is significant because legal systems often evolve by adding new rules to old structures rather than redesigning governance architecture. The result is usually incremental improvement but also persistent fragmentation.

From a conceptual perspective, commercial advertising law performs three core functions. The first function is enabling. It legitimizes advertising as a lawful form of business communication and allows enterprises to build brands, communicate product information and compete for customers. The second function is restraining. It prohibits deceptive, harmful, unfair or culturally inappropriate advertising, especially in sectors affecting health, finance, children or public order. The third function is coordinating. It allocates responsibility among advertisers, advertising service providers, publishers, platforms, regulators and consumers. In the digital economy, the coordinating function becomes more important because responsibility is distributed across a complex chain of actors.

A governance perspective improves the analysis because it asks not only whether a legal rule exists but also whether the rule can be implemented under real market conditions. A prohibition on misleading advertising is necessary but insufficient if regulators cannot identify the advertiser, collect evidence from a foreign platform, prove consumer harm or secure timely removal of illegal content. Similarly, rules on advertising of health-related products are incomplete if paid endorsements are disguised as personal testimonials. Therefore, legal quality should be evaluated through clarity, enforceability, institutional capacity, proportionality of sanctions, accessibility of remedies and adaptability to technological change.

Commercial advertising law also has a developmental dimension. In emerging markets, advertising can accelerate the growth of domestic enterprises, support e-commerce, encourage innovation and attract investment into the creative economy. However, if advertising markets become dominated by deceptive practices or foreign platforms that are weakly accountable to domestic law, market confidence may decline. Consumers may become skeptical of legitimate claims, honest firms may lose competitive space, and public authorities may face rising costs of enforcement. Sustainable market development therefore requires a regulatory framework that encourages lawful advertising while imposing credible costs on deception.

The theory of responsive regulation is useful for this field. Instead of relying exclusively on punitive sanctions, regulators can combine guidance, self-regulation, disclosure

requirements, warning mechanisms, administrative penalties, civil liability and criminal prosecution for serious cases. This layered approach is particularly appropriate for digital advertising because violations differ in scale and intent. A small enterprise may unintentionally omit required information; a platform may systematically profit from opaque ad distribution; a fraudulent seller may deliberately use false medical claims to exploit consumers. A well-designed regime should distinguish among these scenarios while maintaining clear baseline obligations.

Another important conceptual lens is co-regulation. Advertising markets are too dynamic for the state to supervise every message *ex ante*. At the same time, pure self-regulation may be insufficient where economic incentives favor exaggeration or concealment. Co-regulation combines statutory obligations with professional codes, platform standards, industry reporting and public oversight. For Vietnam, this approach could strengthen the role of advertising associations, improve compliance education and create collaborative mechanisms for detecting and removing illegal advertisements without replacing the authority of the state.

3. Method

The first method is doctrinal legal analysis. This method identifies the legal concepts, obligations, prohibitions and sanctions that structure commercial advertising in Vietnam. Doctrinal analysis is appropriate because commercial advertising law is textually embedded in multiple legal instruments rather than in a single code. The relevant legal architecture includes advertising law, commercial law, competition law, consumer protection law, cybersecurity and electronic transaction rules, administrative sanctioning decrees and sectoral regulations for sensitive products. The purpose is to clarify how these instruments interact and where the boundaries of legal responsibility remain uncertain.

The second method is institutional analysis. Legal rules do not operate automatically; they must be applied by agencies with defined mandates, resources and procedures. The thesis highlights issues of coordination among state agencies, especially where advertising touches health, trade, communications, culture and digital platforms. This paper therefore examines the institutional design of enforcement: who identifies violations, who requests removal, who sanctions, who provides evidence, and how consumers can obtain redress. Such analysis is necessary because digital advertising often crosses administrative boundaries and jurisdictional borders.

The third method is comparative reasoning. The paper does not attempt a full comparative law study, but it uses international reference points to test the adequacy of the Vietnamese framework. The European Union is relevant because of its platform accountability model and digital services regulation. The United States is relevant because of its long-standing approach to deceptive advertising and endorsement transparency. Singapore is relevant because of its combination of state oversight and advertising self-regulation in a highly digitalized Asian market. These references help identify policy options without assuming that foreign models can be mechanically transplanted.

The fourth method is descriptive visualization. The paper uses an illustrative dataset from the thesis concerning administrative, civil and criminal treatment of advertising

violations from 2020 to 2024. The data show a clear dominance of administrative enforcement and a comparatively limited use of civil and criminal remedies. The visualization is not presented as a national official database; it is treated as a thesis-based synthesis that reveals enforcement tendencies. This approach is analytically useful because it highlights the gap between formal availability of multiple sanctions and actual reliance on administrative penalties.

The overall research strategy is therefore interpretive rather than econometric. It aims to provide a high-level policy paper suitable for an international conference, combining legal analysis, governance theory, visual models and normative recommendations. The methodological limitation is that the paper relies mainly on documentary sources and secondary synthesis rather than direct interviews with regulators, platforms or consumers. Future research could extend this study through empirical surveys of enterprises, content creators, enforcement officials and consumers in Ho Chi Minh City or other major digital advertising markets.

4. Results

Table 2: Core components of Vietnam's commercial advertising law architecture

Legal component	Main role in advertising governance	Digital-economy issue
Law on Advertising	Defines advertising actors, means, prohibited acts and state management.	Needs broader digital actor taxonomy and platform duties.
Commercial Law	Frames commercial advertising as a form of trade promotion.	Requires harmonization with specialized advertising rules.
Competition Law	Controls misleading and unfair advertising that distorts rivalry.	Must address fake reviews, false comparison and rating manipulation.
Consumer protection law	Protects right to truthful information and remedies.	Must deal with remote transactions and sponsored content.
Administrative decrees	Provide fines, removal, correction and other remedial measures.	Need stronger deterrence for profitable repeated online violations.
Cross-border advertising rules	Require cooperation of foreign service providers and removal of illegal ads.	Depend on enforceability, data access and platform responsiveness.

The first result is conceptual. Commercial advertising law should be regarded as a subsystem of digital market governance. The older view treats advertising regulation primarily as control over promotional content: the law prohibits false claims, restricts certain products and imposes sanctions when an advertisement violates public norms. This remains necessary, but it does not capture the full reality of contemporary advertising. Digital advertising is a socio-technical process involving data collection, audience targeting, automated distribution, creator endorsement, platform monetization and cross-border service provision. Regulation must therefore address processes, actors and infrastructures as well as messages.

The second result concerns Vietnam's legal architecture. The country has a relatively broad legal framework for advertising, but the framework is distributed across several instruments. The Law on Advertising provides general

definitions, prohibited acts, means of advertising, rights and obligations of actors and state management. The Commercial Law conceptualizes commercial advertising as a trade promotion activity, although recent amendments move toward treating advertising activities primarily through advertising law. The Competition Law addresses unfair advertising practices that distort rivalry. The consumer protection regime strengthens the right to accurate information and remedies against misleading conduct. Administrative decrees establish monetary fines and remedial measures. This architecture shows maturity but also creates coordination challenges.

The third result is the growing importance of subject classification. In the traditional model, the central subject is the advertiser, usually a merchant who owns the product or service. In the digital model, several additional subjects shape the final advertising impact: agencies design campaigns; influencers communicate persuasive claims; platforms distribute content and optimize visibility; payment and analytics providers support the campaign; consumers share and amplify advertisements. The law must allocate responsibilities across this chain. If only the product owner is regulated, significant actors who shape consumer perception may escape meaningful accountability.

The fourth result concerns advertising objects and products. Vietnamese law clearly prohibits advertising of certain harmful or restricted goods and imposes pre-approval or content confirmation requirements for sensitive sectors such as health products, medicines, cosmetics and nutrition-related products. These rules are important because such products create high consumer vulnerability. However, new digital markets have produced objects that are not always clearly categorized, such as virtual assets, complex financial services, livestream sales bundles, imported cosmetics, online games and hybrid health-wellness products. The regulatory system must avoid both under-inclusion and over-inclusion. Under-inclusion allows risky products to be promoted without adequate controls; over-inclusion may create unnecessary barriers for legitimate innovation.

The fifth result relates to means of advertising. Traditional media such as newspapers, radio, television and outdoor billboards are relatively easier to supervise because publishers are identifiable and content can be reviewed through established procedures. Digital advertising is different. It may be personalized, temporary, automated and distributed through foreign servers. A false claim may appear to one group of users but not to others, or may disappear before inspectors collect evidence. Sponsored content may be embedded within entertainment, education or lifestyle narratives. Consequently, the means of advertising increasingly determine the enforceability of legal rules. A rule designed for static billboards may not work for algorithmic feeds.

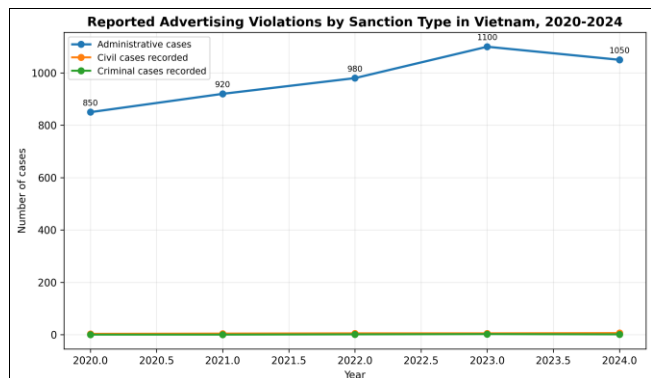
The sixth result is enforcement asymmetry. The thesis-based data show that administrative sanctions dominate the enforcement landscape, while civil and criminal cases remain rare. This suggests that the state has relied mainly on fines, removal orders and corrective measures. Such reliance is understandable because administrative enforcement is faster and less procedurally demanding than civil litigation

or criminal prosecution. However, it may be insufficient where violations generate high profits, involve repeat conduct or cause widespread consumer harm. If fines remain lower than the economic gains from deceptive advertising, non-compliance may become a rational business calculation. The seventh result is institutional fragmentation. Advertising regulation involves multiple ministries and local authorities because advertising intersects with culture, trade, health, communications, e-commerce, consumer protection and competition. Fragmentation is not inherently negative; specialized agencies are necessary for specialized products. The problem arises when coordination is weak, databases are not shared, enforcement responsibilities overlap and accountability for digital violations is unclear. An integrated governance system requires interoperable reporting channels, common classification standards and a shared database of violations and sanction histories.

The eighth result is that consumer redress remains underdeveloped. Consumers harmed by misleading advertising often face difficulties proving causation, quantifying damage and pursuing civil claims. This is especially true for small-value consumer harms, where individual litigation is economically irrational. Administrative penalties may punish the violator but do not necessarily compensate the consumer. A sustainable regime should therefore strengthen complaint handling, collective redress, public interest litigation or administrative compensation mechanisms for repeated and large-scale violations. Without accessible redress, the law may protect public order in the abstract while leaving individual consumers without effective remedy.

The ninth result concerns the need for transparency in influencer and native advertising. When advertising is delivered through personal experience, livestreams or entertainment content, consumers may not recognize the commercial nature of the message. This weakens autonomous decision-making and undermines trust. Disclosure rules should require paid endorsements, affiliate links, sponsorships and material connections to be clearly indicated. Disclosure must also be designed for ordinary users, not only for legal experts; it should be visible, timely and understandable. The law should treat failure to disclose commercial relationships as a substantive consumer protection issue rather than a minor labeling defect.

The tenth result is that platform accountability is indispensable. Platforms do not only host advertisements; they structure advertising markets through ranking algorithms, targeting tools, payment systems, policy enforcement and content moderation. A platform that profits from advertising should bear corresponding obligations to prevent, detect and remove illegal advertising when notified, and in high-risk sectors should adopt proactive verification measures. However, platform duties must be proportionate and procedurally fair. Overly broad removal obligations may suppress lawful speech or impose unrealistic burdens, while weak obligations allow harmful advertisements to circulate. The optimal model combines notice-and-action, advertiser verification, transparency reports and risk-based oversight.

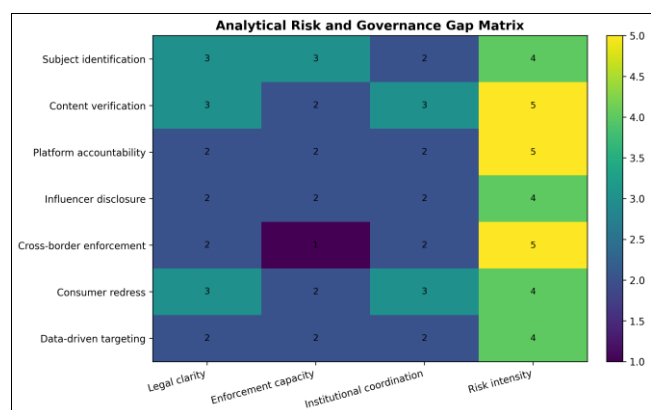


Source: Adapted from Nguyen (2026).

Fig 3: Reported advertising violations by sanction type in Vietnam, 2020-2024

Table 3: Thesis-based synthesis of sanctions for commercial advertising violations, 2020-2024

Year	Administrative cases	Civil cases recorded	Criminal cases recorded	Estimated total fines (billion VND)
2020	850	3	0	14.2
2021	920	4	0	15.1
2022	980	5	1	16.0
2023	1100	5	2	17.8
2024	1050	6	1	18.5



Source: Author's synthesis from doctrinal and thesis-based analysis.

Fig 4: Analytical governance gap matrix

5. Discussion

The findings indicate that Vietnam is moving from a conventional advertising law model toward a broader digital governance model, but the transition is incomplete. The conventional model is based on definitional rules, prohibited products, content restrictions, media-specific requirements and administrative sanctions. This model remains suitable for many forms of advertising. It is less effective when advertising is personalized, rapidly changing, cross-border and embedded in social interaction. The legal challenge is therefore not simply to add digital advertising as another category; it is to redesign the allocation of responsibility across a dynamic advertising ecosystem.

A key policy dilemma is how to preserve freedom of business while preventing harm. Commercial advertising is protected in practice because it enables enterprises to reach consumers and compete. Excessive control may increase compliance costs, reduce innovation and create discretionary power for regulators. Yet insufficient control allows deceptive claims and unfair competition to proliferate. The

solution is not maximal restriction but calibrated governance. The law should impose stricter duties on high-risk products and high-impact intermediaries, while allowing simplified compliance for low-risk advertising by small enterprises. Risk-based regulation is more appropriate than a uniform approach.

The role of evidence is central. Many advertising disputes turn on whether a claim is substantiated, whether a consumer was misled, whether a platform had knowledge of illegality, and whether an influencer received payment or benefits. A modern advertising regime should require advertisers to retain evidence supporting objective claims, especially claims about health, safety, origin, quality, environmental performance or financial benefit. Platforms should preserve records of paid advertisements for a reasonable period. Regulators should be able to obtain ad data quickly under defined legal procedures. These evidentiary duties would reduce the burden of enforcement and discourage irresponsible claims before harm occurs.

The thesis emphasizes that legal amendments must respond to the rise of digital platforms and social media advertising. This paper extends that point by arguing that platform governance should be treated as an institutional infrastructure issue. Platforms are gateways to consumer attention. If their advertising systems lack transparency, national advertising law becomes difficult to enforce even when legal norms are clear. Vietnam can adopt a tiered model in which large platforms with significant domestic reach have stronger obligations than smaller publishers. Obligations may include local contact points, advertiser verification, high-risk product filters, ad repositories, rapid response to official notices and periodic transparency reports.

Influencer governance requires a similarly nuanced approach. Influencers are not always professional advertisers, but they can exert strong influence over consumer perception. The law should define material connection broadly to include payment, free products, commissions, affiliate benefits, equity interests and other commercial incentives. Disclosure should be mandatory whenever such a connection exists. At the same time, compliance should be made practical: standard labels, platform tools, model contract clauses and education programs can reduce accidental violations. Severe penalties should be reserved for intentional deception, repeated non-disclosure, or advertising of products that are illegal or harmful.

Administrative sanctions remain important but should not be the only enforcement tool. The dominance of administrative cases in the thesis-based data suggests that regulators can identify and sanction many violations, but the low number of civil and criminal cases points to weak private enforcement and limited deterrence for serious conduct. A stronger regime would combine administrative fines with corrective advertising, disgorgement of unlawful gains, suspension of advertising accounts, public naming of repeat offenders and compensation mechanisms. Criminal liability should remain exceptional, but legal guidance should clarify thresholds for serious misleading advertising that endangers health or causes substantial financial harm.

The relationship between advertising law and consumer protection should also be strengthened. Advertising is often the first point at which consumers encounter market information. If this information is unreliable, later consumer

protection remedies may arrive too late. Preventive duties therefore matter. Clear claim substantiation, pre-approval for sensitive sectors, disclosure of sponsored content and rapid takedown procedures are all preventive tools. In addition, consumer education is necessary. Many consumers do not distinguish independent reviews from sponsored content, or may not understand algorithmic targeting. Legal reform should be paired with digital literacy initiatives.

Competition law provides another important perspective. Misleading advertising does not only harm consumers; it harms honest competitors. A firm that exaggerates product benefits or hides sponsorship may capture market share unfairly. Therefore, enforcement should not be framed only as consumer protection. It is also a competition integrity issue. Competition authorities and advertising regulators should coordinate where advertising practices distort rivalry, such as false comparison, imitation of competitors, manipulation of ratings or undisclosed paid reviews. This integrated approach would protect both market participants and consumers.

Cross-border advertising remains one of the most difficult issues. Domestic law can impose obligations on local advertisers and agencies, but foreign platforms and advertisers may have limited physical presence. Decree-based cooperation requirements are useful, but they require enforcement leverage. Possible tools include mandatory local contact points, licensing or notification obligations for large advertising service providers, revenue-based penalties, cooperation agreements with foreign regulators, and technical mechanisms for blocking or restricting repeated illegal advertising. These tools must be used carefully to avoid disproportionate interference with lawful digital services.

A sustainable approach should also include professionalization of the advertising industry. Many violations arise not only from intentional fraud but also from weak legal knowledge among small enterprises, freelance creators and informal advertising service providers. Training, model compliance checklists, professional codes and certification schemes could improve the compliance culture. The advertising industry has an interest in such professionalization because consumer distrust harms legitimate advertisers. Co-regulation through advertising associations can supplement state inspection and encourage ethical standards without requiring constant administrative intervention.

The environmental and social dimensions of advertising should not be ignored. Although the thesis focuses on commercial advertising law rather than green marketing, the same governance logic applies to sustainability claims. As enterprises increasingly advertise environmentally friendly products, carbon reduction, circular economy attributes or social responsibility, the risk of greenwashing increases. Vietnam’s advertising governance should anticipate this issue by requiring substantiation of environmental claims and by coordinating with standards agencies. This would connect advertising law more directly with sustainable development and prevent the dilution of genuine sustainability efforts.

Finally, legal reform should be accompanied by evaluation. New rules often look effective on paper but fail in practice because enforcement capacity is insufficient or incentives remain misaligned. Vietnam should develop indicators for advertising governance: number of detected violations by

sector, time to remove illegal online ads, recurrence rates, consumer complaint resolution, platform response rates, fines collected, compensation provided and public awareness levels. These indicators would allow evidence-based adjustment of the law and would support transparency in state management.

Table 4: Comparative policy reference points for digital advertising governance

Jurisdiction/model	Relevant lesson	Potential adaptation for Vietnam
European Union	Platform due-diligence duties and advertising transparency.	Tiered obligations for large platforms and ad repositories.
United States	Endorsement guides and claim substantiation principles.	Clear rules for influencers, testimonials and material connections.
Singapore	Advertising standards and industry self-regulation.	Strengthen professional codes and co-regulation through associations.
Vietnam	Hybrid administrative, sectoral and cross-border rules.	Move toward unified digital advertising governance and data-driven enforcement.

6. Policy Recommendations

First, Vietnam should clarify the legal taxonomy of advertising actors. The law should distinguish among advertisers, advertising service providers, content creators, influencers, publishers, ad-tech intermediaries and digital platforms. Each category should have tailored obligations. Advertisers should substantiate claims and ensure product legality. Agencies should exercise professional due diligence. Influencers should disclose material connections. Platforms should verify advertisers and cooperate with notice-and-action procedures. Regulators should have clear jurisdictional mandates. This taxonomy would reduce ambiguity and improve accountability.

Second, the law should introduce a general claim substantiation duty. Any objective advertising claim about quality, origin, performance, safety, health effects, financial benefit or environmental impact should be supported by evidence before dissemination. For sensitive sectors, evidence should be reviewed or confirmed by competent authorities according to risk level. This would shift the regulatory system from reactive punishment to preventive responsibility. It would also help honest businesses because substantiated claims create credibility and reduce unfair competition from exaggerated advertising.

Third, sponsored-content transparency should be strengthened. Paid endorsements, affiliate marketing, livestream promotions, native advertising and product placements should be clearly labeled. The label should be prominent, understandable and visible at the point of exposure. Hidden sponsorship should be treated as misleading commercial practice. Platforms should provide built-in disclosure tools, and contracts between advertisers and creators should include mandatory compliance clauses. Regulators should publish practical guidance with examples of compliant and non-compliant disclosure.

Fourth, platform accountability should be institutionalized through proportionate duties. Large platforms that serve the Vietnamese market should maintain local contact channels, respond to official notices within defined deadlines, preserve advertising records, provide transparency reports

and implement higher scrutiny for high-risk products. Smaller platforms should face lighter obligations, but all publishers should remove illegal advertisements when properly notified. This tiered approach avoids imposing excessive burdens while recognizing that large platforms have unique market power and technical capacity.

Fifth, administrative sanctions should be recalibrated to reflect economic gain and repeated violations. Fixed fines may be too low where deceptive advertising yields substantial revenue. The law should allow revenue-based penalties, disgorgement of unlawful gains, suspension of advertising accounts and publication of violation histories for repeat offenders. Remedial measures should include corrective advertising and consumer notification, not merely removal of illegal content. Such measures would increase deterrence and restore informational integrity.

Sixth, civil remedies and collective redress should be made more accessible. Consumers often suffer dispersed small harms that are difficult to litigate individually. Consumer protection associations or public interest bodies should be empowered to bring actions where misleading advertising affects a large group. Simplified procedures for small claims, online complaint portals and administrative compensation mechanisms could increase access to justice. Civil liability would then complement administrative sanctions rather than remain largely symbolic.

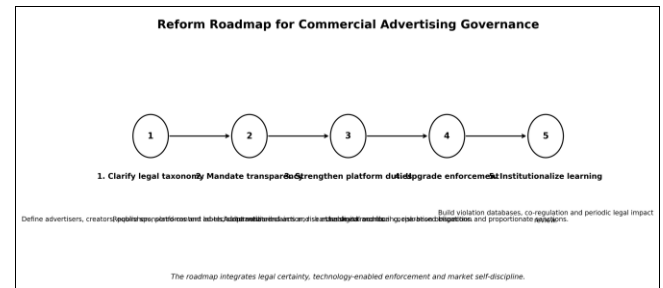
Seventh, enforcement capacity should be upgraded through technology. Regulators need digital monitoring tools, evidence preservation protocols, inter-agency databases and trained personnel capable of tracking online advertisements. A national advertising violation database would help identify repeat offenders and high-risk sectors. Cooperation with platforms could enable faster removal of illegal content and better collection of evidence. However, technological enforcement must remain subject to procedural safeguards and clear legal authority.

Eighth, co-regulation should be developed. The Vietnam advertising industry, platforms and professional associations should participate in drafting codes of conduct, training programs and compliance standards. Co-regulation can improve responsiveness because industry actors understand emerging practices earlier than regulators. Nevertheless, co-regulation must not become industry capture. State agencies should retain enforcement authority, while industry mechanisms should operate transparently and be subject to public oversight.

Ninth, legal education should target small enterprises and creators. Many digital advertising violations occur among businesses and individuals who are unfamiliar with legal requirements. Practical compliance guides, short training modules, model advertising checklists and sector-specific warnings can prevent violations before they occur. Education should not replace sanctions, but it can reduce unintentional non-compliance and build a culture of lawful advertising.

Tenth, Vietnam should integrate advertising governance into broader digital economy strategy. Advertising is a revenue model for platforms, creators and e-commerce sellers. It is also a channel through which consumers experience digital markets. A trustworthy digital advertising environment supports innovation, consumer confidence and international integration. Therefore, reform of advertising law should be coordinated with data protection, consumer protection, competition policy, e-commerce regulation and digital skills

development.



Source: Author's synthesis.

Fig 5: Reform roadmap for commercial advertising governance

Table 5: Priority reform package

Priority	Recommended action	Expected effect
Legal taxonomy	Define advertisers, creators, publishers, platforms and ad-tech intermediaries.	Clarifies liability and improves enforcement.
Transparency	Mandate visible labels for sponsored content and paid endorsements.	Protects consumer autonomy and market trust.
Claim substantiation	Require evidence before objective claims are disseminated.	Prevents misleading advertising in high-risk sectors.
Platform governance	Adopt notice-and-action, advertiser verification and reporting duties.	Improves response to cross-border and online violations.
Sanction reform	Add revenue-based penalties, corrective advertising and repeat-offender disclosure.	Increases deterrence and fairness.
Consumer redress	Strengthen complaint, collective and compensation mechanisms.	Transforms consumer rights into practical remedies.

7. Discussion and Conclusion

This paper has argued that commercial advertising law in Vietnam should be understood as a strategic governance field within the digital economy. The thesis on which the paper is based demonstrates that Vietnam has already built a substantial legal framework for commercial advertising, including rules on subjects, objects, means, products and sanctions. It also demonstrates that practice has become increasingly complicated due to social media, e-commerce, influencer marketing and cross-border platforms. The central task is therefore not to create advertising law from scratch but to modernize it in a way that is coherent, enforceable and development-oriented.

The main theoretical contribution is the shift from a content-control model to an integrated governance model. Content control remains indispensable because false or misleading advertising must be prohibited. However, the digital economy requires additional layers: actor classification, evidence duties, transparency, platform accountability, consumer redress, co-regulation and regulatory learning. Without these layers, rules may remain formally strong but practically weak. This is the core tension in many emerging digital regulatory systems.

The Vietnamese case also shows the importance of proportionality. Not all advertising risks are equal. Health claims, financial claims, child-directed advertising, environmental claims and cross-border platform advertising deserve stronger safeguards. Ordinary low-risk commercial messages should not be overburdened by unnecessary procedures. A risk-based system would protect public

interests while preserving business freedom. This balance is especially important for small and medium-sized enterprises that rely on affordable digital advertising to reach customers.

The enforcement data synthesized in the thesis suggest that administrative sanctions are the dominant tool, whereas civil and criminal remedies are rarely used. This pattern is not unusual, but it creates a deterrence problem where fines are lower than the economic benefits of unlawful advertising. It also leaves consumers with limited compensation. The future system should combine faster administrative action with stronger private and collective remedies, more serious consequences for repeat offenders and clearer thresholds for criminal cases involving grave harm.

Digital platform governance is likely to be the decisive issue in the next stage. Platforms mediate advertising visibility, collect user data, enable targeting and monetize the circulation of sponsored messages. They are not neutral bulletin boards. At the same time, they should not be treated as strictly liable for all third-party content without procedural safeguards. A balanced model should impose due diligence obligations, transparency reporting, notice-and-action procedures and special duties for high-risk advertising categories. Such a model would be consistent with global regulatory trends while remaining adaptable to Vietnamese institutional conditions.

The paper also emphasizes that advertising law has a social-development function. Misleading advertising harms not only individual consumers but also market trust, fair competition and the legitimacy of digital commerce. Conversely, truthful and responsible advertising supports innovation, consumer confidence and sustainable economic growth. In this sense, commercial advertising governance belongs within the broader agenda of socio-economic development. It connects legal order, business ethics, consumer welfare and digital transformation.

For future research, empirical work is needed. Surveys of consumers could measure understanding of sponsored content, awareness of rights and responsiveness to disclosures. Interviews with regulators could identify practical enforcement constraints. Surveys of businesses and creators could reveal compliance costs and knowledge gaps. Platform data could be used to assess response times and violation patterns. Such research would move beyond doctrinal analysis and support evidence-based legal reform.

In conclusion, Vietnam's commercial advertising law is at an important turning point. The foundation has been established, but the digital economy requires a more sophisticated governance architecture. Reform should clarify responsibility across the advertising chain, strengthen transparency, upgrade enforcement capacity, improve remedies and institutionalize cooperation between state agencies, industry actors and digital platforms. If implemented coherently, these reforms can help Vietnam develop a modern advertising market that is competitive, innovative, consumer-centered and aligned with sustainable socio-economic development.

8. Extended Analytical Notes for International Readers

An international reader may ask why commercial advertising deserves such regulatory attention when many other fields of digital commerce appear more urgent. The answer is that advertising is a gateway practice. It is the mechanism through which consumers first encounter claims

about products, services, brands and sellers. In digital markets, the gateway is highly personalized and often invisible. Users do not always know why they see a particular advertisement, whether the claim has been paid for, whether the endorser has a commercial relationship with the seller, or whether the product is legally permitted in their jurisdiction. This makes advertising law a frontline instrument of digital consumer protection.

Another point concerns the relationship between advertising regulation and economic development. Some firms view regulation as a constraint on marketing creativity. Yet a predictable and credible regulatory framework can increase market quality. When false claims are punished and legitimate claims are protected, firms have stronger incentives to compete through real quality, innovation and reliable service. Consumers are more willing to purchase online when they trust the informational environment. Thus, advertising law is not merely a system of prohibitions; it is a market-building institution.

Vietnam's experience is instructive because the country has combined rapid digital adoption with a legal system that is actively adapting. The thesis describes the emergence of online advertising, cross-border platforms and influencer-based promotion as a practical challenge for a legal framework originally developed for more traditional advertising channels. This is a common problem across jurisdictions: the speed of platform innovation exceeds the speed of legislative revision. The policy question is how to design laws that are specific enough to be enforceable but flexible enough to remain relevant.

Flexibility can be achieved through principles combined with detailed guidance. The principle that advertising must be truthful is stable. The specific application to livestreams, affiliate links, artificial-intelligence-generated testimonials or algorithmic targeting may change. Therefore, statutes should provide general obligations, while regulators should publish updated guidance, examples and technical standards. This layered method allows legal certainty without constant statutory amendment. It also helps businesses understand compliance expectations in practical terms.

The role of artificial intelligence deserves further attention. Although the thesis primarily focuses on current digital platforms, future advertising will increasingly use generative AI to create text, images, synthetic endorsements and personalized persuasion. The law must address false synthetic testimonials, deepfake use of a person's image, automated production of misleading claims and discriminatory targeting. Existing rules on truthfulness and image rights may apply, but specific evidentiary and transparency duties will be needed. The safest policy direction is to require clear identification of synthetic endorsements and to prohibit the use of AI-generated representations that imply real experience where none exists.

Data protection is also central. Targeted advertising depends on the collection and processing of personal data. If consumers do not understand how their data are used, advertising can become manipulative rather than informative. Vietnam's advertising governance should therefore coordinate with data protection rules and cybersecurity obligations. Sensitive categories such as children, health interests, financial distress or vulnerable consumers require stricter limits. Commercial persuasion

that exploits vulnerability should be treated as a serious legal and ethical problem.

Environmental advertising will likely become more important as Vietnam pursues green growth and sustainable development. Claims such as eco-friendly, low-carbon, recyclable, sustainable or green can influence consumer choice and investment decisions. Without evidence requirements, such claims can become greenwashing. Advertising law should require that environmental claims be specific, verifiable and supported by recognized standards. This would protect consumers, encourage genuine sustainability and prevent firms from gaining unfair advantage through vague ecological language.

The public administration dimension is equally important. Effective advertising governance requires not only laws but also institutional routines. Regulators need clear procedures for receiving complaints, prioritizing cases, collecting digital evidence, communicating with platforms, publishing decisions and evaluating outcomes. Fragmented enforcement can be improved through a central information system that records violations, sanctioned entities, product categories, platforms involved and compliance status. Such a system would support risk-based inspection and policy learning.

The judicial dimension should not be overlooked. Courts can clarify legal standards for misleading advertising, causation, compensation and liability of intermediaries. However, litigation remains limited when consumers face high costs or low damages. Specialized consumer procedures, collective actions or representative suits could help. Even a small number of well-reasoned judgments can influence business behavior if they clarify legal expectations and demonstrate that consumers have meaningful remedies.

The business management implications are significant. Enterprises should treat advertising compliance as part of corporate governance rather than a post-production legal check. A responsible firm should establish claim approval procedures, maintain evidence files, review influencer contracts, monitor platform placements, verify high-risk product claims and train marketing staff. Compliance should be integrated into brand management because reputational damage from misleading advertising can be more costly than formal penalties. In this sense, legal compliance and strategic marketing are not opposing goals; they reinforce each other when market trust is valued.

For platforms, compliance should be built into design. The platform interface can require advertisers to identify product categories, provide license numbers for regulated products, use standardized sponsorship labels and accept jurisdiction-specific advertising policies. Automated systems can flag high-risk claims, but human review remains necessary for context-sensitive assessment. Platforms should also give regulators and consumers accessible reporting mechanisms. A platform that designs for compliance reduces downstream enforcement burdens and increases user trust.

For content creators, the key issue is professional responsibility. Influencers often build trust by presenting themselves as authentic and independent. Paid promotion does not necessarily destroy authenticity, but hidden promotion does. Clear disclosure allows consumers to evaluate the message appropriately. Creators should understand that advertising law applies to them when they participate in commercial promotion, even if they are not traditional advertising agencies. Training and platform tools

can help them comply without stifling creative communication.

For consumers, legal reform must be accompanied by empowerment. Consumers need to know that they have a right to truthful information, a right to complain and a right to seek redress. Public education campaigns can explain common signs of misleading advertising, such as miracle health claims, fake scarcity, undisclosed sponsorship and unrealistic financial promises. Consumer awareness increases the probability that violations will be reported and reduces the effectiveness of deceptive strategies.

The Vietnamese case also raises an important question of regulatory sequencing. Because resources are limited, the state should prioritize high-risk sectors and high-impact channels. Health products, financial services, children's products, environmental claims and cross-border platform advertising should receive more intensive monitoring. Low-risk advertising can be managed through guidance and self-certification. This sequencing improves efficiency and avoids overloading regulators with minor issues.

Finally, the long-term success of advertising law depends on trust. Trust is not produced by a single statute or fine. It is produced by consistent rules, credible enforcement, transparent procedures, professional ethics and informed consumers. When these elements interact, advertising can perform its positive economic role. When they fail, advertising becomes a source of market disorder. The policy goal should therefore be to transform advertising regulation into a trust infrastructure for the digital economy.

9. Sectoral Implementation Analysis and Governance Implications

Sectoral implementation is crucial because advertising risks vary substantially across products and services. A general advertisement for household goods rarely creates the same level of harm as a medical, financial or nutrition-related claim. Vietnam's framework already recognizes this distinction by restricting or requiring confirmation for sensitive product categories. The next step is to operationalize sectoral risk more clearly. Regulators should develop risk profiles that consider product hazard, consumer vulnerability, complexity of claims, distribution channel and historical violation patterns. Such profiles would allow enforcement resources to be directed to the sectors where misleading advertising creates the greatest public cost.

Health-related advertising is the most obvious high-risk sector. Products presented as medicines, supplements, cosmetics or therapeutic devices can influence decisions about diagnosis, treatment and self-care. False or exaggerated claims may delay medical consultation, waste consumer resources or create unrealistic expectations. The law should therefore require particularly strong evidence for health claims and should prevent advertisers from implying official endorsement where none exists. Testimonial advertising in this field should be subject to strict controls because personal stories can be more persuasive than technical evidence, especially on social media.

Financial and investment advertising is another high-risk sector in the digital economy. Online promotions can promise high returns, low risk or exclusive opportunities while concealing uncertainty, fees or illegality. Consumers may respond quickly because digital advertising often combines urgency, social proof and personalized targeting. Advertising law should coordinate with financial regulation

to require clear risk warnings, licensing information and prohibition of unverified return claims. Where a financial product is not licensed or legally recognized, promotional activity should be removed quickly and repeated advertisers should face strong sanctions.

Real estate advertising also requires careful governance. It often involves complex legal status, future promises, location claims, infrastructure claims and investment expectations. Misleading advertising may create substantial financial harm because property transactions involve high-value commitments. Regulators should require real estate advertisers to disclose project approval status, developer identity, land-use information and material limitations. Platform-based real estate advertising should include verification duties for high-value listings to reduce fake or deceptive promotions.

E-commerce advertising creates a different problem: scale. A small seller can run many advertisements at low cost, and a platform can distribute them rapidly to millions of users. Product quality, origin, price, discount accuracy and delivery terms become common sources of dispute. The law should require marketplace platforms to cooperate in advertiser identification and consumer complaint handling. Repeated misleading advertisements by a seller should affect that seller's platform privileges. This would align advertising compliance with marketplace governance.

Advertising directed at children and young people requires heightened protection. Children may have limited capacity to recognize persuasion, distinguish content from advertising or evaluate commercial claims. Digital platforms intensify the problem because advertising may be embedded in games, videos or influencer content. The law should restrict persuasive techniques that exploit developmental vulnerability and should require clear labeling of advertising in child-oriented environments. Consumer education should also involve schools and families, but the primary burden must remain with commercial actors and platforms.

Environmental claims are an emerging issue. As sustainability becomes a marketing advantage, firms may use broad claims such as green, eco-friendly or low-carbon without evidence. This creates greenwashing and reduces incentives for genuine environmental improvement. Advertising law should require environmental claims to be specific, measurable and verifiable. A claim that a product is recyclable should identify the relevant condition; a claim of carbon reduction should indicate the basis of measurement. Coordination with standards bodies would make such rules more credible and enforceable.

Public morality and cultural appropriateness remain relevant in Vietnam, but they should be applied with legal precision. Vague standards can protect social values, yet they can also produce uncertainty if not accompanied by guidance. Regulators should clarify examples of prohibited discriminatory, offensive or harmful advertising while avoiding overly subjective enforcement. A transparent interpretive guide would help businesses comply and would reduce the risk of inconsistent decisions across localities.

The institutional design for sectoral advertising control should be based on coordination rather than isolated authority. Health agencies understand health claims; trade agencies understand market behavior; information and communications authorities understand platform architecture; competition authorities understand market distortion. No single agency can govern digital advertising

alone. A joint task mechanism for high-risk digital advertising could coordinate detection, evidence collection, platform notice and public communication. This would reduce delay and improve enforcement consistency.

Local governments are also important because outdoor advertising, local businesses and small-scale violations are often detected at the municipal level. However, local authorities may lack digital monitoring capacity. A national platform for sharing cases, legal guidance and technical tools would strengthen local implementation. Training should include how to capture online evidence, identify responsible parties, apply sanction provisions and coordinate with sectoral ministries. Without local capacity, national rules may be unevenly implemented.

Data-driven enforcement must respect legality and due process. Automated tools can flag suspicious advertisements, but final decisions should involve human assessment and legal reasoning. False positives are possible, particularly when language is ambiguous or satire, opinion and commercial claims overlap. Enforcement procedures should give advertisers an opportunity to respond, except in urgent cases involving serious health or safety risk. Due process increases legitimacy and reduces resistance from businesses and platforms.

Another implementation issue is public communication after enforcement. When a misleading advertisement is removed but consumers are not informed, harm may persist. Corrective advertising and public warnings should be used in cases where false claims circulated widely. Regulators should publish decisions in accessible language and explain why the advertisement violated the law. This educates consumers and businesses while reinforcing deterrence. Transparency of enforcement is itself a governance tool.

Compliance management inside enterprises should be encouraged. Large firms should have internal approval procedures for advertising claims, contracts with creators, and records of claim substantiation. Small firms may not have legal departments, so simplified compliance templates are needed. Industry associations and chambers of commerce can provide model checklists. A practical checklist might ask whether the product is legally permitted, whether claims are supported, whether a license is required, whether any testimonial is paid, and whether the advertisement targets vulnerable consumers.

The governance of creators should combine contract law and regulatory guidance. Advertisers should not shift all responsibility to creators, and creators should not deny responsibility by claiming they merely repeated a script. Contracts should specify disclosure obligations, prohibited claims, evidence requirements and consequences of non-compliance. Platforms can facilitate this by providing standard disclosure features and by warning creators when they promote regulated categories. A shared responsibility model is more realistic than assigning liability to only one actor.

Cross-border cooperation will become increasingly important. Illegal advertising may originate outside Vietnam but target Vietnamese consumers. Domestic enforcement tools are limited if foreign actors do not cooperate. Vietnam should build channels with foreign regulators and platform compliance teams, participate in regional consumer protection networks and develop standard evidence packages for cross-border requests. International

cooperation does not remove the need for domestic rules; it strengthens their enforceability in the digital environment.

The economic costs of poor advertising governance should be considered. Misleading advertising creates direct losses for consumers, but it also creates indirect losses by reducing confidence in online commerce, raising enforcement costs, and disadvantaging compliant firms. Conversely, good governance creates positive spillovers: stronger brand trust, higher quality competition, better consumer information and more sustainable platform markets. This broader economic logic supports investment in enforcement capacity even when immediate budget benefits are not obvious.

Ultimately, sectoral implementation analysis shows that commercial advertising law cannot be effective if it treats all advertisements as the same. The future regime should be differentiated, evidence-based and coordinated. It should be strict where claims create significant risk, flexible where risk is low, and technologically capable where advertising is digital and cross-border. Such a regime would make Vietnam's advertising market more transparent and would support the country's wider digital transformation agenda.

10. Research Contribution, Limitations and Future Agenda

The first contribution of this paper is conceptual integration. Studies of advertising law often remain within doctrinal categories, while studies of digital platforms often emphasize technology and governance without sufficiently engaging with national legal systems. This paper connects both perspectives. It shows that commercial advertising is not a marginal activity of marketing but a governance arena where law, markets, platforms and consumers interact. The result is a more comprehensive understanding of how advertising law contributes to digital market integrity.

The second contribution is the localization of global digital governance debates. Concepts such as platform accountability, transparency, influencer disclosure and notice-and-action are now widely discussed internationally. However, each jurisdiction must adapt those concepts to its own legal culture, institutional capacity and market structure. Vietnam's experience demonstrates the importance of designing reforms that are ambitious but administratively feasible. A rule that cannot be enforced may create symbolic compliance without changing market behavior.

The third contribution is the connection between advertising law and sustainable development. Sustainable development is not limited to environmental policy. It also includes fair markets, trustworthy institutions, decent business conduct and protection of vulnerable groups. Advertising law supports these objectives by ensuring that consumers receive accurate information, that firms compete honestly and that digital transformation does not become a channel for manipulation. In this sense, advertising governance is part of the infrastructure of inclusive and responsible economic development.

The paper also contributes methodologically by demonstrating how a national-language legal thesis can be transformed into an international conference article. The thesis provides doctrinal depth and domestic context; the article adds comparative framing, conceptual models, visual diagrams and policy language accessible to an international audience. This transformation is important for scholars who want to internationalize local legal research without losing

the specificity of national institutions.

Nevertheless, the paper has limitations. Its analysis relies mainly on documentary synthesis rather than primary empirical data. The figures and matrices are intended to clarify arguments and policy priorities, not to replace official statistical measurement. The sanction trend uses a thesis-based synthesis and should be treated as indicative rather than definitive. A more comprehensive empirical study would require access to administrative databases, court records, platform transparency data and consumer complaint records.

Another limitation is the scope of comparison. The paper refers to international models from the European Union, the United States and Singapore, but it does not conduct a detailed article-by-article comparison. Such comparison would require a separate study because each jurisdiction has different constitutional principles, regulatory agencies and market conditions. The present paper uses comparative references only as heuristic tools to generate reform options for Vietnam.

Future research should examine consumer perception of advertising transparency. It is not enough to require disclosure if consumers do not notice or understand it. Experimental studies could test whether labels such as sponsored, advertisement, paid partnership or affiliate link are understood by Vietnamese consumers. Such research would help regulators design disclosure rules that are effective in practice rather than merely formal.

Future research should also study compliance behavior among enterprises and creators. Different groups face different obstacles. Large firms may have legal departments but complex campaigns; small sellers may lack legal knowledge; creators may prioritize authenticity and speed; platforms may operate across many jurisdictions. Understanding these differences would allow regulators to design targeted education, technical tools and sanctions.

Another future agenda is the governance of advertising data. Researchers should investigate how advertisers target consumers, what data categories are used, whether vulnerable groups are profiled, and how consumers can control advertising preferences. This connects advertising law with privacy and data protection. As artificial intelligence expands personalization, the ethical and legal significance of targeting will increase.

Scholars should also study the effectiveness of enforcement mechanisms. Which sanctions reduce repeat violations? How quickly are illegal online advertisements removed? Do public warnings change consumer behavior? Do platforms respond differently to official notices and user reports? Such questions require empirical measurement. Without outcome evaluation, legal reform may proceed by assumption rather than evidence.

A further research direction is the relationship between advertising and sustainability claims. Vietnam's transition toward green growth will likely generate more environmental marketing. Legal scholars and economists should investigate the risk of greenwashing, the availability of verification standards and the role of advertising law in supporting credible green markets. This would connect advertising governance more directly to climate-compatible growth and circular economy policy.

Finally, future research should develop a comparative ASEAN perspective. Many Southeast Asian countries face similar challenges: fast-growing digital commerce, cross-

border platforms, influencer marketing and uneven enforcement capacity. Regional cooperation could improve evidence sharing, consumer protection and platform engagement. Vietnam can contribute to such regional dialogue by building a strong domestic model of transparent, fair and development-oriented commercial advertising governance.

11. Practical Implications for Policymakers, Firms and Platforms

For policymakers, the central implication is that advertising governance should be integrated with national digital transformation strategy. Advertising is not merely a communication activity; it is a revenue model, a data-processing practice, a consumer protection issue and a competitive instrument. Regulatory reform should therefore be coordinated among agencies responsible for culture, trade, communications, health, competition, consumer protection and data governance. A fragmented approach can handle isolated cases but cannot address systemic platform-mediated advertising risks.

A second implication for policymakers is the need to create measurable governance indicators. Instead of evaluating success only by the number of sanctions issued, authorities should track removal speed, repeat violation rates, consumer complaint resolution, platform responsiveness and compensation outcomes. These indicators would reveal whether regulation improves market behavior. They would also allow international comparison and strengthen public confidence in enforcement.

For firms, the implication is that lawful advertising should be treated as a strategic asset. Companies that invest in truthful claims, transparent sponsorship and responsible targeting can build stronger consumer trust. In highly competitive digital markets, trust is not a soft value; it directly affects conversion, retention and brand reputation. Firms should develop internal compliance systems and should not rely solely on agencies or creators to manage legal risk. A responsible advertising system begins before the advertisement is published.

Firms should also revise contracts with agencies, creators and platforms. Contracts should specify who is responsible for claim evidence, legal approvals, disclosure labels, correction duties and data use. Without contractual clarity, disputes after a violation may become costly and reputationally damaging. Contract governance is especially important when campaigns involve multiple creators or cross-platform distribution. Legal compliance should be designed into the campaign workflow rather than added at the final stage.

For platforms, the implication is that advertising compliance is part of user trust and market legitimacy. Platforms that ignore deceptive advertising may gain short-term revenue but lose long-term credibility with users, regulators and legitimate advertisers. Platforms should maintain searchable advertising records, provide easy reporting channels, cooperate with regulators and invest in review systems for high-risk product categories. These measures are not merely regulatory burdens; they support a healthier advertising ecosystem.

For creators and influencers, the implication is professionalization. The trust that creators build with audiences carries legal and ethical responsibility. Disclosure of commercial relationships should be treated as a minimum

standard. Creators should verify the basic legality of products before endorsing them and should refuse scripts that make unsupported claims. As creator marketing grows, professional norms will become increasingly important for maintaining audience trust and avoiding regulatory sanctions.

For consumers, the practical implication is empowerment through information. Consumers should be encouraged to question extraordinary claims, identify sponsorship signals and report suspicious advertisements. Public agencies and civil society organizations can develop simple educational materials explaining common advertising risks. Digital literacy should include not only technical skills but also understanding of persuasion, targeting and endorsement incentives. An informed consumer base is a key pillar of market governance.

For academia, the implication is interdisciplinary research. Advertising law cannot be studied only as legal doctrine; it also requires economics, marketing, communication studies, data governance and public administration. Legal scholars can explain norms and liability; marketing scholars can explain persuasion strategies; economists can assess market effects; technologists can analyze platform systems. Interdisciplinary work will produce more realistic policy recommendations.

For international cooperation, Vietnam can benefit from comparative learning but should adapt rather than copy. EU-style platform duties, US-style endorsement guidance and Singapore-style self-regulation offer useful ideas, yet Vietnamese implementation must reflect domestic enforcement capacity, market structure and administrative law. The most effective reforms will combine international standards with local institutional feasibility.

Overall, the practical message is that commercial advertising governance requires shared responsibility. The state sets legal boundaries, firms substantiate claims, creators disclose sponsorship, platforms design compliant systems, consumers report harm and courts clarify disputes. No single actor can maintain a trustworthy advertising market alone. The sustainable solution is a coordinated governance ecosystem that aligns incentives, information and accountability.

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