

**HO CHI MINH NATIONAL ACADEMY OF POLITICS
ACADEMY OF JOURNALISM AND COMMUNICATION**

TRAN THI PHUONG LAN

**PROTECTING THE LEGAL PROFESSIONAL RIGHTS OF
JOURNALISTS IN CONTEMPORARY VIET NAM**

Field of Study : Journalism
Code : 9 32 01 01

DOCTORAL DISSERTATION ABSTRACT IN JOURNALISM

HA NOI - 2025

**This dissertation was completed at the
Academy of Journalism and Communication.**

**Scientific Supervisor: 1. Assoc.Prof, PhD. Nguyen Thi Truong Giang
2. PhD. Duong Thi Thu Huong Assoc.Prof, PhD.
Nguyen Thi Truong Giang**

Reviewer 1:

Reviewer 2:

Reviewer 3:

**The dissertation was defended before the Academy-level Dissertation
Evaluation Council, convened at the Academy of Journalism and
Communication at ..., on, 2025.**

**The dissertation is available at the National Library of Viet Nam
and the Library of the Academy of Journalism and Communication.**

INTRODUCTION

1. Rationale of the study

Journalism scholar Walter Lippmann, a foundational figure in agenda-setting theory, asserted: *“The press is no substitute for institutions. It is like the beam of a searchlight that moves restlessly about, bringing one episode and then another out of darkness into vision.”* This “illuminating” function renders journalism indispensable in the construction of a rule-of-law state and a democratic, civilized society.

If journalism serves as a powerful communicative tool that shapes public opinion, monitors power, and promotes humanistic values, then the journalist is the operator, navigator, and bearer of the profession’s heaviest social responsibilities. Therefore, journalists must be guaranteed the rights to access information, to investigate, to report, and to convey the truth—these are not merely professional rights, but essential conditions for fulfilling their societal duties. Protecting the lawful professional rights of journalists means not only safeguarding individuals, but also defending the very foundation of press freedom and freedom of expression—core values of any democratic and law-governed society. Without adequate protection, journalists may be obstructed in their quest for truth, which could lead to information distortion and undermine the critical and supervisory role of the press.

In today’s globalized context, the safety and legal rights of journalists have become a central concern of international legal and human rights frameworks. International norms affirm the press as an essential pillar of democratic society and establish clear standards for protecting journalists from threats, violence, arbitrary prosecution, or obstruction in the exercise of their duties. The Universal Declaration of Human Rights (UDHR, 1948) affirms in Article 19 that: *“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”* This declaration lays the foundation for press rights as part of fundamental human rights, recognizing journalists as key agents in the exercise of freedom of communication and information. Continuing that spirit, the International Covenant on Civil and Political Rights (ICCPR, 1966), to which Viet Nam has been a party since 1982, reaffirms in Article 19 that everyone has the right to seek, receive, and impart information and ideas of all kinds, regardless of frontiers. This is a vital legal basis for protecting journalistic practice internationally, and it imposes obligations on state parties not to arbitrarily restrict or interfere with journalists’ professional rights.

Since the founding of the Communist Party of Viet Nam, and especially after gaining power and establishing the Democratic Republic of Viet Nam, revolutionary journalism has remained an indispensable part of national construction, defense, and the development of the Party’s ideological and cultural missions. Throughout the leadership of the press in

service of the revolutionary cause, the Party and the State have consistently emphasized the crucial role of journalists.

President Ho Chi Minh once affirmed: *“Journalists are revolutionary soldiers. Their pens and paper are their sharp weapons.”* He further encouraged: *“Your pens are also sharp weapons in the cause of supporting righteousness and opposing wrongdoings.”* In recent terms, the Party and State have issued numerous directives and resolutions, such as: The 13th National Party Congress Resolution on press and communication work, Directive No. 43 on *“Strengthening the Party's leadership over the operations of the Viet Nam Journalists Association in the new context”*, and Notification No. 22 from the Party Central Secretariat on improving the role, quality, and efficiency of the Association.

These documents stress the need for regular political, ideological, and professional education for journalists - including Marxist-Leninist theory, Ho Chi Minh Thought, the Party's guidelines, and the State's legal policies - to enhance their professionalism and build a press corps that meets revolutionary demands. The Party's policies emphasize journalism's pivotal role in anti-corruption, socioeconomic development, and protecting the people's interests, thereby implicitly affirming the legitimate need to protect journalists in fulfilling their mission.

The Viet Nameese legal system on journalism has become increasingly comprehensive, with important regulations to safeguard the professional activities of journalists. This reflects the State's commitment to a favorable legal environment for journalism. For example: The 2016 Press Law, enacted by the 13th National Assembly, serves as the highest legal framework for journalism in Viet Nam. Chapter IV of this law defines journalists' rights and obligations, with Article 25 specifically stating eight key rights, including *“the right to be legally protected in professional activities; the right to have their honor and dignity safeguarded during journalistic work.”* Additionally, Decree No. 119/2020/ND-CP stipulates penalties for administrative violations in journalism and publishing, including specific sanctions against interference with legitimate journalistic activities.

As of December 2024, Viet Nam has a large journalism workforce of approximately 41,000, with over 21,000 card-holding journalists working at around 884 media organizations, spanning print, radio, television, and online platforms. This force delivers a vast volume of information daily to over 98 million people. Generally, the Party, the State, and the people place significant trust in the press, especially during critical political and social developments. Despite this trust and favorable legal framework, journalists still face threats, harassment, and even physical assaults during lawful professional activities. According to the Viet Nam Journalists Association, 47 cases of harassment or assault against journalists were recorded between 2020 and 2024. The complexity of these incidents has grown - both in real-world settings and online - alongside the rapid development of digital

technology and social media. Online attacks have become increasingly sophisticated and diverse, transcending physical boundaries and severely impacting journalists' safety, mental health, and work. Such threats not only violate journalists' rights but also hinder citizens' right to information and weaken journalism's anti-corruption and watchdog roles. While many studies have examined the theoretical aspects of journalists' roles, press freedom, or types of obstruction, there remains a lack of in-depth research focusing specifically on protecting the legitimate professional rights of journalists. Therefore, the doctoral candidate selected the topic: ***“Protecting the legal professional rights of journalists in contemporary Viet Nam”*** as the focus of this dissertation.

2. Research objectives and tasks

2.1. Research objectives

This dissertation aims to establish a theoretical foundation and analytical framework for studying the protection of journalists' legal professional rights. Based on this foundation, the dissertation conducts research, surveys, and assessments of the current situation in Viet Nam. The findings serve to identify existing issues and propose key solutions to enhance the protection of journalists' legal professional rights in the near future.

2.2. Research tasks

First, to review and synthesize existing research works related to the topic.

Second, to develop and refine the theoretical framework on protecting the legal professional rights of journalists in contemporary Viet Nam.

Third, to investigate, analyze, and evaluate the current situation through the content analysis of typical case studies, sociological surveys, and in-depth interviews with journalists-focusing on roles, levels, methods, and manifestations (both positive and negative) in the protection of their legal rights.

Fourth, to propose solutions and recommendations aimed at enhancing the protection of journalists' legal professional rights in Viet Nam in the coming period..

3. Research subject and scope

3.1. Research subject

The research subject of the dissertation is the protection of legal professional rights of journalists in contemporary Viet Nam.

3.2. Research scope

3.2.1. Content and geographical scope

The study focuses on the issue of protecting journalists' legal professional rights through a survey involving 302 journalists and reporters from 7 media organizations, including 4 major outlets: Viet Nam Television (VTV), Voice of Viet Nam (VOV), Viet Namnet Online Newspaper, and Lao Động Newspaper.

3.2.2. Time frame

The research covers the period from 2020 to 2024, aligning with the implementation of the 11th Congress Resolution of the Viet Nam Journalists Association (2020-2025), which emphasizes the protection of legal rights and interests of members. This timeline also corresponds with the implementation of the 13th National Party Congress Resolution on building a professional, humane, and modern journalism sector. Moreover, in early 2025, the National Assembly Standing Committee proposed to include amendments to the 2016 Press Law in the legislative agenda for 2025, making this an appropriate timeframe for the research.

4. Research questions and hypotheses

4.1. Research questions

This dissertation aims to answer the following three core research questions:

- What are the theoretical foundations and practical contexts concerning the protection of journalists' lawful professional rights??
- How are journalists' lawful professional rights currently protected in Viet Nam??
- What solutions can be applied to strengthen the protection of journalists' lawful professional rights?

4.2. Research hypotheses

Hypothesis 1: The Party's directives and the State's legal policies are of great importance and necessity in ensuring journalists' lawful professional rights..

Hypothesis 2: The current legal framework and regulations on handling acts that obstruct journalistic activities remain insufficiently deterrent or are not enforced strictly and consistently in practice..

Hypothesis 3: The awareness and legal compliance regarding the protection of journalists' rights among certain agencies, organizations, and individuals remain limited, contributing to acts that obstruct or infringe upon journalists' professional activities.

Hypothesis 4: Journalists' legal awareness, professional competence, and adherence to professional ethics directly affect their ability to protect themselves when their lawful professional rights are violated..

5. Theoretical framework and research methods

5.1. Theoretical framework

The dissertation is grounded in Marxism-Leninism, dialectical materialism, and historical materialism as the philosophical methodology for analyzing the protection of journalists' legal professional rights. It also draws from Ho Chi Minh thought, the Party's viewpoints, and State policies on press and communication, particularly the protection of journalists. These are reflected in Party Resolutions and legal documents that define journalists' rights and obligations, as well as sanctions against acts of obstruction or violence during lawful journalism practice.

The dissertation applies a theoretical framework of journalism and mass communication to clarify the current state of protecting journalists' lawful

professional rights. Specifically, it employs the Structural Functionalism Theory and the Social Responsibility Theory of the press to elaborate the theoretical foundation and explore the practical realities of the issue.

5.2. Research methods

The study applies a combination of disciplinary and interdisciplinary approaches from journalism, communication, and sociology. Specific methods include:

5.2.1. Literature review:

- Purpose: To develop a theoretical framework on the protection of journalists' legal professional rights and to review relevant Party and State viewpoints. This review also helps compare and evaluate survey results and formulate scientific recommendations.

- Sources collected:

- + Party and State guidelines and orientations on protecting journalists' legal professional rights.

- + The Press Law and related legal documents (decrees, regulations) on the same topic.

- + Academic publications (domestic and international) related to the topic.

- Analysis approach: Collected documents are categorized and analyzed using synthesis and comparative methods.

5.2.2. Document analysis method

a. Qualitative document analysis:

- Purpose: To examine selected typical cases involving violations of journalists' legal professional rights during the research period (January 2020 to December 2024). This includes exploring the context and circumstances of the violations, identifying legal and social causes, the role of law enforcement and institutional protection, and the journalists' own knowledge, skills, and ethics. The findings complement survey and interview data, offering a robust foundation for conclusions.

- Collected materials: Analysis of five high-profile cases that received public attention, with publication dates falling within the research period (01/2020-12/2024).

- Analytical approach: In-depth case analysis to examine events, stakeholder debates, legal proceedings, and causes of the violations. Multiple perspectives were considered: legal, social, and journalistic.

b. Quantitative document analysis:

- Purpose: To clarify the reality of violations by analyzing reports submitted to the Viet Nam Journalists Association (VJA) over five years (2020 - 2024). The results supplement journalist survey data and provide additional insights into patterns and severity of violations.

- Collected Materials: All officially reported violations submitted to the VJA from 2020 to 2024.

- Analytical Approach: The study quantifies the characteristics of each violation for statistical synthesis, focusing on: context, causes, nature, and specific forms of violation.

5.2.3. Sociological survey (*stratified random sampling*)

- Purpose: To gather feedback and evaluations from journalists regarding the protection of their legal professional rights at selected media organizations.

- Survey Population: Journalists and reporters from selected news agencies, who received structured questionnaires (anket method).

Sample Size: Total of 300 responses,

Sampling Method: Simple random sampling. Lists of actively working media staff (including reporters, editors, videographers) were obtained from each organization. Respondents were selected using SPSS software.

- Data Analysis: Descriptive and comparative statistics, including significance testing, were conducted with SPSS to support the research findings.

5.2.4. In-depth interview method

- Purpose: To complement and clarify quantitative data by exploring context, perspectives, and stakeholder roles in the protection of journalists' professional rights.

- Interview groups (semi-structured individual interviews):

- + Journalists/Reporters (12 persons) - 3 from each surveyed media outlet, focusing on both positive and negative experiences and their expectations for safer journalism in sensitive contexts.

- + Newsroom managers (8 persons) - 1 senior editor and 1 department head or deputy from each of the 4 main agencies.

- Topics: current protection practices, internal safety protocols, and institutional responsibilities.

- + Regulatory and administrative bodies (4 persons) - Officials from the Ministry of Information and Communications and Viet Nam General Confederation of Labour, representing press management and regulatory roles.

- + Experts (2 persons) - 1 media researcher and 1 legal expert with practical and theoretical experience on journalist safety and legal rights.

- Data analysis: Interview content was synthesized and analyzed qualitatively using Nvivo software

6. Scientific contributions of the dissertation

First, the dissertation systematically organizes and further develops the theoretical framework surrounding the protection of journalists' legal professional rights in Viet Nam. (1) It defines key concepts such as "protection of legal professional rights" and "protection of journalists' professional rights," along with related terms including "problem," "journalist," etc. (2) It presents a comprehensive political and legal foundation, highlighting Party and State policies aimed at enhancing protection for journalists in the context of globalization and international integration. (3) It identifies key influencing factors that affect the protection of journalists' legal professional rights.

Second, the dissertation analyzes the current situation and driving factors affecting the protection of journalists' legal professional rights. It clarifies the relationship between regulations (e.g., the Press Law), mechanisms, and the stakeholders involved-such as spokespersons, regulatory bodies, media organizations, and journalists on the ground-within the broader legal and social context. This analysis offers an objective evaluation of Viet Nam's current practices in this area.

Third, the dissertation is among the first comprehensive scientific studies in Viet Nam to explore, from a multi-dimensional and scientific perspective, the issue of protecting journalists' legal professional rights. It identifies achievements and limitations in existing protection efforts and proposes legal and managerial reforms to enable journalists to work legally, safely, and effectively. Such reforms are essential to ensuring journalists can fulfill their duties and produce high-quality journalism that meets public needs and supports the healthy development of society.

7. Significance of the dissertation

7.1. Theoretical significance

The dissertation offers a fresh perspective and expands academic understanding of both theoretical and practical issues related to the protection of journalists' legal professional rights in Viet Nam. It serves as a useful reference for policymakers, legal drafters, media leaders, journalists, researchers, educators, and journalism students. Its findings suggest new directions for research into journalists' roles, contributions, and professional challenges, while also addressing the need to improve legal frameworks and policy enforcement to safeguard journalism in the digital age.

7.2. Practical significance

The findings of the dissertation provide a reference source for journalists, media agencies, and press managers to strengthen their awareness of professional rights and obligations, improve protective practices, and foster a culture of journalist safety. The research also assists lawmakers in refining legal regulations-especially the Press Law-to better reflect realities on the ground and ensure safe, transparent, and lawful access to information. Additionally, the work raises awareness among public authorities, organizational leaders, and businesses regarding their responsibility to cooperate with the press. This is essential to fostering societal consensus. The dissertation also serves as educational material for students, graduate learners, and PhD candidates in journalism, helping them better understand legal protections for journalists. Finally, it promotes civic responsibility and legal literacy by highlighting the consequences of violating press freedom and public access to information.

8. Structure of the dissertation

Apart from the introduction, conclusion, appendices, and references, the main content of the dissertation is structured into four chapters with twelve sections.

CHAPTER 1: OVERVIEW OF RESEARCH CONTEXT AND LITERATURE REVIEW

1.1. Related research works on the topic

1.1.1. Studies on legal concepts and frameworks for the protection of journalists' legal professional rights

1.1.1.1. International research landscape

Phase 1: From the 18th century to the early 20th century
This period marked the early conceptualization of press freedom-a foundational principle for the professional rights of journalists. The initial ideas concerning press freedom provided the legal groundwork for professional journalism.

Phase 2: From the end of World War II to 1970
This phase saw the establishment of international legal foundations and academic discourse on journalism. It laid the groundwork for scholarly and legal debates around the rights and responsibilities of journalists in democratic societies.

Phase 3: From the late 20th to early 21st century
Global interest in protecting journalists' legal professional rights increased substantially. National and international legal frameworks began to specify protections for journalists acting within the law. Numerous academic studies and legal analyses were conducted to examine ethical, institutional, and legal mechanisms to safeguard journalism, recognizing the need to balance rights, responsibilities, and ethical standards.

This period saw the evolution from foundational recognition of press freedom to the development of concrete legal, ethical, and institutional protection mechanisms. However, a significant gap between legal norms and practical enforcement remains-particularly in developing countries and conflict zones.

1.1.1.2. Domestic research landscape (Viet Nam)

Press Law 1957: The first critical milestone in Viet Nam that legally codified the rights and responsibilities of journalists and media organizations.

From 1990 to 2016: A period of rapid media expansion in terms of platforms and content types. However, this phase also exposed weaknesses in professional ethics and a rise in interference with journalistic activities, especially in coverage of sensitive topics such as corruption and misconduct.

Since the enactment of the 2016 Revised Press Law: This marked a significant legal advancement. The law clarified the rights and responsibilities of journalists and press institutions, including more specific provisions for the legal protection of professional activities. During this period, numerous proceedings, reports, and academic articles evaluated the implementation of the right to report (quyền tác nghiệp), particularly in the context of digital transformation, social media, and multi-platform journalism. Several scholarly works began to examine the legal framework

for journalist protection, analyzing the discrepancies between legislation and practice post-2016.

1.1.2. Studies on the violation of journalists' legal professional rights and the extent of their protection

1.1.2.1. International research landscape

First, studies on violence and the duty of protection emphasize that targeted violence against journalists is increasingly used as a tool to control the flow of information in many countries. The lack of effective investigation and prosecution fosters impunity, escalates risks of recurrence, and induces fear and self-censorship within the journalism community.

Second, research on the role of international legal frameworks points out that legal systems in many countries are either incapable or insufficiently independent to ensure the protection of journalists. This structural weakness renders journalists highly vulnerable and calls for stronger involvement of the international community to promote binding protection mechanisms.

Third, studies have examined the widespread phenomenon of “self-censorship” among journalists, which arises as a direct consequence of violations against their professional rights.

Fourth, growing attention has been paid to online violence against journalists. Digital harassment not only undermines journalists’ mental health but has forced many to withdraw from social media or suspend professional activities. Meanwhile, both state agencies and digital platforms have failed to respond in a timely, robust, and transparent manner, resulting in deepening mistrust among media professionals.

1.1.2.2. Domestic research landscape (Viet Nam)

First, research on violations of journalists’ professional rights in Viet Nam has primarily been conducted in cooperation with international organizations.

Second, studies that categorize types of interference with journalistic work reveal several legal shortcomings-especially the misclassification of press-related violations, lack of adequate evidence, and weak coordination among competent authorities.

Third, various professional workshops have highlighted the reality of journalists being threatened and assaulted. They also criticized the inaction of law enforcement agencies and the evasiveness of some press institutions in defending their own staff.

Fourth, specialized studies provide concrete evidence on the risks journalists face during investigative reporting. These range from obstruction and forced corrections to lawsuits and even criminal prosecution.

While the aforementioned studies provide valuable insights, the majority were conducted prior to 2016. Consequently, there remains a significant research gap regarding the post-reform period, especially in relation to digital media contexts and emerging legal pressures from 2017 onward

1.1.3. Studies on factors influencing the protection of journalists' legal professional rights

1.1.3.1. International research

First, international studies affirm that legal frameworks and the degree of state intervention directly influence journalists' professional rights.

Second, political regime types are highlighted as decisive factors in determining whether journalists' rights are protected or restricted.

Third, media ownership and financial structures are found to significantly affect editorial independence and the ability to conduct professional activities without interference.

Fourth, political-social culture and the level of civic engagement are considered to shape the working environment for journalists.

Fifth, the digital environment simultaneously expands professional opportunities and introduces new risks, such as cyber violence, doxing, digital surveillance, and the blurred boundaries between professional journalism and content creators.

1.1.3.2. Domestic research (Viet Nam)

Domestic research has begun to identify several influencing factors but remains largely descriptive, lacking a systematic framework and multi-level analytical integration.

First, some studies classify influencing factors into three main groups: (i) from journalists themselves (e.g., lack of skills, inability to self-protect, absence of press credentials); (ii) from obstructive actors (e.g., abuse of power, group interests, legal disregard); (iii) from the legal and enforcement system (e.g., vague regulations, weak implementation, limited legal awareness).

Second, a number of studies emphasize that journalists' limited legal knowledge and unpreparedness increase the likelihood of rights violations—especially when reporting on sensitive topics.

1.1.4. Studies on solutions for protecting journalists' legal professional rights

1.1.4.1. International research

First, the construction and refinement of specialized legal frameworks are proposed as foundational solutions.

Second, researchers advocate for the legal codification of journalistic ethics and the enhancement of legal literacy among journalists.

Third, studies emphasize the importance of intermediary institutions, such as press associations, professional organizations, and independent watchdogs.

Fourth, regular professional safety training is proposed—including legal awareness, first aid, digital security, and protection against doxing and cyber violence.

Fifth, fostering international cooperation among human rights groups, media institutions, and state authorities is regarded as a long-term strategy.

Sixth, special attention should be given to the protection of women journalists and other vulnerable groups against gender-based violence and online harassment.

Seventh, studies recommend transparency in investigations into assaults, provision of professional insurance, protection for whistleblowers, and a culture of safety in newsrooms.

1.1.4.2. Domestic research (Viet Nam)

First, legal reform-especially amending the Penal Code and subordinate legislation-is a central recommendation.

Second, improving inter-agency coordination mechanisms is considered a key factor.

Third, newsrooms are urged to take proactive responsibility in protecting their reporters.

Fourth, building journalists' legal knowledge and self-defense capacity is proposed as a sustainable solution.

Fifth, some studies advocate shifting from administrative penalties to criminal prosecution in assault cases to strengthen deterrence.

Sixth, legal updates are needed to match the challenges posed by digital and multi-platform media environments.

1.2. Overview of related research findings and key issues to be addressed

1.2.1. Overview of related research findings

First, current studies on the protection of journalists' legal professional rights mainly focus on three pillars: legal framework, professional ethics, and practical enforcement. The fundamental rights identified include: freedom of expression, the right to access information, protection of sources, and protection against threats, violence, and harassment during professional activities.

Second, both domestic and international studies have examined international and national legal frameworks related to journalistic rights, emphasizing the interrelationship between rights, responsibilities, and professional ethics.

Third, in terms of methodology, most studies employ surveys, in-depth interviews, case studies, and content analysis to identify influencing factors and behaviors that obstruct journalistic practice.

Fourth, in Viet Nam, direct and systematic studies on this topic remain limited. Most have only identified external obstructive behaviors without providing comprehensive evaluations of the protection mechanisms or the roles of relevant stakeholders. Notably, most substantial research was conducted prior to 2016-before the revised Press Law took effect.

1.2.2. Key issues to be addressed

Systematize the theoretical framework related to the protection of journalists' legal professional rights.

Assess the current situation regarding the protection of journalists' professional rights in Viet Nam.

Propose feasible and effective solutions to enhance the protection of journalists' legal professional rights in Viet Nam.

Chapter 2

THEORETICAL AND PRACTICAL FOUNDATIONS FOR THE PROTECTION OF JOURNALISTS' LEGAL PROFESSIONAL RIGHTS

2.1. Theoretical foundations

2.1.1. Key concepts

2.1.1.1. Issue

The term “issue” is a flexible concept that can take on various meanings depending on the context of use. Generally, it refers to something that requires attention, examination, resolution, or clarification.

2.1.1.2. Journalist

Journalists are individuals engaged in creative labor to produce journalistic works, with the specific task of seeking, verifying, assessing, and providing information about emerging events and issues that the public needs to know. They are the direct agents of journalistic activity, bearing responsibility before the law, public opinion, and society at large for the accuracy and integrity of the information they deliver to the public.

2.1.1.3. The lawful professional rights of journalists

The lawful professional rights of journalists refer to the legal recognition and protection of their journalistic activities—including accessing, collecting, processing, and disseminating information—carried out in the interest of the community and society.

2.1.1.4. Protection of journalists' legal professional rights

Protecting journalists' legal professional rights means establishing and maintaining a mechanism that ensures journalists can carry out their professional activities—such as accessing, collecting, processing, and disseminating information—in accordance with the law, freely, safely, and without obstruction by any unlawful act.

2.1.2. The Role of protecting journalists' legal professional rights

2.1.2.1. Enhancing journalists' confidence and professional standing

When journalists' legal rights are safeguarded, they can confidently fulfill their roles with full professional competence and social responsibility.

2.1.2.2. Strengthening the credibility of media organizations and journalism as a whole

The credibility of media outlets is built upon public trust and their capacity for oversight and social criticism. This credibility depends on the accuracy, timeliness, and objectivity of the information provided, as well as the ethical integrity of journalists and editorial staff. Effective journalism in exposing wrongdoing and promoting transparency strengthens the role of the press as a watchdog in society.

2.1.2.3. Promoting social integrity, democracy, and development

Democratic models highlight the press as a core component in the distribution of information, empowering citizens to engage in both formal and informal oversight of the government.

2.1.2.4. Advancing transparency and independent journalism

Protecting journalistic work is intrinsically tied to safeguarding a free and independent press. Journalists are the primary agents executing press freedom, and their safety and autonomy are essential for a democratic media environment.

2.1.2.5. Reducing impunity for crimes against journalists

Failure to investigate threats and violence against journalists perpetuates a culture of impunity, emboldens perpetrators, and undermines press freedom. Ending impunity is essential to protect journalists and uphold the rule of law.

2.1.3. Core Elements in protecting journalists' legal professional rights

2.1.3.1. Clear and comprehensive legal framework and policy guidance

A well-defined, consistent legal framework and policy orientation from the State and Party is crucial for the effective protection of journalists' professional rights.

2.1.3.2. Effective law enforcement

Laws must be enforced properly to ensure that rights protections exist not just in legislation but also in practice, creating a safe and enabling environment for journalists to work without fear of retaliation.

2.1.3.3. Willingness to protect from relevant stakeholders

This refers to the efforts, commitment, capacity, and effectiveness of stakeholders (government agencies, media organizations, civil society, individuals, international bodies) in ensuring safety and rights protections for journalists.

2.1.3.4. Journalists' legal awareness

A strong understanding of legal rights helps journalists act ethically and professionally, ensuring high-quality journalism and fostering public trust.

2.1.3.5. Public awareness and social attitudes

Public recognition of journalists' roles in oversight and accountability is key to creating a respectful and supportive environment for journalism.

2.1.4. Factors affecting the protection of journalists' legal professional rights

Political and Social Environment: Shapes both the legal and practical conditions for journalistic activity.

Public Awareness: Influences how journalism is valued and whether its role in oversight and free expression is protected.

Legal Factors: A comprehensive legal framework and strong enforcement create an ideal context for independent and truthful reporting.

Technological Factors: While digital tools increase access and distribution, they also expose journalists to risks such as cyberattacks, doxxing, and surveillance.

Economic Factors: Financial pressures and market-driven models can compromise journalistic independence and safety.

Individual Factors (Gender, Ethnicity, Religion, Beat): Journalists' personal attributes can influence their vulnerability, especially when reporting on sensitive issues.

2.2. Political and legal foundations for protecting journalists' legal professional rights

2.2.1. Political foundations

The Communist Party of Viet Nam consistently emphasizes the critical role of journalists in safeguarding the ideological foundation of the Party and guiding public opinion. Journalists are considered “pioneering soldiers on the ideological front,” directly responsible for upholding the combative nature of the press. Therefore, training, utilizing, and managing the journalist workforce has always been a central focus. Directive No. 43-CT/TW from the Party Central Secretariat calls for the development of a team of journalists who are both ideologically sound and professionally competent—those with firm political grounding, high-level expertise, and ethical integrity to meet the demands of the new era.

Regarding leadership in media organizations, Regulation No. 101-QĐ/TW (dated February 28, 2023) stipulates a clear principle: the head of a governing body must not concurrently hold a leadership position in a press agency and vice versa. This demonstrates a progressive understanding of power governance in journalism, aimed at enhancing transparency, effectiveness, and preventing conflicts of interest.

2.2.2. Legal foundations

As part of building a socialist rule-of-law state, the Party and State of Viet Nam consistently affirm the importance of law and socialist legality. The 1992 Constitution declared Viet Nam a socialist rule-of-law state “of the people, by the people, and for the people”—governed through legal frameworks and committed to strengthening legal order. In this context, legal order entails that all individuals and organizations must strictly observe the Constitution and laws, and all violations must be handled rigorously.

Legally, journalists' rights to professional practice are defined and protected by a system of legal documents ranging from the Constitution to specialized laws and sub-law regulations. The Press Law—first issued in 1957 and amended in 1989, 1999, and 2016—serves as the foundational legal framework governing journalism and the professional rights of journalists. This law clearly stipulates the rights to gather, analyze, and publish information and prohibits obstruction of lawful journalistic activities.

The 2013 Constitution reaffirmed in Article 25 that citizens have the right to freedom of speech, freedom of the press, access to information, assembly, association, and demonstration—rights to be specified by law. The 2016 Press Law elaborates on these freedoms and establishes the State's responsibility to ensure them. Article 25 grants journalists specific rights, while Article 38 (items 1, 2, 3, and 5) delineates the obligations of

organizations and individuals to provide information and the conditions under which they may refuse to do so.

The law also protects journalists' sources (Clause 4, Article 38), allowing source disclosure only under exceptional circumstances related to serious criminal investigations, and only upon formal request from the Chief Procurator of the Provincial People's Procuracy or higher, while requiring protection for the source if disclosure occurs.

Furthermore, Article 9, Clause 12 of the 2016 Press Law prohibits threats, insults, destruction of work equipment, or any obstruction of journalists conducting lawful professional activities. In addition to the Press Law, other legal codes reinforce the protection of journalists. The Law on Anti-Corruption (Articles 13 and 14) and the Law on Access to Information (2016, effective from 2018) affirm journalists' rights to request, access, and use public information. The Civil Code and the Criminal Code include penalties for acts of assault, defamation, or harm to journalists (Articles 134, 138, and 330 respectively).

In terms of administrative sanctions, from 2006 to the present, the Government has issued and updated a series of decrees such as Decree 56/2006/ND-CP, 159/2013/ND-CP, 119/2020/ND-CP, and currently Decree 14/2022/ND-CP. These legal instruments have progressively expanded the range of offenses and increased fines (from 20 to 30 million VND for unlawful seizure of equipment or materials), reflecting the State's growing commitment to protecting journalists from interference and threats during their professional activities.

2.3. Theoretical frameworks relevant to the research topic

2.3.1. Structural functionalism theory

In the context of communication, this theory provides a framework for understanding journalism as a distinct social structure, responsible for transmitting information, monitoring power, critiquing policy, and maintaining the flow of knowledge within modern society. When applying structural functionalism to the study of journalists' professional rights, the issue can be approached from the following perspectives:

First, identifying the societal role and function of journalists: Journalists are an integral part of the media system—a vital social institution within the overall structure of society.

Second, analyzing the societal consequences if the functions of journalism are obstructed.

Third, proposing recommendations from the perspective of reconstructing structures that protect journalists' professional rights. From a structural-functional viewpoint, the dissertation may suggest rebuilding or enhancing the effectiveness of legal and institutional frameworks designed to safeguard journalists.

2.3.2. Social responsibility theory

The dissertation adopts social responsibility theory as a central theoretical foundation, offering a robust and normative argument:

protecting journalists' lawful professional rights should not be viewed as a privilege for a specific group, but as a necessary precondition for them to fully and effectively fulfill their societal responsibilities.

Chapter 3

CURRENT SITUATION OF PROTECTING THE LEGAL PROFESSIONAL RIGHTS OF JOURNALISTS IN VIET NAM

3.1. Overview of data sources and characteristics of the research sample

First, data were collected through a survey of reporters, editors, and managerial staff at various levels across multiple types of media outlets, including radio, television, print, and online newspapers. The sample size consisted of 302 participants selected from seven press agencies.

Second, data were gathered from the Viet Nam Journalists Association (VJA) to gain further insight into the current state of violations against journalists' legal professional rights. This included analyzing reported cases submitted to the VJA over a five-year period from 2020 to December 2024.

Third, five cases of severe obstruction against journalists during field reporting, which attracted significant public attention between January 2020 and December 2024, were analyzed.

Fourth, in-depth interviews and focus group discussions were conducted to clarify the legal environment, the role of the Press Law, decrees, and relevant institutions involved in protecting journalists' legal rights to practice.

3.2. Current status of the safety level in the professional journalism environment in viet nam and the degree of violation of journalists' lawful professional rights

3.2.1. Survey on the safety of the journalistic working environment in viet nam and evaluation of the importance of protecting journalists' lawful professional right

3.2.1.1. Assessment of the safety level of the legal journalism practice environment in Viet Nam

The journalistic working environment in Viet Nam has witnessed notable improvements compared to previous years, particularly in terms of ensuring a safer environment and the protection of journalists' lawful rights during professional activities. However, the current environment has not yet reached a level that can be classified as good or excellent and still requires further positive advancements moving forward.

3.2.1.2. Evaluation of the importance of protecting journalists' lawful professional rights

Ensuring the proper enforcement of journalists' lawful rights plays a crucial role-not only in safeguarding journalists and the profession itself, and upholding the functions and duties of the press, but also in contributing to the overall development of society.

3.2.2. Current status of the protection of journalists' lawful professional rights and the prevalence of violations

3.2.2.1. Current status of the protection of journalists' lawful professional rights

Survey results indicate that the majority of journalists highly value the protection of their professional rights, with average scores for these rights ranging between 3.61 and 3.94 out of 5. The most positively evaluated rights include: the right to refuse unlawful editorial modifications, the right to protect sources, and the right to receive advanced training. However, access to information in open court sessions and from public agencies remains limited. Female journalists and those with long professional tenures tend to rate their protection levels lower, indicating the need to strengthen access to information and facilitate on-the-ground reporting, especially in judicial and governmental contexts.

3.2.2.2. Frequency, severity, and types of violations against journalists' lawful professional rights

The survey reveals that many journalists have experienced infringements of their rights, ranging from minor to severe levels. The most common forms of violations include denial of information access (over 85%), obstruction or delays in accessing scenes or sources (over 58%), and incidents of bribery or confiscation of work equipment (approximately 20-27%). Alarming, 23.5% reported experiencing direct psychological threats, 9.4% reported physical assault, 6% experienced sexual harassment, and over 25% had been pressured to remove or alter published content. Nearly 43% of journalists had to seek intervention from their news organizations or authorities, yet in most cases, the outcomes remained unclear. The online environment and field reporting sites are identified as the most vulnerable areas, particularly for journalists investigating social misconduct.

3.3. Evaluation of achievements and limitations in protecting journalists' lawful professional rights in Viet Nam

3.3.1. Achievements and their underlying factors

3.3.1.1. Establishment of a strong legal framework to safeguard journalists' lawful professional rights

Viet Nam has made continuous efforts to enhance the legal framework for protecting journalists' professional rights, most notably through the Press Law and various decrees on administrative sanctions. Over 90% of journalists surveyed acknowledged the critical role of legal documents, with the 2016 Press Law considered the most vital safeguard (average score: 4.56/5). The 13th National Congress Resolution on building a professional, humane, and modern press system also received high regard (over 92% rated it as “important” or “very important”). Notably, male journalists, those holding press credentials, and those with long-term experience were more likely to highly appreciate legal protections. Legal

provisions not only safeguard rights but also help guide journalistic practice in line with ethical and professional standards.

3.3.1.2. Active involvement of press organizations, leadership, and government agencies

Media outlets, organizational leadership, the Viet Nam Journalists Association, and related authorities are highly rated in terms of readiness (above 4/5) and effectiveness (above 3.85/5) in protecting journalists' rights. About 43% of journalists have sought support from their press agencies, and 18-20% have reached out to the police, local government, or professional associations. Violations typically receive rapid responses from various levels-news agencies, Departments of Information and Communications, the Journalists Association, and law enforcement. The Journalists Association also regularly conducts training and advocates for addressing obstruction cases. A network of colleagues and multi-level intervention mechanisms has fostered a safer and more professional journalistic environment.

3.3.1.3. Journalists' competence and legal awareness

Journalists rated their self-protection abilities and legal awareness favorably, with an average score of 3.54/5 and nearly 90% rating themselves as "fair" or better. Male journalists and those with over five years of experience typically rated themselves higher. However, only 43.6% have undergone safety training for high-risk situations, highlighting a training gap. Nearly 78% actively seek legal and professional updates, reflecting a strong sense of responsibility. Media organizations-such as VOV-have also effectively implemented training programs to enhance legal and safety awareness.

3.3.2. Limitations and their underlying causes in protecting journalists' lawful professional rights

3.3.2.1. Societal awareness of journalists' lawful rights remains limited

The most significant barrier to respecting journalists' rights stems from the public's limited awareness. Nearly 60% of journalists believe that the public lacks adequate knowledge of journalists' rights and the legal consequences of obstructing journalism. This issue received the highest concern (average score: 3.72/5). In-depth discussions revealed that negative perceptions of journalists are rooted in a cultural aversion to truth, discomfort with criticism, and misunderstanding of the press's watchdog role. This underscores the need to enhance public education and awareness about journalists' roles and legal protections.

3.3.2.2. Legal and enforcement gaps in addressing violations against journalists

Despite improvements in the media legal environment over the past five years, shortcomings remain in enforcement. Journalists and media leaders identified two major issues: difficulty in collecting evidence of violations (average score: 3.59/5) and inadequate sanctions that lack deterrent effect (3.58/5). In-depth responses suggest that many incidents go

unprosecuted due to insufficient evidence, while administrative fines are too lenient. These gaps hinder effective protection of journalists' rights, underscoring the urgent need to strengthen regulations and enforcement mechanisms.

3.3.2.3. Inefficiencies among related agencies in protecting journalists

While functional bodies and professional organizations have made positive contributions, survey data highlights weaknesses in coordination and understanding of journalistic rights. The most notable limitation is the lack of inter-agency coordination (average score: 3.45/5), followed by the passivity of local governments (3.36/5), and insufficient response from law enforcement (3.35/5). Interviews indicate that many local authorities lack a full grasp of journalists' rights and procedures, leading to delays or weak enforcement. This undermines protection efforts and discourages journalists from pursuing stories in the field.

3.3.2.4. Limitations in journalists' self-protection capabilities

Although journalists' self-protection capabilities are rated similarly to the role of media leadership, the survey reveals internal limitations affecting effectiveness. Key issues include insufficient skills in handling sensitive situations, lack of legal knowledge, and failure to comply with administrative procedures during assignments—each with average scores between 3.29 and 3.41/5. Particularly, the ability to operate in high-risk or sensitive environments is a major weakness. This underscores the urgent need for specialized training, practical guidance, and clear competency standards. Enhancing institutional support and fostering a culture of professional protection will reinforce journalists' self-defense capacity in a sustainable manner.

Chapter 4

EMERGING ISSUES AND RECOMMENDED SOLUTIONS TO PROTECT JOURNALISTS' LEGITIMATE PROFESSIONAL RIGHTS IN VIET NAM IN THE COMING PERIOD

4.1. Emerging issues in the protection of journalists' legitimate professional rights and the rationale for proposing solutions

4.1.1. Issues concerning state management agencies

Completion of a coherent legal framework to safeguard journalists' professional rights.

Enhancement of sanctions against acts obstructing journalistic activities.

Identification and effective handling of “soft obstructions.”

Ensuring the rights and obligations of reporters without official press cards.

Strengthening the protection of journalists in digital and online environments

4.1.2. Issues concerning press agencies and the journalists' association

Development of strategies to support and protect journalists engaged in investigative or sensitive reporting.

Structured investment in professional, legal, and ethical journalism training.

Enhanced monitoring and public reporting of how obstructions to journalism are addressed.

Strengthening the authority and intervention mechanisms of the Journalists' Association.

4.1.3. Issues concerning journalists

Improvement of interpersonal and professional resilience in complex reporting environments.

Enhanced awareness of legal frameworks and socio-political responsibilities.

Strict handling of individuals who exploit journalistic credentials for personal gain.

Integration of self-protection and crisis response skills into journalistic training.

4.1.4. Issues concerning the public

Raising public awareness about the press's role in social oversight.

Transparency regarding incidents of violence against journalists to build public trust.

Protection of journalists from organized online attacks.

4.2. Basis for solution proposals

4.2.1. Recommendations from survey respondents

4.2.1.1. Legal and enforcement improvements to uphold journalists' professional rights.

4.2.1.2. Strengthening the roles and coordination among press management bodies and relevant authorities.

4.2.1.3. Promoting social-level changes to support press freedom and journalist safety.

4.2.1.4. Recommendations directed at journalists for improving self-protection and professional conduct.

4.2.2. International experiences in journalist protection

4.2.2.1. Adoption of dedicated laws and inclusion of protective provisions in criminal law.

4.2.2.2. Development of national action plans, national committees on journalist safety, and journalist safety task forces.

4.2.2.3. Strengthening domestic collaboration among relevant stakeholders.

4.3. Proposed solutions and recommendations to improve the protection of journalists' legitimate rights in Viet Nam

4.3.1. Improvement of Legal Frameworks and Sanctions

Revision and supplementation of the 2016 Press Law to comprehensively protect journalists.

Harmonization of the Press Law with other laws in the legal system.

Enhanced criminal penalties for acts of violence or obstruction against journalists.

Development of legal frameworks to safeguard journalists in digital environments.

4.3.2. Establishment of on-site response and protection mechanisms

Development of a “three-layer” safety system for journalists:

- Layer 1 - Emergency response mechanisms
- Layer 2 - Documentation and evidence preservation
- Layer 3 - Accountability coordination

4.3.3. Capacity building in professional competence, skills, and ethics

Provision of internationally standardized self-protection training for journalists.

Enhancement of legal literacy to mitigate professional risks.

Promotion of transparent and substantive implementation of journalistic ethics.

4.3.4. Strengthening the role of media agencies in monitoring and supporting journalists

Development of a competent, legally knowledgeable, and professionally trained journalistic workforce.

Establishment of internal protocols for journalist self-protection during assignments.

Formation of legal advisory teams to support journalistic operations.

Institutionalization of inter-agency coordination and formation of in-house Journalist Safety Teams.

Dynamic and transparent communication about media laws.

4.3.5. Fostering a culture of respect and protection for journalists in society

Increasing public understanding of journalists' legal rights.

Innovation in how press-related legal content is communicated.

Integration of journalism education into community programs and the national education system.

CONCLUSION

Based on a thorough theoretical analysis and empirical investigation, the dissertation titled “*Protecting journalists’ legitimate professional rights in contemporary Viet Nam*” has elucidated multiple critical aspects related to safeguarding journalistic rights within the political, economic, legal, and social context of Viet Nam. The findings have confirmed the validity of the proposed hypotheses and satisfactorily addressed the research questions.

First, the dissertation has demonstrated a direct correlation between the consistency of policies, the clarity and coherence of legal documents related to journalism, and the effectiveness of protecting journalists’ rights. Viet Nam's legal framework for the press has significantly improved-particularly since the implementation of the 2016 Press Law-establishing a solid legal foundation for journalists to perform their professional duties and obligations. However, in practice, legal enforcement remains inconsistent. Some provisions in the Press Law and Decree No. 14/2022/ND-CP on administrative penalties for press-related violations remain overlapping or vague, leading to confusion and hesitation among law enforcement agencies in handling cases of interference with journalistic activities. Implementation at the local level is often sluggish and lacks inter-agency coordination, resulting in delayed or insufficient responses to incidents involving obstruction or assault of journalists. The research confirms that where laws are implemented consistently and coherently, journalists' rights are better protected, and public trust in the media is reinforced.

Second, the dissertation affirms that public perception of journalism’s independent role has a direct influence on the frequency and severity of infringements upon journalists’ rights. Survey results indicate that when the public holds a positive attitude and trusts the objectivity and integrity of the press, they are more inclined to support and protect journalists. The dissertation clarifies the dialectical relationship between public awareness and the legal environment concerning journalists’ rights, thereby emphasizing the importance of raising societal awareness regarding press freedom and journalists' legitimate rights.

Third, the research has shown that journalists equipped with strong legal knowledge and professional ethics are less likely to face obstruction in their work and are more capable of self-protection and source safeguarding, thereby enhancing their credibility. Legally literate journalists with professional integrity are more proactive in managing challenges encountered in the field. They can effectively apply legal provisions-including the Press Law and related legislation-to defend their rights when threatened or obstructed. Nonetheless, not all journalists are adequately trained in legal knowledge and self-defense techniques for use during fieldwork. Therefore, legal training and professional development in conflict management and risk response are essential priorities that should

be further emphasized by press agencies and the Viet Nam Journalists' Association.

Fourth, the dissertation has illuminated the pivotal role of coordination among press management agencies, the Journalists' Association, media outlets, and law enforcement bodies in protecting journalists' rights. When these stakeholders work collaboratively and respond swiftly, incidents involving journalist obstruction or violence are more likely to be addressed thoroughly. In practice, such cases are resolved more effectively when there is decisive intervention and tight coordination among various entities, including the police, courts, Journalists' Association, press regulators, and media organizations. However, this coordination is still fragmented and inconsistent across regions. Some serious cases have been inadequately addressed or only resulted in minor administrative penalties, lacking deterrent effect. Therefore, enhancing inter-agency coordination mechanisms and increasing accountability among law enforcement is a critical strategy for ensuring journalists' safety and rights.

The dissertation also comprehensively addresses the proposed research questions. First, it lays out the theoretical and practical foundations for protecting journalists' professional rights, including relevant legal provisions, Party policies, and practical challenges in ensuring journalistic freedom. Second, it analyzes the real-world enforcement of journalists' rights in sensitive field assignments and digital contexts. The findings reveal that acts of obstruction against journalists remain complex and insufficiently addressed. Finally, the dissertation proposes concrete solutions to better protect journalists' rights, including legal reforms, capacity building, inter-agency collaboration, and public awareness campaigns.

The research validates the dissertation's hypotheses and offers both scientific and practical evidence to propose solutions aimed at strengthening the protection of journalists' professional rights in Viet Nam amid the country's ongoing integration and development. The dissertation makes significant theoretical and practical contributions, laying a foundation for future studies on journalism and press freedom in modern communication environments. Its findings are not only valuable to press management bodies, the Journalists' Association, and law enforcement agencies, but also serve as an important reference for journalists and media scholars in Viet Nam.

**LIST OF AUTHOR'S PUBLISHED WORKS
RELATED TO THE DISSERTATION TOPIC**

1. Tran Thi Phuong Lan (2021). *Transformation in Journalistic Operations and Information Management in Newsrooms during the Covid-19 Pandemic*. Scientific Conference: “Information Crisis Management in the Context of the Covid-19 Pandemic”, KOICA & Nhân Dân Newspaper.
2. Nguyen Thi Truong Giang (Editor-in-Chief), Đinh Thi Xuan Hoa, Vu Tuan Anh, Truong Thi Hoai Tram, Tran Thi Phuong Lan (2023). *Converged Newsroom Management*. Information and Communications Publishing House.
3. Tran Thi Phuong Lan (2024). *Several Issues Regarding the Protection of Journalists' Legitimate Professional Rights in the Digital Era*. Communist Review. Link: <https://www.tapchicongsan.org.vn/web/guest/chi-tiet-tim-kiem/-/2018/1077702/mot-so-van-%C4%91e-ve-bao-ve-quyen-hoat-%C4%91ong-nghiep-vu-hop-phap-cua-nha-bao-trong-thoi-%C4%91ai-so.aspx>
4. Tran Thi Phuong Lan (2025). *Ensuring Journalists' Legitimate Professional Rights in Viet Nam*. Communist Review. Link: <https://www.tapchicongsan.org.vn/web/guest/chi-tiet-tim-kiem/-/2018/1076702/bao-%C4%91am-quyen-hoat-%C4%91ong-nghiep-vu-hop-phap-cho-nha-bao-o-viet-nam.aspx>
5. Tran Thi Phuong Lan (2024). Journalist Safety During Reporting Activities. *Journal of Political Theory and Communication*, April 2025 Edition.