

2 June, 2022

H.E. Vuong Dinh Hue
Chairman of National Assembly
Socialist Republic of Vietnam

1 Doc Lap Street, Ba Dinh, Hanoi, Vietnam

Dear Chairman Hue,

Re: Promoting the Digital Economy and Creative Industry through the Cinema Law

On behalf of the Asia Video Industry Association (AVIA) and our members, I would like to send you our best greetings! As you may recall, AVIA is the trade association for the video industry and ecosystem in Asia Pacific.

Firstly, I would like to express our appreciation for the efforts that the Ministry of Culture, Sports and Tourism (MOCST) have made in developing the draft Cinema Law that is currently under discussion at the National Assembly. However, we understand that during the debate on draft, some deputies put forward a far more restrictive approach to regulating Online Curated Content (OCC) services than was in the most recent draft. Indeed, the revised language and measures proposed in this amended text would effectively defeat the whole purpose of ex-post audit that both the government and the National Assembly leadership have endorsed. In particular, we understand that the proposed new restrictions would require service providers to “notify the Ministry of Culture, Sports and Tourism” of their “film dissemination plan, summary and rating for each film” before they are able to provide that film on their platform.

Whilst we appreciate the desire for regulators to protect consumers and ensure that inappropriate and illegal contents are not accessible, we would equally note that there are already several existing tools available which do not require pre-censorship. These include tools such as self-rating with an agreed criteria laid out by the law and regulations in Vietnam, or parental controls, ensuring that age-appropriate content is disseminated only to the right audience. As a legitimate industry we are keen to ensure that there is a close dialogue with regulators in order to address any issues in a timely manner. And as a consumer-driven industry, it is in the best interests of service providers to work closely with regulators to ensure their services comply with any requirements in order to grow.

For Vietnam to introduce restrictive measures such as those proposed in the draft would neither further the establishment of an advanced Vietnamese cinema industry that is integrated globally, nor support the government’s requirement of the draft being “modern, in line with international best trends and best practices, facilitating industry development, meeting digital transformation needs and focusing on ex-post control”. The revised ex-ante restrictions that have been proposed would be costly for both regulators and service providers.

Therefore, we would recommend the following language for the Cinema Law to require service providers to “Through an online notification process, provide the Ministry of Culture, Sports and Tourism with its

company contact and overseas business registration information to address any questions relating to film dissemination and ratings when necessary.”

We would be happy to provide more information should that be helpful and stand ready to engage in any discussion to ensure that the final draft supports Vietnam’s desire to advance its long term economic policy priorities on market-oriented and outward-looking reforms to modernise institutions.

Thank you very much for your consideration,

Sincerely yours,



Louis Boswell
Chief Executive Officer
Asia Video Industry Association

CC: H.E. Nguyen Van Hung, Minister of Culture, Sports and Tourism
H.E. Tran Van Son, Minister and Chairman of the Office of the Government
H.E. Nguyen Dac Vinh, Chairman of Committee on Cultural and Social Affairs, National Assembly

