

Public Relations in Practice: The Case of Promoting Tourism by Advertising under Vietnam Law

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ABSTRACT: Public relation (PR) in tourism activities promotes the destination and contributes to build reputation and trust with tourists. PR is also regarded as an effective tool supporting different perspectives of tourism. Law plays a crucial role in determining and ensuring the accuracy, legality, and ethics of tourism promotion campaigns within the context that tourism is becoming a key economic sector in Vietnam. This study focuses on clarifying the practical implementation of PR through tourism promotion activities according to Vietnam Law.

KEYWORDS: Public relations, advertising promotion, tourism, Vietnam law.

1. PROBLEM STATEMENT

Tourism is essential in the socio-economic development process of many countries, including Vietnam. Tourism gradually becomes an important economic sector contributing to economic growth in the context of international economic integration. The World Tourism Organization stated, "Tourism can be deemed as a core pillar in the economies of many countries. It is also the source of livelihood for millions of people around the world" (Minh Duc Duong, 2023). Against the trend of globalization and with the deep integration into the ASEAN and world economic communities, Vietnam's tourism industry occupies an essential position in the economic, cultural, and social development strategies.

Accordingly, statistics in 2019 show that Vietnam's tourism industry post-COVID welcomed over 18 million international and 85 million domestic tourists. Tourism contributed over 9.2% to the GDP and gradually became a critical economic sector (Linh Duy Ta, 2022). By employing PR in tourism promotion activities, Vietnam's tourism industry has earned many prestigious awards from reputable tourism organizations worldwide. Notably, these awards have affirmed the brand and quality of Vietnam's tourism supply chain in the region and the world.

However, during the current political-economic crisis with global-scale economic recession, Vietnam has faced many difficulties and challenges. Additionally, COVID-19 has collapsed the tourism industry structure. The COVID-19 pandemic crisis negatively impacted all aspects of economic, cultural, and social life in Vietnam in particular. Related parties in Vietnam's tourism development have been facing many difficulties. However, they are still determined to find a suitable direction to rebuild the tourism economy, which is extremely sensitive to social changes. Accordingly, the selective conduction of PR activities will open up great opportunities for revitalizing Vietnam's tourism industry and tourism promotion activities, particularly for relevant parties participating in the tourism service supply chain. It is necessary to use PR to find and promote opportunities to develop local tourism destinations and enrich the tourism service supply chain with high competitiveness. Moreover, the effectiveness of PR in the tourism industry can offer "tangible and intangible" benefits to travel agencies and the tourism industry in general. Hence, PR activities contribute significantly to protecting the "legitimate rights and interests" of consumers in the tourism sector.

However, how to apply public relations to maximize effectiveness and enable the tourism market to be better is a crucial concern. Accordingly, the Law is an effective tool for the Government in recognizing the right of businesses to promote tourism within the context of free trade, recovery, and development of the tourism economy. In addition, the Law is a legal framework to prevent harmful effects from applying PR activities in the tourism sector, which may negatively impact the interests of the Government and the community. Based on this, economic growth together with tourism recovery and development will be facilitated. The image and tourism brand, characterized by a system of natural and cultural heritages, local landscapes, and people, are also promoted. All these characteristics will enable Vietnam tourism to be more attractive to domestic and international tourists.

2. THEORETICAL FRAMEWORK

2.1 Literature about public relations (PR)

The concept of PR is defined differently based on the historical perspective approach. Cutlip et al. (2000) with lessons learned from World War II (1930-1945), concluded that President Franklin D. Roosevelt boldly proposed the New Deal principle to cope with economic development challenges. In that proposal, components of the PR are introduced mainly in the field of "advertising", which is used as a foundation to reform the US economy.

The science about PR has recorded that 20 years after World War II, public relations have developed significantly with enormous contributions to the economic development process and businesses in the United States. Matera and Artigue's (2000) showed in "Public Relations Campaign and Techniques: Building Bridges into the 21st Century" that the PR industry has developed enormously in European countries, followed by Asian countries. Today, PR has demonstrated its roles as an essential means of providing consulting services, typically planning, strategy building, positioning, and brand development... and covering all perspectives, including tourism and Law.

It is acknowledged that there are many different definitions of the PR concept. Accordingly, in "Key Concept in Public Relations", Cain (2009) defines PR as planned efforts to establish and maintain goodwill and mutual understanding between an organization and its public. Jefkins and Yadin (1998) emphasized that PR is the art and social science of analyzing trends, predicting future developments, advising leaders of organizations, and implementing action plans to serve the interests of the organizations and the public. Besides, the England Institute of Public Relations regards PR as a continuous planned activity that establishes and maintains goodwill and mutual understanding between an organization and the public. Therefore, based on different understandings of PR, this study defined "Public relations as the activity to create influential relationships with the internal-external environment of an organization or business. Public relations activities include promoting successes, mitigating the impact of risks and failures, announcing changes, and other relevant activities".

2.2. Literature about tourism promotion

Tourism promotion has become a highly effective tool in attracting and persuading tourists to visit tourist destinations. This is an essential element in facilitating tourism development. Promotion is understood as encouragement, support, facilitating, or level increasing. Philip Kotler (1991) defined promotion as informing potential customers. These are the activities of communicating and conveying to customers the necessary information about the business, its products, services, and other benefits that customers can gain from purchasing the product or service the business offers. Based on this process, businesses can find the best way to satisfy customer needs and requirements.

From the PR perspective, promotion is understood as exchanging and supporting information between sellers and buyers or through intermediaries to influence attitudes and sell-buy behaviors. In line with this, the trading of goods and services is facilitated. Thus, tourism promotion is a commercial activity supporting the buying and selling of services between related business entities. Accordingly, sellers provide information and conduct marketing about services to promote the sale of their tourism products and services. At the same time, buyers will be impacted on their behaviors to choose and consume tourism products/services to satisfy their needs. PR in tourism promotion therefore includes promotion; advertisement; the introduction of tourism products and services; tourism fairs and exhibitions; measures to benefit customers to push up customer demand; increasing the ability to distribute services to the market by expanding the agent network and tourism service consumption channels; establishing joint venture and partnership. From that background, there are some key issues identified: 1) In essence, tourism promotion is market influential activities aimed at encouraging and promoting tourism development; ii) Regarding the scope of impact: tourism promotion activities have impacts on the relationship of supplying tourism products and services; iii) Traders and other related subjects are subjects; and iv) in terms of the space of conducting, promotional activities are carried out in many different spaces, which can be national, regional and international markets or channels. In sum, promotion from an economic perspective is commercial business activities aimed at finding opportunities and promoting tourism development.

2.3. The Law governing tourism promotion

From a legal perspective, promotion is originated from commercial and tourism promotion, which are mentioned in-laws. The Vietnam Tourism Law 2017 explains "*Tourism promotion*" includes market research, propagation, and promotion aimed at finding and grasping opportunities for the development of tourism and attraction of tourists (clause 13, Article 3). Additionally, the Vietnam Law on Commerce 2005 also defines: "Commercial promotion means activities of promoting and seeking opportunities for the purchase or sale of goods and provision of services, including sale promotion, commercial advertisement, display and exhibition of goods and services, and trade fairs and exhibitions" (clause 10, Article 3). Therefore, tourism promotion is researched and analyzed as a legal category in Law, in which legal provisions have recognized the rights of individuals and organizations. In the subjective sense, tourism promotion is the subject's rights, while in the objective sense, it is the synthesis of legal regulations.

PR with different tools in promoting tourism must obviously be employed based on legal requirements. The Vietnam Law on Commerce 2005 shows that promotion includes commercial advertisement; introducing tourism goods and services; and trade tourism fairs and exhibitions. Besides, tourism promotion is also an activity regulated in the Vietnam tourism laws. Therefore,

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promoting tourism for organizations and individuals also characterized forms of PR such as market research, organizing propaganda, advertising, and launching campaigns to find and promote development opportunities and attract tourists.

3. METHOD

This research is conducted based on scientific PR and legal approaches. This engages an interdisciplinary approach to shed light on the nature of the research issue between public relations and tourism development under the legal dimension. Specifically, this research employed methods of comprehensive analysis and legal comparison in regulating PR for tourism promotion activities. The result generated will serve as a basis for evaluating the research problem.

4. RESULT AND DISCUSSION

4.1. Employing PR in tourism advertising from the legal perspective

Tourism advertising is a form of commercial advertising. This activity is, therefore, subjected to the regulations governing tourism advertising activities mentioned in the 2005 Law on Commerce, the 2017 Law on Tourism, and Decree No. 81/2018/ND-CP dated May 22nd 2018 of the Government detailing the commercial promotion activities stipulated in Commercial Law. Accordingly, advertising uses different means to introduce products and services to the public for profitable or non-profitable purposes (Clause 1, Article 2 of the Law on Advertising 2012). From an overall perspective, tourism advertising activities are conducted by businesses that offer tourism products and services. Tourism advertising activities can create profits for organizations and individuals, or products, services, and information to achieve any political, cultural, or social goal. Thus, the current Law defines advertising activities in general and only a specific part of the Law governing tourism advertising activities.

Accordingly, the subject carrying out tourism advertising will be approached by providers that carry out advertising services to support the business activities of organizations or individuals under contract to seek profit. This is a distinctive feature of tourism advertising compared to communicating and promoting activities conducted by state agencies, political organizations, and social organizations to disseminate State policies.

Under the legal dimension, organizations and individuals can perform the necessary work themselves or render advertising services from other service providers through service contracts when implementing PR activities. As a tourism activity conducted by the service provider, tourism advertising is distinctly different from general advertising although they share the common characteristic of being a public communication process. Thus, PR, in this case, aims to promote and introduce tourism products and services to meet the competitive needs and profit goals of individuals and organizations. Under the forms of information communication, promotion, and introducing a type of tourism product or service or its superiority in quality, price, and ability to meet user needs, PR demonstrates its characteristics as an effective tool in tourism promotion.

The use of PR clearly shows that businesses can create awareness and knowledge about products and services to attract customers when using the services of other service providers. By conducting PR, businesses can carry a strategy to convey information about the characteristics and benefits of the tourism service supply chain. Otherwise, PR aims to compare the superiority of tourism products and services with other similar types of tourism products and services. Engaging PR in promoting activities will create advantages that businesses can exploit and promote economic value. Conducting PR in tourism advertising and promotion activities also means implicating the strategic orientation and exploitation of society's travel consumption needs.

4.2. Implementing IR through tourism advertising from the perspective of legal practice

While conducting PR in tourism advertising activities, businesses use commercial advertising media to inform customers about tourism products and services. This is a unique characteristic of tourism advertising in tourism promotion, which also aims to introduce tourism products and services such as tourism exhibitions and mobile advertising (roadshows). In the current context, businesses have many options to conduct PR in tourism advertising to achieve their goals. From a legal dimension, the Law on Commerce has recognized and classified advertising media into two groups (Clause 2, Article 106 of the 2005 Law on Commerce). Specifically, the means of commercial advertising are tools used to introduce products in commercial advertisement. From a legal perspective, conducting PR in tourism advertisement includes: "a) The mass media; b) Means of communications; c) Publications of all kinds; d) All kinds of boards, signs, banners, panels, posters, fixed objects or means of transportation and other movable objects; e) Other means of commercial advertising." Thus, applying public relations in tourism advertising activities to choose one or more means is generally tricky. The reason is due to the pros and cons of each means of commercial advertising.

Implementing PR through mass media to convey information to the public is considered the shortest way to advertise images and features of tourism products and services to customers from different social classes and generations. This is an excellent method for promoting tourism to reach target customers with high economic efficiency and reasonable cost. When businesses choose and use mass media to advertise tourism, this is also one of the methods of conducting PR with high efficiency. This helps individuals and organizations quickly promote their brand image, tourism products, and services to customers.

Within the current context of Vietnam's tourism development, conducting PR through popular forms of tourism advertising is a priority choice for organizations and individuals. Those are:

i) Press – this type of media is published regularly with comprehensive coverage to the entire local market area; lower cost than

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other media; with a short, timely reach, received prompt response and high reliability;

ii) Television is a form of advertising that combines images, sounds, colors, and languages. So, it easily attracts high attention and can reach a large market. So far, many tourist destinations in Vietnam have used television for advertising, which has been recorded to demonstrate effective results. However, the disadvantage of this medium is that the initial cost is expensive, there are few viewers, and the content is too short or inflexible;

iii) Radio – The outstanding features of this medium are flexibility, low cost, and attracting listeners with advertising messages through inspirational voice language. Radio is also considered an effective means of advertising products, services, and tourist attractions. However, due to no image and only hearing and without seeing, the appeal of radio to customers is much worse than television.

iv) Magazine - The advantage of this form is print quality with rich images and tiled advertising format (3-D format). Moreover, it can focus on a specific interest or geographic segment with high reliability, prolonged circulation time, and a selected target audience. However, magazines are published periodically, so businesses must wait longer for advertising and reach less public than newspapers, radio, and television.

v) Outdoor advertising – this is a long-standing, cost-effective means of advertising with various installments such as electronic billboards, large billboards placed on main roads, crowded locations, public transportation, banners, and flags... therefore, outdoor advertising easily attracts people's attention. However, the cost of construction and rental of advertising space is relatively high with outdoor advertising. Moreover, the advertising message is short, not creative, and challenging to reach the target market segment.

vi) Internet – a new form of tourism advertising conducted on digital technology platforms. The Law provides a provision with an open approach: "Other means of commercial advertising" (point d, Clause 2, Article 106 of the Law on Commerce 2005). Accordingly, the Internet is a new medium in PR activities, and the broad application of the Internet can demonstrate optimal efficiency in tourism advertising. Internet marketing or digital marketing uses the Internet with other integrated media to promote products, services, or tourist destinations to the public and target customers.

Thus, based on the methods of selecting advertising means, conducting PR activities in tourism advertising has specific legal provisions to govern (Article 107, the Law on Commerce 2005). Accordingly, the use of commercial advertising means must ensure three requirements: i) Complying with the provisions of the Law on press, publishing, information, programs on cultural or sports activities, trade fairs and exhibitions; ii) Being in compliance with the regulations on locations of advertisement, causing no adverse impact on the landscape, environment, traffic order and safety, and social safety; iii) Being in accordance with the intensity, time volume and timing prescribed for each type of mass media (Article 107, the Law on Commerce 2005).

When conducting PR through advertising means when advertising tourism, it is necessary to comply with the legal regulations in each advertising means. In case of violating legal regulations on commercial advertising content, individuals and organizations will undoubtedly be held accountable according to legal provisions.

4.3. Prohibited tourism advertising activities

Some activities are prohibited while conducting PR in tourism advertising (Article 8 of the Law on Advertising 2012). These activities include: using advertisements that reveal State secrets, harm the independence and National sovereignty, National defense and security; Advertising contrary to the historical, cultural, ethical, and acceptable customs and traditions of the Vietnamese people; Using the national flag, the National emblem, the National anthem, the Party's flag, the leaders of the State, the Vietnam currency, the traffic sign for advertising; deceptive advertising; Advertising that affects urban scenery, the traffic safety and the social order; taking advantage of advertising to insult honor, reputation or infringe on the legitimate rights and interests of organizations and individuals; advertising tourism products and services that are not allowed at the time of advertising; advertising products and services that are prohibited by Law from advertising or doing business; Advertising content infringes intellectual property...

5. CONCLUSION

PR is a two-way information channel, a third voice, and the most objective and effective communication in all aspects of social life. Tourism promotion activities are economic activities by individuals and organizations to meet competition needs in the market economy with international economic integration.

Accordingly, the employment of PR in the case of tourism advertising promotion is considered the most effective method to achieve commercial benefits from tourism services. Conducting PR through advertising promotion will help build a reputation, image, and good impression of the tourist destination. Through contact with the use of tourism products and services, PR activities will form trust and stimulate the desire of tourists and related parties in the service supply chain. Therefore, the standard aim of PR is to develop the brand of products and destinations in all activities and facilitate tourism development.

The engagement of PR is indispensable content in tourism promotion activities in Vietnam. With the specific characteristics of Vietnam's economic, social, and cultural development, the application of PR in the field of tourism advertising promotion is identified as a legal category where the rights of individuals and organizations are recognized. Accordingly, in the subjective means it is the subject's right while in the objective means, it is the synthesis of current legal provisions. Thus, the Law plays a vital role in determining and ensuring the legality and ethics of tourism advertising campaigns. In other words, PR in tourism advertising

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promotion activities must be based on general principles and spirit of Vietnam laws.

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