

MINISTRY OF JUSTICE

MINISTRY OF EDUCATION

AND TRAINING

HANOI LAW UNIVERSITY

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**ENSURING AND PROTECTING CHILDREN'S RIGHTS
IN CYBERSPACE IN VIET NAM IN THE CONTEXT OF
THE FOURTH INDUSTRIAL REVOLUTION**

Major: Constitutional Law and Administrative Law

Code: 938 0102

SUMMARY OF THE DOCTORAL DISSERTATION

Hanoi - 2026

The dissertation was completed at:
HANOI LAW UNIVERSITY

Academic supervisor: Assoc. Prof. Dr. To Van Hoa

Reviewer 1:

Reviewer 2:

The dissertation is to be defended before the University-level Dissertation Evaluation Committee, convened at Hanoi Law University, at on day of 202...

The dissertation may be consulted at:

1. National Library of Viet Nam
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INTRODUCTION

1. The urgency of researching the topic

The rapid expansion of the Fourth Industrial Revolution has fundamentally transformed the environment in which children exercise their constitutional rights. Cyberspace is no longer merely a supporting tool; it has become a distinct living environment in which children access information, learn, communicate, entertain themselves, and develop their personality. Accordingly, children's rights can no longer be considered solely within the traditional social sphere, but must also be situated within the digital environment.

From a practical perspective, the development of big data, artificial intelligence (AI), and behaviour-shaping algorithms has profoundly altered both the nature and the modalities of violations of children's rights. Risks arise not only from the conduct of third parties, but may also stem from the very architecture of technology, the operating mechanisms, and the business models of digital platforms. The anonymity, instantaneous dissemination, and cross-border nature of cyberspace, together with children's physical, psychological, and cognitive vulnerability and their limited capacity for self-protection, have created legal gaps in the assurance and protection of children's rights, while simultaneously posing major challenges to public governance capacity and the effectiveness of state administration.

From a legal perspective, the creation of a safe digital environment for children is no longer merely an ethical recommendation, but has become a positive legal obligation of the State. This requirement has been increasingly clarified under the influence of international standards, particularly General Comment No. 25 (2021) of the United Nations Committee on the Rights of the Child and the ASEAN Action Plan for the period 2021–2025. In Viet Nam, this policy orientation has been reflected in a number of important instruments, such as Resolution No. 52-NQ/TW dated 27 September 2019, Resolution No. 27-NQ/TW dated 9 November 2022 of the Politburo, and Decision No. 830/QD-TTg dated 1 June 2021 of the Prime Minister. However, the current legal framework still reveals a certain lag behind the rapid development of digital technology, particularly in defining the legal responsibilities of digital platforms, especially cross-border platforms.

Nevertheless, a significant gap remains in contemporary Vietnamese legal scholarship. Existing studies have mainly focused on child protection in general, and there has not yet been any comprehensive and systematic research on ensuring and protecting children's rights in cyberspace, nor any clear distinction between the two categories of "assurance" and "protection." In addition, the current legal framework still lacks provisions on safety by design obligations, age verification, child-friendly complaint mechanisms, and the responsibilities of cross-border platforms.

For the foregoing reasons, there is a pressing need for comprehensive, in-depth, full, and systematic research on ensuring and protecting children's rights in cyberspace, particularly in the context of the rapid expansion of the Fourth Industrial Revolution, in order to propose viewpoints and solutions for improving the law. On the basis of these theoretical and practical considerations, the doctoral candidate has chosen the topic "Ensuring and Protecting Children's Rights in Cyberspace in Viet Nam in the Context of the Fourth Industrial Revolution" for doctoral research in the field of Constitutional Law and Administrative Law.

2. Research purposes and tasks

2.1. Research purpose

The dissertation develops a theoretical framework and provides a comprehensive assessment of the current situation as a basis for proposing a coherent system of solutions aimed at improving the law and enhancing the effectiveness of ensuring and protecting children's rights in cyberspace in Viet Nam in the context of the Fourth Industrial Revolution.

2.2. Research tasks

In order to achieve the above-mentioned research purpose, the dissertation is assigned the following tasks:

First, to develop a comprehensive scientific theoretical framework on ensuring and protecting children's rights in cyberspace in the context of the Fourth Industrial Revolution.

Second, to analyse and objectively and comprehensively assess the current state of the law and its implementation in practice in Viet Nam with respect to ensuring and protecting children's rights in cyberspace.

Third, to formulate a system of guiding viewpoints and propose groups of systematic, coherent, and feasible solutions aimed at improving the law and enhancing the validity and effectiveness of ensuring and protecting children's rights in cyberspace in Viet Nam in the context of the Fourth Industrial Revolution.

3. Research object and scope

3.1. Research object

The research object of the dissertation is the assurance and protection of children's rights in cyberspace in Viet Nam in the context of the Fourth Industrial Revolution.

3.2. Research scope

With regard to subject matter, the dissertation focuses on theoretical and legal issues surrounding the two principal pillars of ensuring and protecting children's rights in cyberspace, with particular emphasis on measures to assure and measures to protect children's rights in cyberspace, approached from the perspective of legal measures.

With regard to spatial scope, the dissertation is conducted within the territorial jurisdiction of Viet Nam. At the same time, it undertakes comparative analysis with international standards, including the United Nations Convention on the Rights of the Child and General Comment No. 25 (2021), as well as the legislative experience of a number of representative regions and countries, such as the European Union, the United Kingdom, the United States, Australia, and China, in order to draw relevant lessons.

With regard to temporal scope, the dissertation is limited to the period from the entry into force of the 2013 Constitution (1 January 2014) to the present, for the purpose of assessing the current situation and proposing solutions for ensuring and protecting children's rights in cyberspace, while ensuring the future feasibility of such solutions.

4. Research methods

In order to achieve the research objectives set out above, the dissertation employs several basic research methods throughout the research process, including: (1) the method of analysis and synthesis; (2) the historical method; (3) the logical method; (4) the comparative legal method; (5) the method of statistical analysis and document analysis; and (6) the method of reviewing practice.

5. Scientific significance of the dissertation

The scientific significance of the dissertation is reflected in four fundamental respects:

First, the dissertation contributes to supplementing and refining the specialised theoretical framework on children's rights in cyberspace.

Second, the dissertation makes a methodological contribution by distinguishing the scope and the relationship between the two categories of “assurance of rights” and “protection of rights.”

Third, the dissertation helps clarify the legal approach to children as rights-holders in the digital era.

Fourth, from the perspective of legislative technique and legal improvement, the dissertation clarifies the need to move from a consequence-based approach to one of risk prevention from the design and operation stage of digital products and services.

6. Structure of the dissertation

In addition to the Introduction, Conclusion, Literature Review, and issues related to the research topic, the dissertation consists of three chapters:

Chapter 1. Theoretical issues concerning the assurance and protection of children's rights in cyberspace in the context of the Fourth Industrial Revolution.

Chapter 2. The current situation of ensuring and protecting children's rights in cyberspace in Viet Nam in the context of the Fourth Industrial Revolution.

Chapter 3. Viewpoints and solutions for ensuring and protecting children's rights in cyberspace in the context of the Fourth Industrial Revolution.

LITERATURE REVIEW

OVERVIEW OF RESEARCH RELATED TO THE DISSERTATION

1. Published research findings related to the dissertation topic

1.1. Published domestic research findings related to the dissertation topic

1.1.1. The group of studies on the impact of cyberspace and the Fourth Industrial Revolution on the assurance and protection of human rights and children's rights

The dissertation summarizes and identifies the fundamental values of five domestic research works concerning the impact of cyberspace and the Fourth Industrial Revolution on the ensuring and protection of human rights and children's rights, thereby providing a basis for developing the scientific theoretical framework of the dissertation.

1.1.2. The group of studies on the assurance and protection of human rights and children's rights

The dissertation summarizes and identifies the fundamental values of twelve domestic research works on the ensuring and protection of human rights and children's rights, thereby providing a basis for developing the scientific theoretical framework of the dissertation.

1.1.3. The group of studies on the assurance and protection of children's rights in cyberspace

The dissertation summarizes and identifies the fundamental values of seven domestic research works on the ensuring and protection of children's rights in cyberspace, thereby providing a basis for developing the scientific theoretical framework of the dissertation.

1.2. Published foreign research findings related to the dissertation topic

1.2.1. The group of studies on the impact of cyberspace and the Fourth Industrial Revolution on the assurance and protection of human rights and children's rights

The dissertation summarizes and identifies the fundamental contributions of four international research works concerning the impact of cyberspace and the Fourth Industrial Revolution on the ensuring and protection of human rights and children's rights, thereby providing a basis for the development of the dissertation's theoretical framework.

1.2.2. The group of studies on the assurance and protection of human rights and children's rights

The dissertation summarizes and identifies the fundamental contributions of six international research works on the ensuring and protection of human rights and children's rights, thereby providing a basis for the development of the dissertation's theoretical framework.

1.2.3. The group of studies on the assurance and protection of children's rights in cyberspace

The dissertation summarizes and identifies the fundamental contributions of ten international research works on the ensuring and protection of children's rights in cyberspace, thereby providing a basis for the development of the dissertation's theoretical framework.

2. General assessments and observations on the research situation of published scholarly works related to the dissertation topic

A general review of published scholarly works shows that the field of ensuring and protecting children's rights (CR) in cyberspace has initially attracted the attention of the academic community. However, the current state of research still reveals notable gaps, which provide the basis for, and confirm the urgency of, undertaking this dissertation. Specifically:

First, there remains a foundational theoretical gap concerning the legal nature of ensuring and protecting children's rights in cyberspace.

Second, existing studies, both domestic and foreign, are still largely fragmented and tend to adopt a "reactive" rather than a "predictive" approach.

Third, an inevitable consequence of these theoretical and scope-related gaps is the absence of a coherent and comprehensive system of solutions.

3. Issues requiring further research in the dissertation

On the basis of this overall assessment, the dissertation clearly identifies the values to be inherited from previous studies, while also recognising the core research gaps that need to be systematically addressed, supplemented, and further developed.

With regard to the inheritance of previous research findings:

The dissertation builds on the general theoretical foundations concerning human rights, children's rights, and the principle of the rule of law state developed in classical works. It also draws on analyses of the current situation, risk identification, and specific legal gaps found in scholarly works and in-depth reports produced by scholars, state agencies, and reputable domestic and international organisations concerning children's rights in cyberspace, thereby providing a solid premise for the implementation of the dissertation's research tasks.

With regard to the issues on which the dissertation focuses for resolution and development:

Based on the identified gaps, the dissertation will concentrate on resolving and developing the following three key groups of issues:

First, to develop a comprehensive and integrated theoretical framework on ensuring and protecting children's rights in cyberspace, in which the two legal categories of "assurance" and "protection" are to be clearly elucidated and distinctly differentiated.

Second, to analyse and evaluate, in a comprehensive and systematic manner, the current legal framework and law implementation practice through the theoretical framework developed.

Third, to propose a coherent, breakthrough, and feasible system of solutions grounded in the theoretical and practical arguments already analysed.

4. Theoretical foundations, research questions, and approach of the dissertation

4.1. Theoretical foundations

The dissertation is developed on the basis of: (1) philosophical and politico-legal foundations; (2) legal theories on human rights and the rule-of-law state; and (3) modern theories on cyberspace and technology.

4.2. Research questions and research hypotheses

4.2.1. Research questions

The overarching research question of the dissertation is: how should the law on ensuring and protecting children's rights in cyberspace in Viet Nam be improved and implemented so as to respond effectively to the context of the Fourth Industrial Revolution?

In order to answer this general question, the dissertation further examines three specific research questions:

Question 1 (theoretical dimension): What foundational theoretical issues concerning the assurance and protection of children's rights in cyberspace need to be clarified? How should the content and the dialectical relationship between the two categories of "assurance of rights" and "protection of rights" be delineated so as to provide a scientific basis for law-making?

Question 2 (current situation dimension): What is the current state of legal provisions and law implementation practice regarding the assurance and protection of children's rights in cyberspace in Viet Nam? What achievements have been made, and what legal gaps, practical limitations, and causes of such limitations remain?

Question 3 (solutions dimension): What viewpoints and solutions should be established in order to improve the legal system and enhance the effectiveness of ensuring and protecting children's rights in cyberspace in Viet Nam in the coming period?

4.2.2. Research hypotheses

The dissertation is developed on the basis of two scientific hypotheses that are closely connected in logical terms, as follows:

First, the current legal framework and implementation practice concerning the assurance and protection of children's rights in cyberspace in Viet Nam still reveal a significant gap in relation to practical demands. This hypothesis holds that such inadequacies stem from three main causes: (1) the legal framework remains fragmented, insufficiently coherent, and slow to adapt to the pace of technological development; (2)

implementation mechanisms remain dispersed in terms of responsibility and constrained in terms of capacity; and (3) there exists a “gap” in public awareness and safe digital skills within society, together with a lack of proactive fulfilment of responsibilities by private actors, particularly cross-border platforms.

Second, if Vietnamese law is improved in the direction of moving from a consequence-based approach to one of proactive prevention and safety from the design stage onward; while at the same time constitutionally entrenching the principle of ensuring the best interests of the child, refining sector-specific legislation with respect to new forms of rights infringement, and reforming governance mechanisms towards a unified coordinating focal point associated with the coordinated participation of multiple actors, then the current limitations and legal gaps will gradually be addressed. In that event, the assurance and protection of children’s rights in cyberspace will be implemented in a more coherent and effective manner, thereby contributing to the creation of a safer and more child-appropriate digital environment.

4.3. Approach of the dissertation

In order to address the research questions and test the hypotheses, the dissertation adopts a combined and multidimensional approach, including: (1) a human rights-based approach; (2) a systemic and structural approach; (3) an interdisciplinary approach; and (4) a comparative legal approach.

CHAPTER 1

THEORETICAL FOUNDATIONS FOR ENSURING AND PROTECTING CHILDREN'S RIGHTS IN CYBERSPACE IN THE CONTEXT OF THE FOURTH INDUSTRIAL REVOLUTION

1.1. Children's rights in cyberspace in the context of the Fourth Industrial Revolution

1.1.1. *Cyberspace in the context of the Fourth Industrial Revolution*

From the dialectical synthesis between the traditional foundation of cyberspace and the developments brought about by the Fourth Industrial Revolution, the dissertation proposes the following definition: **Cyberspace in the context of the Fourth Industrial Revolution is a digital, non-physical space formed on the basis of the globally interconnected network of information technology infrastructure, in which information and data are created, collected, processed, stored, and transmitted through modern digital technologies; at the same time, it is an environment in which human social conduct takes place without being constrained by space and time, and in which digital technology increasingly exerts a direct impact on social relations.**

Under this understanding, the concept of cyberspace in the context of the Fourth Industrial Revolution extends beyond technical infrastructure and digital connectivity to encompass data and technological algorithms capable of directly influencing social relations. Unlike the traditional approach, which primarily regarded cyberspace as a medium for information transmission, contemporary developments have positioned data as a central element in the organization, regulation, and shaping of social interactions. Accordingly, cyberspace is not merely an environment in which individuals engage in social activities; it is also a space in which digital technologies increasingly participate in the formation, exercise, and influence of the rights, obligations, and legal responsibilities of various actors.

On the basis of the substance of the above definition, several fundamental characteristics of cyberspace in the context of the Fourth Industrial Revolution may be identified more clearly.

First, the role of the State in the governance of cyberspace has become increasingly explicit and direct.

Second, the global and borderless nature of cyberspace has become more pronounced under the impact of the Fourth Industrial Revolution.

Third, the anonymity of cyberspace in the context of the Fourth Industrial Revolution has become more complex and has generated more evident legal implications.

Fourth, the social nature of cyberspace in the context of the Fourth Industrial Revolution has become increasingly profound.

1.1.2. *Concept, characteristics, and content of children's rights in cyberspace*

1.1.2.1 Concept and characteristics of children's rights in cyberspace

Although there is as yet no official legal definition, on the basis of multidimensional and systematic analyses of children as subjects, the system of children's rights in the offline environment, and the specific features of cyberspace, for the purposes of this dissertation, **children's rights in cyberspace may be understood as the human rights of children recognised by the State and guaranteed in the digital environment, enabling children to access, use, create, and participate in cyberspace for their comprehensive development, while at the same time being safely protected against risks and rights violations.**

Based on the substance of this concept, and in comparison with the offline environment, children's rights in cyberspace have the following distinctive characteristics:

First, children's rights in cyberspace are derivative in nature, being inherited and transformed from human rights and requiring legal recognition by the State.

Second, they are dependent on technical infrastructure conditions and digital capacity.

Third, they are marked by a borderless nature and the expansion of the space in which rights may be exercised.

Fourth, anonymity gives rise to challenges in determining the capacity of the subject concerned.

1.1.2.2. Content of children's rights in cyberspace

Through the interpretation of the 25 children's rights provided for in Articles 24 to 36 of the 2016 Law on Children in the context of the Fourth Industrial Revolution, the dissertation identifies eight core rights of children in cyberspace: (1) the right of access to information; (2) freedom of expression; (3) freedom of thought, conscience, and religion; (4) freedom of association and peaceful assembly; (5) the right to privacy; (6) the right to education; (7) the right to enjoy culture, recreation, and play; and (8) the right to protection.

A common feature of all eight of these rights is that they are profoundly shaped by technological factors, including algorithms, big data, and artificial intelligence, as well as by the controlling involvement of cross-border private actors. As a result, traditional protection mechanisms based on physical barriers and administrative boundaries have become less effective.

1.2. Ensuring and protecting children's rights in cyberspace

1.2.1. The concepts of ensuring and protecting children's rights in cyberspace

The assurance of children's rights in cyberspace is the overall system of institutions, institutional arrangements, and conditions (including resources, infrastructure, technology, and social awareness, among others) that the State and society are responsible for establishing in order to create the foundation for the full enjoyment of children's rights in the digital environment.

The core substance of the assurance of children's rights in cyberspace lies in establishing the legal, material, technological, and social foundations necessary for children's rights in the digital environment to be fully realised in practice. It is precisely this foundational, proactive, and enabling character that constitutes the basic distinction between the assurance of rights and the protection of rights.

The protection of children's rights in cyberspace is the overall system of legal, administrative, technical, and social measures adopted by the State and other responsible actors in order to prevent, detect, stop, and handle acts infringing children's rights in cyberspace, while at the same time supporting and restoring the lawful rights and interests of children that have been violated.

The core substance of the protection of children's rights in cyberspace lies in an organised system of intervention measures aimed at preventing, detecting, stopping, and handling infringements, and at restoring children's lawful rights and interests. It is this intervention-based, responsive, and restorative character that defines the distinctiveness of this concept in relation to the concept of the assurance of rights.

1.2.2. Characteristics of ensuring and protecting children's rights in cyberspace

1.2.2.1. Characteristics of ensuring children's rights in cyberspace

First, the assurance of children's rights in cyberspace is proactive and enabling in nature.

Second, the assurance of children's rights in cyberspace is foundational to the exercise of rights.

Third, the assurance of children's rights in cyberspace is multi-actor and interdisciplinary in nature.

Fourth, the assurance of children's rights in cyberspace is closely linked to technological conditions and the transformation of the digital environment.

1.2.2.2. Characteristics of protecting children's rights in cyberspace

First, the protection of children's rights in cyberspace is intervention-based and requires timeliness.

Second, the protection of children's rights in cyberspace is characterised by the coercive authority of the State and strict compliance with the law.

Third, the protection of children's rights in cyberspace is complex in terms of determining responsibility and is associated with the requirement to restore rights.

1.2.3. The relationship between the assurance and the protection of children's rights in cyberspace

First, the assurance of rights serves as a precondition for the protection of rights.

Conversely, the assurance of rights makes it possible for rights to be exercised, while the protection of rights ensures that this possibility is not undermined by acts of

infringement. Therefore, the protection of rights is not identical to the assurance of rights, but it is an indispensable component in ensuring that rights are realised in a substantive manner.

These two categories also stand in a relationship of reciprocal interaction. The practice of protecting rights constitutes an important basis for assessing the adequacy and appropriateness of the system for ensuring rights. The protection of rights not only serves the function of addressing infringements, but also provides practical data for improving the mechanism for ensuring rights. Conversely, when the system for ensuring rights is more fully developed, the protection of rights is better placed to be carried out in a timely manner, by the proper authorities, and with greater effectiveness. Accordingly, the relationship between the assurance and the protection of rights is a two-way relationship, in which each category functions both as a condition for, and as a basis for improving, the other.

Although differing in substance and mode of operation, the assurance of rights and the protection of rights are unified in their ultimate purpose, namely, to ensure that children's rights in cyberspace are fully realised, are not obstructed, and are not infringed, in conformity with the principle of ensuring the best interests of the child.

The assurance of children's rights in cyberspace and the protection of children's rights in cyberspace are two categories that, while necessarily distinct, are closely interconnected. The assurance of rights creates the foundation, conditions, and capacity for the exercise of rights; the protection of rights prevents, stops, and addresses infringements, and restores rights where they have been violated. Only when placed within this relationship of unity can these two categories together form a complete theoretical basis for the construction of mechanisms for the implementation of children's rights in cyberspace.

1.2.4. The role of ensuring and protecting children's rights in cyberspace

First, the assurance and protection of children's rights in cyberspace help transform legal provisions into concrete action so that children may fully enjoy their rights in cyberspace.

Second, the assurance and protection of children's rights in cyberspace contribute to safeguarding children against infringements.

Third, the assurance and protection of children's rights in cyberspace contribute to creating a safe, healthy, and child-friendly online environment that encourages children's creativity and learning.

Fourth, the assurance and protection of children's rights in cyberspace contribute to raising social awareness of the need to respect and protect children's rights.

Fifth, the assurance and protection of children's rights in cyberspace contribute to the building and improvement of a socialist rule-of-law State of the people, by the people, and for the people.

1.3. Measures to ensure children's rights in cyberspace

Measures to ensure children's rights in cyberspace are the means used by the State and responsible actors to create, organize the implementation of, and maintain the conditions necessary for the exercise of children's rights in the digital environment.

Measures to ensure children's rights in cyberspace include: (1) institutionalizing children's rights in cyberspace; (2) organizing implementation and allocating the responsibilities of relevant actors; (3) ensuring the conditions in terms of resources, infrastructure, and technology for the exercise of children's rights in cyberspace; and (4) ensuring awareness and capacity for the exercise of children's rights in cyberspace.

1.4. Measures to protect children's rights in cyberspace

Measures to protect children's rights in cyberspace are the system of means, tools, and procedures embodying State authority, as provided for in legal normative documents, for the purpose of determining competence, identifying violations, preventing infringing acts, handling violating actors, and restoring the lawful rights and interests of children.

Measures to protect children's rights in cyberspace include: (1) determining the competence and responsibilities for protecting children's rights in cyberspace; (2) identifying violating acts and establishing sanctions; (3) preventing, detecting, stopping, handling violations, and restoring rights; and (4) international cooperation in protecting children's rights in cyberspace.

1.5. Factors affecting the ensuring and protecting of children's rights in cyberspace

1.5.1. Political and Legal Factors

Political and legal factors provide the overarching framework for all activities aimed at ensuring and protecting children's rights in cyberspace. With respect to the ensuring of rights, these factors directly influence whether children's rights in cyberspace are recognized, concretized, and implemented in a consistent manner. With respect to the protection of rights, they determine the capacity of competent authorities to prevent, detect, stop, and address violations, as well as to restore infringed rights. Where political and legal conditions are not adequately established, efforts to ensure rights may become merely formalistic, while activities aimed at protecting rights may lack a sufficient legal basis or consistency in application.

1.5.2. Institutional Factors and Implementation Capacity

From the perspective of administrative law, the effectiveness of legal implementation depends not only on the quality of legal norms but also on the existence of an appropriate institutional framework. In the context of children's rights in cyberspace, the influence of institutional factors is reflected in two dimensions: ensuring rights and protecting rights.

With regard to ensuring rights, institutions play a foundational role and require the participation of multiple stakeholders, including state administrative authorities, technology enterprises, educational institutions, families, and social organizations. With regard to protecting rights, given that such activities involve the detection, prevention, and handling of violations, institutional factors have a direct impact on the effectiveness of legal enforcement.

1.5.3. Economic and Resource Factors

The ensuring and protection of children's rights in cyberspace are directly influenced by economic conditions and the capacity to mobilize and allocate resources. In cyberspace, the exercise of children's rights depends on access to telecommunications infrastructure, internet connectivity, digital devices, digital services, and other supporting conditions. At the same time, the protection of rights requires resources for establishing mechanisms to detect violations, receive and process information, handle unlawful conduct, support child victims, develop human resources, and maintain relevant institutions. Accordingly, the level of economic development, public budget allocation, the ability to mobilize social resources, and the economic circumstances of families are factors that directly affect both the ensuring and protection of children's rights in cyberspace.

1.5.4. Technical and Technological Factors

In relation to ensuring rights, technical and technological factors are reflected in the capacity to establish appropriate digital infrastructure, develop technical standards for digital platforms and services, and facilitate children's access to and use of technologies that are suitable for their age and developmental needs.

In relation to protecting rights, these factors are reflected in the ability to detect harmful content, identify abusive conduct, filter and block harmful materials, conduct tracing activities, remove unlawful content, restrict access, and prevent the further dissemination of harmful data.

1.5.5. Socio-Cultural Factors

This factor is primarily reflected in the extent to which children's rights are respected within families, schools, communities, and the digital environment more broadly. Where children's rights—such as the right to privacy, the right to personal data protection, the right to participation, the right to be heard, and the right to be respected—have not become widely recognized social norms, the effectiveness of legal measures aimed at ensuring and protecting such rights may be significantly constrained.

1.5.6. Cooperation and Coordination Factors

Cyberspace is an interconnected and borderless environment influenced by a wide range of actors both within and beyond national jurisdictions. Consequently, the effectiveness of ensuring and protecting children's rights in cyberspace is significantly affected by the degree of domestic coordination and international cooperation.

CHAPTER 1 SUMMARY

Chapter 1 has established the basic theoretical foundation for the study of ensuring and protecting children's rights in cyberspace in the context of the Fourth Industrial Revolution. First, the Chapter has clarified that cyberspace is not merely a technical infrastructure but a specific social environment that is global, borderless, anonymous, and profoundly influential on children's development. On that basis, the dissertation establishes the concept of children's rights in cyberspace, identifies their main legal characteristics, and systematizes them into eight core rights in the digital environment.

The central theoretical contribution of the Chapter lies in clearly distinguishing between the two categories of "ensuring" and "protecting" children's rights: ensuring rights emphasizes the aspect of creating conditions for rights to be exercised; protecting rights emphasizes the aspect of preventing, stopping, and handling violations, and restoring infringed rights. On that basis, Chapter 1 forms a relatively coherent theoretical framework on the measures and the factors affecting the effectiveness of implementation, thereby providing the methodological foundation for assessing the current situation in Chapter 2 and proposing solutions for improvement in Chapter 3.

CHAPTER 2

THE CURRENT SITUATION OF ENSURING AND PROTECTING CHILDREN'S RIGHTS IN CYBERSPACE IN VIET NAM IN THE CONTEXT OF THE FOURTH INDUSTRIAL REVOLUTION

2.1. Achievements in ensuring and protecting children's rights in cyberspace

2.1.1. *Achievements in ensuring children's rights in cyberspace*

2.1.1.1. *Achievements of the law in ensuring children's rights in cyberspace*

Viewed as a whole, Vietnamese law has initially established a relatively comprehensive legal framework for ensuring children's rights in cyberspace, as reflected in four notable aspects.

First, in terms of the institutionalization of rights, the constitutional and legislative foundation has gradually shifted from an approach that regarded children primarily as subjects in need of protection to one that recognizes children as rights-holders in the digital environment. This development is reflected in the 2013 Constitution, the 2016 Law on Children, the Law on Cybersecurity through its stages of development, and especially the 2025 Law on Personal Data Protection. A notable feature is that the law has begun to directly recognize children's rights in cyberspace, particularly the right of access to information, the right to privacy, and the right to control personal data, thereby gradually creating a close linkage between the constitutional foundation, sector-specific legislation, and international standards.

Second, with regard to organization of implementation and allocation of responsibilities, the law has gradually established a multi-actor model of responsibility in which the State plays a facilitating and coordinating role, technology enterprises play the role of providing safe infrastructure and services, and families, schools, social organizations, and communities jointly participate in supporting, supervising, and accompanying children. It is noteworthy that the law no longer stops at formally recognizing rights, but has made a specific allocation of responsibilities among legislative, executive, and judicial bodies, as well as non-state actors. This is an important step forward, consistent with the interdisciplinary, interconnected, and cross-border nature of cyberspace.

Third, with regard to the conditions for ensuring the exercise of rights, the law has increasingly paid attention to resources, infrastructure, and technology as essential material conditions for children to genuinely enjoy their rights in cyberspace. From the mechanism of prioritizing resources in the Law on Children, the public telecommunications mechanism in the Law on Telecommunications, to investment incentives for digital infrastructure, data centres, cloud computing, and the orientation towards developing healthy digital content, it

can be seen that legislative thinking has shifted from passive protection to creating conditions for children's equitable, safe, and appropriate access.

Fourth, with regard to raising awareness and capacity for the exercise of rights, the law has gradually established an orientation towards developing digital capacity, digital ethics, and children's ability to protect themselves, while also imposing educational and guidance responsibilities on families, schools, and relevant authorities. However, viewed in general terms, current achievements mainly demonstrate a clear advance in legal orientation and design; meanwhile, the degree of concretization among different groups of children's rights remains uneven, many legal obligations of digital platforms have not yet been fully codified, and the effectiveness of implementation still depends heavily on the practical capacity for organization and enforcement.

2.1.1.2. Achievements in the organization of the implementation of the law on ensuring children's rights in cyberspace

Viewed as a whole, the organization of the implementation of the law on ensuring children's rights in cyberspace in Viet Nam has achieved noteworthy results in three main respects: expanding conditions for access, improving the capacity to exercise rights, and expanding the space for children's participation. First, public telecommunications programmes, together with the programme "Waves and Computers for Children," have contributed significantly to improving connectivity infrastructure, providing device support, and reducing the costs of digital access for children, especially in disadvantaged areas, thereby creating practical conditions for children to study, access information, and participate in cyberspace. In addition, activities on digital skills education, digital safety, and awareness-raising have been implemented on an increasingly broad scale, directed not only towards children but also extended to parents, caregivers, and the community, showing a shift from the mere dissemination of knowledge towards the gradual formation of digital capacity. At the same time, the digital content environment and channels for children's participation have also been expanded through learning platforms, child-friendly content, and models such as the Children's Forum, Children's Councils, and the "Children's Parliament." These results show that the law has gradually been translated into practical conditions for ensuring children's rights in cyberspace.

2.1.2. Achievements in protecting children's rights in cyberspace

2.1.2.1. Achievements of the law in protecting children's rights in cyberspace

Viewed as a whole, Vietnamese law has made significant progress in building a legal framework for protecting children's rights in cyberspace, with increasing clarity in terms of competence, responsibilities, enforcement mechanisms, and international cooperation.

First, with regard to determining competence and responsibilities, the law has made relatively clear provisions regarding the roles of the State, technology enterprises, families,

schools, social organizations, and the community. In this framework, the State plays the leading role in prevention, detection, stopping, handling, support, and restoration of rights; digital service providers are placed in the position of actors bearing direct legal responsibility; and families, schools, and social organizations are identified as important coordinating forces in early detection, support, and supervision.

With regard to identifying infringing acts and establishing sanctions, the law has initially identified with relative clarity a number of typical groups of harmful acts in cyberspace, such as online bullying, child sexual abuse and exploitation, enticing and luring children into illegal activities, disseminating harmful content, as well as infringing children's privacy and personal data. The enforcement mechanism has been designed in the direction of combining criminal, administrative, and civil sanctions, allowing a flexible response to different levels of violations. However, the degree of specialization among different groups of acts remains uneven; some acts are still dealt with mainly indirectly through traditional offences or sanctions.

With regard to prevention, detection, stopping, handling, and restoration of rights, the law has shown a tendency to shift from an approach mainly focused on dealing with consequences towards one that places greater emphasis on early prevention and risk control from the design and operation stages of digital platforms. Mechanisms for age-based content classification, age verification, technology risk governance, rapid removal of violating content, child-friendly proceedings, and recovery support for children who have been harmed have contributed to making the process of protecting children's rights in cyberspace more coherent.

At the same time, the law has also expanded the basis for international cooperation, especially in judicial assistance, coordination in investigation, regulation of cross-border platforms, and responses to risks arising from new technologies such as AI. These results show that Vietnamese law has gradually established an important foundation for protecting children's rights in cyberspace, although there remains a need for further improvement in the degree of concretization and the effectiveness of implementation.

2.1.2.2. Achievements in the organization of the implementation of the law on protecting children's rights in cyberspace

On the basis of the law on protecting children's rights in cyberspace, the practice of law implementation in Viet Nam in recent years has achieved a number of positive results: protective activities have gradually been translated from legal provisions into specialized institutions, coordination mechanisms, operational measures, and specific support measures. If examined in light of the theoretical framework of the dissertation, three prominent achievements in the organization of law implementation may be identified: an interdisciplinary protection network has been established; the capacity to detect, intervene,

and handle violations in cyberspace has been improved; and international cooperation has gradually been expanded in order to respond to the cross-border nature of acts infringing children's rights in cyberspace.

2.2. Limitations and shortcomings in ensuring and protecting children's rights in cyberspace

2.2.1. Limitations in ensuring children's rights in cyberspace

First, the lack of consistency in the legal identification of the rights-holding subject, together with the fact that the legal status of children's rights in cyberspace has not been fully established in the principal law on children, has created foundational gaps in ensuring children's rights in cyberspace.

Second, inequality in access rights and digital capacity continues to exist among different regions, thereby increasing the risk of digital exclusion for vulnerable groups of children.

2.2.2. Limitations in protecting children's rights in cyberspace

First, although the provisions on "safety by design" have been codified, they still remain mainly at the level of general principles and have not yet been concretized through a system of specialized and quantifiable national technical standards for the protection of children's rights in cyberspace.

Second, the concept and legal criteria of "information that is not beneficial to children" have not yet been defined.

Third, criminal law and judicial thinking have not kept pace with the complex transformation of acts infringing children's rights in cyberspace, revealing gaps from the stage of defining offences to the collection of evidence and the restoration of rights.

Fourth, the organization of implementation remains fragmented, lacking a centralized coordination mechanism and the capacity for timely response, especially during periods of transfer of state management competence.

Fifth, the effectiveness of the exercise of national jurisdiction and of international cooperation mechanisms in handling violations related to children's rights in cyberspace still reveals many shortcomings, particularly with regard to acts of infringement that do not yet reach the threshold for criminal prosecution.

Sixth, there remain limitations in the awareness and skills of children, families, and schools in protecting children's rights in cyberspace.

2.3. Causes of the limitations and shortcomings in ensuring and protecting children's rights in cyberspace

The above-mentioned limitations and shortcomings originate from deep-rooted causes of a structural and systemic nature. In order to clarify the nature of the problem, it is necessary to analyse the causes under two categories: objective causes—factors that are

regular in nature and difficult to change in the short term; and subjective causes—factors that may be adjusted through political will and human action.

2.3.1. Objective causes

First, the disparity in the pace of development between digital technology and the law. One of the fundamental causes is that the pace of innovation in digital technology is much faster than the pace of law-making and legal improvement.

Second, the contradiction between the cross-border nature of cyberspace and the principle of national sovereignty.

Third, disparities in the level of socio-economic development and natural geographical conditions among regions create systemic barriers to ensuring children's rights in cyberspace.

2.3.1. Subjective causes

First, the underlying cause governing the shortcomings in ensuring and protecting children's rights in cyberspace stems from the fact that the 2013 Constitution has not constitutionalized the principle of “the best interests of the child” as the supreme guiding principle.

Second, the absence of a specialized and independent national supervisory institution to control state power and provide policy review has reduced the capacity to promptly detect and adjust legal provisions or administrative decisions that may pose risks adverse to children's rights in cyberspace.

Third, the basic reason why the age of children in Vietnamese law has not yet been aligned with international standards derives not only from issues of awareness, but mainly from the requirement to maintain the stability and consistency of the current legal system, as well as considerations relating to implementation capacity.

Fourth, current law-making still tends to follow a “reactive response to incidents” mindset: when urgent cybersecurity risks arise, the State often gives priority to promulgating or amending sector-specific laws on security and public order in order to address immediate demands, with the result that the new rights of children in the digital era are “grafted” into many different sector-specific legal normative documents, rather than being established in a legitimate and systematic manner in the Law on Children as the principal law.

Fifth, the organizational model of the administrative apparatus has not yet adapted to the borderless nature of cyberspace, and the strategy for resource allocation still lacks focus.

Friday, the education system has not timely shifted from providing computer-use skills (informatics) to educating comprehensive digital capacity, including digital safety and digital ethics, thereby limiting children's capacity for self-protection against online risks. In addition, social awareness of children's privacy rights remains incomplete; the disparity in

digital understanding between parents and children, together with traditional perceptions that undervalue children's privacy, has led to unconscious acts of rights infringement in the online environment that have not yet been effectively regulated by appropriate norms.

CHAPTER 2 SUMMARY

Chapter 2 has conducted a comprehensive analysis and assessment of the current legal framework and the practice of law implementation in Viet Nam regarding the ensuring and protecting of children's rights in cyberspace. The analysis shows that, in recent years, Viet Nam has achieved noteworthy results, reflecting its efforts to build a legal framework that is increasingly aligned with international standards.

With regard to ensuring and protecting rights, the new legal framework—typically including the Law on Cybersecurity, the Law on Artificial Intelligence, and the 2025 Law on Personal Data Protection—has contributed to the formation of a relatively coherent legal framework, initially incorporating requirements for safety in the design and operation of digital products and services. The multi-actor protection mechanism has been strengthened through the unified coordinating role of the State and the responsibilities of relevant actors, as well as through international cooperation in preventing and combating cybercrime.

However, when examined against the theoretical framework of the dissertation and relevant international standards, the current legal framework and the practice of implementation still reveal structural limitations. Most notably, there is a lack of consistency in determining the age of a child, thereby creating a legal gap for persons aged from full 16 years to under 18 years; criminal and administrative law has been slow to adapt to new forms of harmful conduct such as online bullying, online grooming, and sexual exploitation through deepfake technology; safety requirements have not yet been fully concretized into mandatory technical standards; and disparities in infrastructure and digital capacity among regions continue to hinder the exercise of rights in practice. In addition, the effectiveness of implementation remains limited by difficulties relating to jurisdiction over cross-border platforms and by inter-sectoral coordination mechanisms that are not yet truly close and seamless.

The above-mentioned limitations stem from both objective and subjective causes. Objectively, they arise from the contradiction between the borderless nature of cyberspace and the territorial limits of State power, together with the inevitable lag of the law behind the rapid pace of digital technological development. Subjectively, the deeper cause is that the principle of the best interests of the child has not yet been fully and consistently embedded across certain areas of legislation and implementation; legal thinking in some respects still remains more focused on reactive responses to incidents than on proactive creation and prevention; and the organizational model for implementation has not yet been

sufficiently flexible to meet the requirement of rapid and timely intervention in the digital environment.

The findings and assessments set out in Chapter 2 provide the direct practical basis for the dissertation to continue proposing, in Chapter 3, a system of viewpoints and solutions for improving the law, with a view to enhancing the validity and effectiveness of ensuring and protecting children's rights in cyberspace in Viet Nam.

CHAPTER 3

VIEWPOINTS AND SOLUTIONS FOR ENSURING AND PROTECTING CHILDREN’S RIGHTS IN CYBERSPACE IN VIET NAM IN THE CONTEXT OF THE FOURTH INDUSTRIAL REVOLUTION

3.1. Viewpoints on ensuring and protecting children’s rights in cyberspace

3.1.1. Focusing on building and improving the legal system as the basis and foundation for ensuring and protecting children’s rights in cyberspace

3.1.2. Focusing on the organizational apparatus and human resources to effectively implement the work of ensuring and protecting children’s rights in cyberspace

3.1.3. Focusing on investing resources and promoting international cooperation for ensuring and protecting children’s rights in cyberspace

3.1.4. Unifying awareness and diversifying educational and communication solutions in a manner appropriate to regional characteristics

The above four viewpoints form a unified whole. In this structure, the legal system is the foundation; the organizational apparatus is the core; resources and international cooperation are the conditions for ensuring and protecting rights; and social awareness, associated with regional characteristics, is the broad and deep driving force. These are the guiding viewpoints for the proposal of solutions to ensure and protect children’s rights in cyberspace set out in Section 3.2 of the dissertation.

3.2. Solutions for ensuring and protecting children’s rights in cyberspace

3.2.1. Group of solutions for improving the legal system

3.2.1.1. It is necessary to constitutionalize the principle of “the best interests of the child” as a supreme guiding principle of the Constitution

Proposal to amend and supplement Article 37 of the 2013 Constitution in the following direction:

*“1. Children shall be protected, cared for, educated by the State, the family and society, **and ensured** participation in matters relating to children. **In all decisions concerning children, the best interests of the child must be given primary consideration.**”¹*

3.2.1.2. Proposal to amend and supplement a number of provisions of the 2016 Law on Children

a) To amend Article 1 of the Law on Children in the direction of raising the age of children to under 18 years old, in association with a tiered protection mechanism in order to ensure consistency and feasibility.

¹ The bolded phrases indicate the proposed additions to Article 37(1) of the 2013 Constitution.

b) To add a new chapter on “Ensuring and Protecting Children’s Rights in Cyberspace” directly into the 2016 Law on Children, while assigning the Government and the ministry in charge of the relevant sector to provide detailed regulations and guidance for implementation of matters relating to ensuring and protecting children’s rights in cyberspace within their competence.

On that basis, the dissertation proposes the addition of the following main contents:

First, children’s rights in cyberspace: instead of regulating by listing separately a number of specific rights, as in the current approach of the law on cybersecurity, the amended Law on Children should clearly affirm the principle that children are entitled to fully enjoy civil, political, economic, cultural, and social rights in cyberspace corresponding to those in real life. On that basis, the Law should provide more specific regulation of rights that have not yet been fully identified in cyberspace, such as: the right of access to information; the right to freedom of expression; the right to freedom of thought and belief; the right to freedom of association and assembly; the right to education and the development of digital capacity; the right to privacy; and the right to protection. The full and systematic recognition of these rights not only ensures conformity with international obligations under General Comment No. 25, but also creates a clear legal basis for relevant ministries and sectors to formulate and implement policies supporting the comprehensive development of children in cyberspace, rather than approaching the issue solely from the perspective of security management.

Second, to establish the responsibilities of providers of products and services in accordance with the principle of “Safety by Design.”

Third, it is necessary to study the regulation of age requirements for children’s participation in social networks and the legal commitments of online service providers in protecting children’s privacy rights.

Fourth, to improve the system of concepts and the classification list of acts infringing children’s rights in cyberspace.

3.2.1.3. Proposal to criminalize new offences relating to the infringement of children’s rights in cyberspace

First, to criminalize cyberbullying, in the direction of studying and supplementing the Penal Code with a new offence of “**Cyberbullying**”. The constituent elements of the offence should be based on the following factors: (1) intentionality and the purpose of causing harm; (2) the repeated nature of the conduct; and (3) the imbalance of power that renders the victim incapable of self-defence. With regard to the objective element, the offence should specifically describe the various forms of conduct committed through computer networks and telecommunications networks, including: sending or posting threatening or insulting content; unlawfully disseminating information relating to private

life secrets; creating groups or forums for the purpose of boycotting or isolating the victim; or impersonating another person in order to damage that person's reputation and relationships.

Second, to criminalize online grooming, in the direction of adding to the Vietnamese Penal Code a new offence of **“Online Grooming of a Child for Sexual Purposes.”** This offence should clearly provide for: (1) the objective conduct, namely intentionally communicating with, soliciting, grooming, or arranging with a child through the Internet or electronic means; (2) the criminal purpose, namely to commit acts of sexual abuse, such as sexual intercourse, indecent acts, or the production and dissemination of child pornographic materials; and (3) the point at which the offence is completed, namely at the moment the grooming conduct is committed with such purpose, without requiring the harmful consequence to occur.

Third, to criminalize acts related to child pornographic materials, including materials generated by artificial intelligence (AI), in the direction of adding an offence of **“Offences relating to child pornographic materials”** with two orientations: (1) to formulate a comprehensive legal definition of pornographic materials in accordance with Article 2(3) of the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OPSC), including simulated materials generated by AI; and (2) to comprehensively criminalize the entire chain of conduct, including production (including coercing children to self-produce such materials), possession, distribution, transmission, access to, and trading in CSAM, in line with the requirements of Article 14 of the United Nations Convention on Cybercrime.

Fourth, to add an aggravating circumstance for the act of **“virtual kidnapping”**, in the direction that it is not necessary to criminalize “virtual kidnapping” as an independent offence, but it is necessary to issue a legal document clarifying this legal term, while also adding an aggravating circumstance to Article 170 of the Penal Code (the offence of extortion of property) for conduct involving: “using high technology, artificial intelligence, or impersonation of a State authority to fabricate a coercive situation against another person in cyberspace.” This approach is both consistent with international practice and helpful for Viet Nam in proactively advancing international legal integration and strengthening the protection of children's rights in cyberspace.

3.2.3. Group of solutions for improving institutions

First, to improve the mechanism of state management and inter-sectoral coordination for ensuring and protecting children's rights in cyberspace.

The improvement of governance institutions should be carried out in the direction of concentrating competence, specializing responsibilities, and legalizing the mechanism of inter-sectoral coordination. Accordingly, the amended Law on Children should establish the

principle of clear allocation of responsibilities to each actor, under which the Ministry of Public Security shall play the core and specialized role in protecting children's rights in cyberspace and shall promulgate national technical standards on cybersecurity for devices and digital services intended for children, in conformity with Article 27 of the 2025 Law on Cybersecurity. Ministries, sectors, organizations, and individuals shall be responsible for coordinating with the Ministry of Public Security in protecting children's rights in cyberspace and for performing their responsibilities in ensuring and protecting children's rights in cyberspace in accordance with their assigned functions, duties, and fields of responsibility.

On the basis of the allocation of responsibilities provided by law, the Government should promulgate a Decree detailing the operational process of the coordination system, with a focus on connecting resources.

Second, to build a constitutional mechanism to ensure the implementation of children's rights through the institution of a Parliamentary Ombudsman.

It is necessary to study and improve the law in the direction that, in the immediate term, the Law on Organization of the National Assembly and the Law on Inspection should be supplemented with provisions on a Parliamentary Ombudsman specialized in children's rights; in the longer term, on the basis of reviewing practice, consideration may be given to constitutionalizing this institution. This would constitute an important mechanism for strengthening oversight, promoting accountability, and improving the effectiveness of ensuring the implementation of children's rights in cyberspace in Viet Nam.

3.2.4. Group of solutions for enhancing specialized capacity and establishing a coordination and rapid-response mechanism in cyberspace

First, to enhance the capacity of personnel engaged in ensuring and protecting children's rights in cyberspace.

Second, to establish synchronized technical infrastructure and an operational process for a national coordination and rapid-response system.

On the basis of the centralized focal-point model of state management that has been institutionally established, the urgent requirement is to develop specific technical tools and operational procedures in order to actualize the leading role of the Ministry of Public Security and inter-sectoral coordinating institutions in practice. If institutions create the legal framework, then technical infrastructure and operational procedures are precisely the instruments that ensure seamless connectivity and timely response to risks of infringement of children's rights in cyberspace.

With regard to coordination infrastructure, instead of continuing to maintain fragmented information systems, it is necessary to concentrate technological resources on upgrading and transforming the Network for Child Protection Response on the Internet

(VN-COP) into a National Command and Coordination Centre, placed under the centralized governance and continuous 24/7 operation of the lead authority.

With regard to operational and response procedures, it is necessary to standardize the process of coordinated and interconnected action among actors within the system for protecting children's rights in cyberspace in accordance with National Standard TCVN ISO 9001:2015, with a focus on optimizing and digitizing the procedures of the National Hotline 111.

In addition, it is necessary to apply the mechanism of a “trusted flagger” - a model provided for in Article 22 of the Digital Services Act (DSA) (2022).

3.2.4. Group of solutions on international cooperation

First, it is necessary to accelerate the process of domesticating international standards on the collection and use of cross-border electronic evidence.

Second, it is necessary to establish permanent, stable, and binding mechanisms for operational coordination.

Third, it is necessary to promote cross-border public-private cooperation through the conclusion of transparent direct agreements with major technology corporations (Meta, Google, TikTok).

3.2.5. Group of solutions for comprehensively raising awareness of children's rights in cyberspace from policy-making bodies to families and society as a whole

First, it is necessary to renew the awareness of policy-makers and those involved in law-making and law implementation in the direction of a rights-based approach.

Second, it is necessary to integrate digital safety education and education on the capacity to exercise rights into the formal education curriculum, while ensuring suitability to regional characteristics.

Third, it is necessary to enhance the digital capacity and awareness of respect for privacy rights among parents, guardians, and the community.

Fourth, it is necessary to build a community digital culture and strengthen the social responsibility of technology enterprises.

CHAPTER 3 SUMMARY

Chapter 3 has proposed a relatively comprehensive system of solutions to improve the effectiveness of ensuring and protecting children's rights in cyberspace, on the basis of thoroughly grasping the Party's viewpoint that children must be placed at the centre of policy and law. The notable feature of this Chapter is the shift from a passive response-oriented mindset to a proactive prevention-oriented mindset, taking safety from the design and operation stages of the digital environment as the overarching direction.

From the institutional perspective, the dissertation recommends further improving the legal system in the direction of more fully constitutionalizing the principle of the best interests of the child; amending the Law on Children to broaden the scope of protection and to add specific provisions on children's rights in cyberspace; and at the same time improving criminal law and sector-specific law so as to identify and handle more effectively new forms of infringement arising in the digital environment.

From the perspective of organization of implementation, Chapter 3 proposes strengthening institutions for oversight, coordination, and rapid response, ensuring close, timely, and effective inter-sectoral coordination capable of handling risks of infringement in real time. Along with this is the requirement to enhance the professional capacity of enforcement personnel, improve child-friendly justice, strengthen the responsibilities of digital platforms, especially cross-border platforms, and expand international cooperation in preventing and combating child abuse in cyberspace.

In addition, Chapter 3 also emphasizes the foundational role of education, communication, and the development of digital capacity for children, families, and the community. Overall, the proposed solutions are directed towards building a more coherent system of measures for ensuring and protecting children's rights in cyberspace, combining law, implementation arrangements, technology, and social measures.

CONCLUSION

The dissertation has fulfilled its stated research purpose and tasks, including systematizing the theoretical foundations, objectively assessing the current legal framework and the practice of law implementation, and, on that basis, proposing a system of viewpoints and solutions aimed at improving the law and enhancing the effectiveness of ensuring and protecting children's rights in cyberspace in Viet Nam in the context of the Fourth Industrial Revolution. On the basis of the research findings, the dissertation draws the following core conclusions:

First, from the theoretical perspective, the dissertation has contributed to clarifying the transformation in the legal nature of cyberspace in the context of the Fourth Industrial Revolution. Cyberspace is no longer merely a technical infrastructure for the transmission of information, but has become a specific techno-social environment in which data, algorithms, artificial intelligence, and digital platforms directly affect the exercise, enjoyment, and risk of infringement of children's rights. On that basis, the dissertation has developed the concept of children's rights in cyberspace, systematized the eight core rights of children in the digital environment, and clarified the content and relationship between the two categories of "ensuring rights" and "protecting rights." This is a central theoretical contribution, because it establishes the methodological basis for designing legal solutions not only in the direction of handling violations after rights have been infringed, but also in the direction of proactively creating the conditions for rights to be exercised safely and substantively from the outset.

Second, from the practical perspective, the dissertation shows that Vietnamese law has made significant progress in domesticating international standards and forming an initial legal framework for ensuring and protecting children's rights in cyberspace. However, when examined against the characteristics of cyberspace in the context of the Fourth Industrial Revolution, the current legal framework and the practice of implementation still reveal structural limitations. Most notably, there is a lack of consistency in determining the age of a child; a legal gap for persons aged from full 16 years to under 18 years; the slow adaptation of the law to new forms of infringement arising from generative technologies; the recognition of the principle of safety by design remains only at the level of orientation; the responsibilities of cross-border platforms are not yet attached to sufficiently strong implementation-guaranteeing mechanisms; and the model of implementation remains fragmented, lacking centralized coordination and rapid response. These limitations show that the problem lies not only in the lack of legal rules, but also in the lag of legislative thinking, the fragmentation of institutions, and the fact that enforcement capacity has not kept pace with the requirements of technological development.

Third, on the basis of combining the results of theoretical research with the assessment of practice, the dissertation has proposed a relatively coherent system of solutions aimed at improving the law and enhancing the effectiveness of implementation. The guiding value of this system of solutions lies in the shift from a consequence-handling mindset to one of proactive prevention and ensuring safety from the design stage onward. Accordingly, the dissertation recommends improving institutions in the direction of considering the constitutionalization of the principle of “the best interests of the child,” amending the 2016 Law on Children in the direction of raising the age of children to under 18 years old and adding specific provisions on children’s rights in cyberspace; and at the same time amending criminal law so as to identify and deal more effectively with non-traditional forms of infringement such as cyberbullying, online grooming, offences relating to child pornographic materials, and forms of abuse using deepfake technology. Along with this, the dissertation proposes improving institutions in the direction of studying the establishment of a Parliamentary Ombudsman specialized in children’s rights, strengthening the national coordination mechanism in the prevention, detection, and handling of infringement in cyberspace; and at the same time enhancing the specialization of enforcement personnel, expanding international cooperation, and promoting digital capacity education for children, families, and society, taking into account the characteristics of regions, ethnic minorities, and vulnerable groups of children.

The research findings of the dissertation contribute to supplementing and developing legal theory on children’s rights in the digital era, while also providing reliable scientific grounds for the process of policy-making and legal improvement, with a view to building a safe, healthy, and sustainable online environment for all Vietnamese children.

**LIST OF PUBLISHED WORKS RELATED TO THE DOCTORAL
DISSERTATION TOPIC OF THE DOCTORAL CANDIDATE**

No.	Title of article	Journal, issue, and year of publication
1	Improving the Law on the Protection of Children's Privacy Rights in Vietnam in the Hyperconnected World	<i>Journal of Legal Studies</i> , Special Issue "Celebrating the 5th Anniversary of the Establishment of the Dak Lak Campus of Hanoi Law University (2019–2024)", 2024
2	Ensuring and Protecting Children's Rights in Cyberspace: International Experiences and solutions for Vietnam	<i>Journal of Legal Studies</i> , No. 8, 2025
3	Ensuring and Protecting Children's Rights through the Constitutions of Vietnam and Directions for Improvement in the New Era	<i>Journal of Legal Studies</i> , No. 2, 2026