

VIET NAM

LAW ON CONCLUSION, ACCESSION TO AND IMPLEMENTATION OF TREATIES

Chapter I. GENERAL PROVISIONS	6
<i>Article 1.- Scope of application</i>	6
<i>Article 2.- Interpretation of terms</i>	6
<i>Article 3.- Principles of conclusion, accession to and implementation of treaties</i>	7
<i>Article 4.- State management of the conclusion, accession to and implementation of treaties</i>	8
<i>Article 5.- Agencies performing state management of the conclusion, accession to and implementation of treaties</i>	8
<i>Article 6.- Treaties and provisions of domestic law</i>	9
<i>Article 7.- Types of treaties</i>	9
<i>Article 8.- Consent to be bound by treaties</i>	9
Chapter II. CONCLUSION OF TREATIES	10
<i>Section 1. Recommendations on Negotiation and Signing of Treaties</i>	10
<i>Article 9.- Responsibility of making recommendations on the negotiation and signing of treaties.....</i>	10
<i>Article 10.- Responsibility of the Ministry of Foreign Affairs for examining recommendations on the negotiation and signing of treaties.....</i>	10
<i>Article 11.- Competence to decide on negotiation and signing of treaties and contents of such decision.....</i>	11
<i>Article 12.- Order and procedures for submitting recommendations and deciding on negotiation and signing of treaties.....</i>	11
<i>Article 13.- Order and procedures for the National Assembly Standing Committee to give opinions on the negotiation and signing of treaties</i>	12
<i>Article 14.- Contents of submission documents, reports on recommendations on the negotiation and signing of treaties.....</i>	13
<i>Article 15.- Dossiers submitted for the negotiation and signing of treaties.....</i>	13
<i>Article 16.- Language(s), form of a treaty.....</i>	14
<i>Section 2. Evaluation of Treaties</i>	14
<i>Article 17.- Treaties subject to evaluation.....</i>	14
<i>Article 18.- Scope of evaluation of treaties</i>	14
<i>Article 19.- Competence to evaluate treaties</i>	15
<i>Article 20.- Order and procedures for evaluating treaties.....</i>	15
<i>Article 21.- Dossiers of request for evaluation of treaties.....</i>	15
<i>Section 3. Full Powers for Negotiation and Signing of Treaties, Credentials for Participation in International Conferences</i>	15
<i>Article 22.- Negotiation and signing of treaties without requiring Full Powers, participation in international conferences without requiring Credentials.....</i>	15

Article 23.- Negotiation and signing of treaties requiring Full Powers, participation in international conferences requiring Credentials	16
Article 24.- Diplomatic procedures for issuing Full Powers, Credentials	16
Section 4. Signing of Treaties	17
Article 25.- Check, comparison of the texts of treaties	17
Article 26.- Authentication of the texts of treaties	17
Article 27.- Signing of treaties.....	17
Article 28.- Signing of treaties during visits by high-level delegations	17
Article 29.- Responsibility to transmit texts of treaties after their signing	18
Section 5. Ratification of Treaties.....	18
Article 30.- Recommendations on ratification of treaties	18
Article 31.- Treaties subject to ratification.....	18
Article 32.- Competence to decide on the ratification of treaties and contents of such decision	19
Article 33.- Treaties subject to verification.....	19
Article 34.- Scope of verification of treaties	19
Article 35.- Competence to verify treaties.....	19
Article 36.- Order and procedures for verifying treaties.....	20
Article 37.- Dossiers of request for verification of treaties	20
Article 38.- Order and procedures for submitting and deciding on the ratification of treaties	20
Article 39.- Order and procedures for the National Assembly to consider and ratify treaties at its sessions	21
Article 40.- Dossiers submitted for ratification of treaties	21
Article 41.- Notification of the ratification of treaties	22
Section 6. Approval of Treaties	23
Article 42.- Recommendations on approval of treaties.....	23
Article 43.- Treaties subject to approval	23
Article 44.- Competence to decide on the approval of treaties and contents of such decision	23
Article 45.- Order and procedures for submitting and deciding on the approval of treaties	23
Article 46.- Dossiers submitted for the approval of treaties.....	24
Article 47.- Notification of the approval of treaties	24
Article 48.- Exchange of instruments constituting treaties.....	24
Chapter III. ACCESSION TO MULTILATERAL TREATIES	25
Article 49.- Responsibility for recommendation on accession to multilateral treaties.....	25
Article 50.- Competence to decide on accession to multilateral treaties and contents of such decisions.....	25
Article 51.- Order and procedures for submitting recommendations and deciding on accession to multilateral treaties	26
Article 52.- Dossiers submitted for the accession to multilateral treaties	26

Article 53.- Notification of accession to multilateral treaties	28
Chapter IV. RESERVATIONS TO MULTILATERAL TREATIES.....	28
Article 54.- Reservations made by the Socialist Republic of Vietnam	28
Article 55.- Notification of reservations made by the Socialist Republic of Vietnam	28
Article 56.- Acceptance of or objection to reservations made by foreign contracting parties	29
Article 57.- Competence to decide on acceptance of or objection to reservations made by foreign contracting parties	29
Article 58.- Order and procedures for submitting recommendations and deciding on the acceptance of or objection to reservations made by foreign contracting parties.....	29
Article 59.- Notification of the acceptance of or objection to reservations made by foreign contracting parties	30
Article 60.- Withdrawal of reservations or withdrawal of objection to reservations	30
Chapter V. ENTRY INTO FORCE, PROVISIONAL APPLICATION OF THE WHOLE OR PART OF TREATIES	31
Article 61.- Entry in to force of treaties	31
Article 62.- Provisional application of the whole or part of treaties	31
Article 63.- Termination of provisional application of the whole or part of treaties.....	31
Article 64.- Notification of the termination of the provisional application of the whole or part of treaties.....	31
Chapter VI. DEPOSIT, KEEPING CUSTODY, MAKING OF CERTIFIED COPIES, PUBLICATION AND REGISTRATION OF TREATIES	31
Article 65.- Depository of multilateral treaties	31
Article 66.- Functions of a depository of multilateral treaties	32
Article 67.- Keeping custody of treaties	32
Article 68.- Making of certified copies of treaties.....	32
Article 69.- Publication of treaties	33
Article 70.- Registration of treaties	33
Chapter VII. IMPLEMENTATION OF TREATIES	33
Section 1. Plans for Implementation of Treaties.....	33
Article 71.- Plans for implementation of treaties.....	33
Article 72.- Order and procedures for submitting for approval plans for implementation of treaties.....	33
Article 73.- Execution of plans for implementation of treaties	34
Section 2. Interpretation of Treaties	34
Article 74.- Interpretation of treaties	34
Article 75.- Requirements and grounds for interpretation of treaties.....	34
Article 76.- Competence to interpret treaties, contents of decision to interpret treaties.....	35
Article 77.- Order and procedures for submitting recommendations and deciding on interpretation of treaties.....	35
Article 78.- Dossiers of submission of or reporting on interpretation of treaties.....	36

Article 79.- Notification of the interpretation of treaties.....	36
Section 3. Amendment, Supplementation and Extension of Treaties.....	37
Article 80.- Amendment, supplementation and extension of treaties	37
Article 81.- Competence to decide on amendment, supplementation or extension of treaties and contents of such decision	37
Article 82.- Order and procedures for submitting and deciding on amendment, supplementation or extension of treaties.....	37
Article 83.- Dossiers submitted for amendment, supplementation or extension of treaties .	38
Article 84.- Notification of amendment, supplementation or extension of treaties	38
Section 4. Termination, Denunciation, Withdrawal from, Suspension of Application of the Whole or Part of Treaties.....	38
Article 85.- Grounds for termination, denunciation, withdrawal from, suspension of application of the whole or part of treaties.....	38
Article 86.- Termination or suspension of application of the whole or part of a treaty due to the conclusion of a later treaty on the same subject matter	39
Article 87.- Termination or suspension of application of the whole or part of a treaty as a consequence of its infringement.....	39
Article 88.- Termination, denunciation, withdrawal from, or suspension of, application of treaties as their objects cease to exist or are cancelled.....	39
Article 89.- Termination, denunciation, withdrawal from, or suspension of, application of treaties due to fundamental change of circumstances existing at the time of the conclusion or accession	40
Article 90.- Termination or suspension of application of treaties due to severance of diplomatic or consular relations	40
Article 91.- Termination of treaties due to their conflict with newly emerging peremptory norm of general international law	40
Article 92.- Suspension of application of multilateral treaties by agreement between certain parties to the treaties	40
Article 93.- Competence to decide on the termination, denunciation, withdrawal from and suspension of the application of treaties and contents of such decision.....	40
Article 94.- Order and procedures for submitting and deciding on termination, denunciation, withdrawal from and suspension of the application of treaties	41
Article 95.- Dossiers submitted for the termination, denunciation, withdrawal from, suspension of the application of treaties	41
Article 96.- Notification on the termination, denunciation, withdrawal from or suspension of the application of treaties.....	42
Chapter VIII. RESPONSIBILITIES OF AGENCIES, ORGANIZATIONS AND INDIVIDUALS IN THE CONCLUSION, ACCESSION TO AND IMPLEMENTATION OF TREATIES	42
Article 97.- Responsibilities of agencies, organizations and individuals.....	42
Article 98.- Responsibilities of the Ministry of Foreign Affairs.....	42
Article 99.- Responsibilities of recommending agencies	43
Article 100.- Responsibilities for supervision of the conclusion, accession to and implementation of treaties	44
Article 101.- Scope of supervision, supervision programs	44
Article 102.- Supervisory activities.....	44

Article 103.- Competence to review supervision results.....45
Article 104.- Responsibilities of supervised agencies, organizations and individuals46
Chapter IX. IMPLEMENTATION PROVISIONS 47
Article 105.- Budgets for the conclusion, accession to and implementation of treaties47
Article 106.- Transitional provisions.....47
Article 107.- Implementation effect.....47

THE STATE PRESIDENT

ORDER No. 03/2005/L-CTN OF JUNE 24, 2005, ON THE PROMULGATION OF LAW

THE PRESIDENT OF THE SOCIALIST REPUBLIC OF VIETNAM

Pursuant to Articles 103 and 106 of the 1992 Constitution of the Socialist Republic of Vietnam, which was amended and supplemented under Resolution No. 51/2001/QH10 of December 25, 2001 of the Xth National Assembly, the 10th session;

Pursuant to Article 91 of the Law on Organization of the National Assembly;

Pursuant to Article 50 of the Law on Promulgation of Legal Documents,

PROMULGATES:

The Law on Conclusion, Accession to and Implementation of Treaties,

which was passed on June 14, 2005, by the XIth National Assembly of the Socialist Republic of Vietnam at its 7th session.

President of the Socialist Republic of Vietnam
TRAN DUC LUONG

LAW ON THE CONCLUSION, ACCESSION TO AND IMPLEMENTATION OF TREATIES

Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam, which was amended and supplemented under Resolution No. 51/2001/QH10 of December 25, 2001 of the Xth National Assembly, the 10th session;

This Law provides for the conclusion, accession to and implementation of treaties.

Chapter I. GENERAL PROVISIONS

Article 1.- Scope of application

This Law provides for the conclusion, accession, reservation, deposit, keeping custody, making of certified copies, publication, registration, implementation, interpretation, amendment, supplementation, extension, termination, denunciation, withdrawal, suspension of application of treaties concluded or acceded to in the name of the State or the name of the Government of the Socialist Republic of Vietnam.

Article 2.- Interpretation of terms

In this Law, the following terms are construed as follows:

1. *Treaties concluded or acceded to by the Socialist Republic of Vietnam* mean agreements in written form concluded or acceded to in the name of the State or in the name of the Government of the Socialist Republic of Vietnam with one or more states, international organizations or other subjects of international law, regardless of their titles, such as treaty, convention, agreement, covenant, arrangement, protocol, memorandum of understanding, exchanged diplomatic note or other titles.
2. *Full powers* means a document issued by a competent state agency designating one or more persons to represent the Socialist Republic of Vietnam in performing one or more legal acts concerning the negotiation and signing of treaties.
3. *Credentials* means a document issued by a competent state agency designating one or more persons to represent the Socialist Republic of Vietnam in attending international conferences to perform one or more legal acts in relation to the negotiation, adoption of the

texts of treaties at the international conferences or to the implementation of multilateral treaties.

4. *Conclusion* means legal acts performed by competent persons or state agencies including acts of negotiation, signing, ratification, approval of treaties or exchange of instruments constituting treaties.

5. *Signing* means a legal act performed by a competent or authorized person, including signing of a treaty not subject to ratification or approval and signing of a treaty subject to ratification or approval.

6. *Initialing* means a legal act performed by a competent or authorized person to confirm that the text of a treaty the Socialist Republic of Vietnam intends to sign is the final text agreed upon with a foreign contracting party.

7. *Ratification* means a legal act performed by the National Assembly or the State President, expressing the consent of the Socialist Republic of Vietnam to be bound by a signed treaty.

8. *Approval* means a legal act performed by the Government, expressing the consent of the Socialist Republic of Vietnam to be bound by a signed treaty.

9. *Exchange of instruments constituting a treaty* means the exchange of letters or diplomatic notes or otherwise named documents constituting a bilateral treaty between the Socialist Republic of Vietnam and the foreign contracting party.

10. *Accession* means a legal act performed by the National Assembly, the State President or the Government, expressing the consent of the Socialist Republic of Vietnam to be bound by a multilateral treaty in case the Socialist Republic of Vietnam has not signed such treaty, irrespective of the entry into force of the treaty.

11. *Reservation of the Socialist Republic of Vietnam* means a statement made by the Socialist Republic of Vietnam when signing, ratifying, approving or acceding to a multilateral treaty, whereby it purports to exclude or modify the legal effect of one or more certain provision of the treaty in its application to the Socialist Republic of Vietnam.

12. *Treaties* to which Vietnam is a party mean treaties being in force to the Socialist Republic of Vietnam.

13. *Termination of a treaty* means a legal act performed by the National Assembly, the State President or the Government, denouncing the effect of a treaty to which the Socialist Republic of Vietnam is a party.

14. *Denunciation of or withdrawal from a treaty* means a legal act performed by the National Assembly, the State President or the Government, denouncing the consent of the Socialist Republic of Vietnam to be bound by a treaty.

15. *Suspension of the application of a treaty* means a legal act performed by the National Assembly, the State President or the Government, suspending the application of the whole or part of a treaty to which the Socialist Republic of Vietnam is a party.

16. *Foreign parties* mean States, international organizations or other subjects of international law.

17. *International organizations* mean inter-governmental organizations.

Article 3.- Principles of conclusion, accession to and implementation of treaties

The conclusion, accession to and implementation of treaties must comply with the following principles:

1. Respect for national independence, sovereignty, territorial integrity, prohibition of the use of force or threat to use force, non-interference in the domestic affairs of each other, equality, mutual benefit and other fundamental principles of international law;
2. Conformity with the provisions of the Constitution of the Socialist Republic of Vietnam;
3. Conformity with national interests, foreign policy of the Socialist Republic of Vietnam;

4. Treaties in the name of the Government must not contradict treaties in the name of the State;
5. A treaty containing provision(s) that contravene, or have not been made in, legal documents of the National Assembly or the National Assembly Standing Committee or a treaty the implementation of which requires amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly or the National Assembly Standing Committee, must be submitted to the National Assembly Standing Committee for consideration before it is negotiated, signed or acceded to; in case of negotiation, signing of or accession to a treaty containing provision(s) contrary to legal documents of the National Assembly, the National Assembly Standing Committee shall report it to the National Assembly for opinions;
6. The Socialist Republic of Vietnam complies with treaties to which the Socialist Republic of Vietnam is a party; meanwhile, it requests other parties to treaties to comply with such treaties.

Article 4.- State management of the conclusion, accession to and implementation of treaties

The contents of State management of the conclusion, accession to, and implementation of treaties shall include:

1. Promulgating legal documents on the conclusion, accession to, and implementation of treaties;
2. Organizing and guaranteeing the implementation of treaties;
3. Propagating and popularizing treaties to which the Socialist Republic of Vietnam is a party;
4. Propagating, popularizing, and guiding the implementation of, law on the conclusion, accession to, and implementation of treaties;
5. Organizing the custody, deposit, making of certified copies, translation, publication and registration of treaties;
6. Gathering statistics on, and scrutinizing treaties already concluded or acceded to by the Socialist Republic of Vietnam;
7. Formulating long-term and annual plans on the conclusion, accession to and implementation of treaties;
8. Overseeing, supervising, inspecting and settling violations of the provisions of law on the conclusion, accession to and implementation of treaties;
9. Settling complaints and accusations relating to the conclusion, accession to and implementation of treaties;
10. Undertaking international co-operation in the conclusion, accession to and implementation of treaties.

Article 5.- Agencies performing state management of the conclusion, accession to and implementation of treaties

1. The Government shall perform the unified state management of the conclusion, accession to and implementation of treaties.
2. The Ministry of Foreign Affairs shall take responsibility to the Government for performing the state management of the conclusion, accession to, and implementation of treaties.
3. Ministries and ministerial-level agencies shall, within the scope of their tasks and powers, coordinate with the Ministry of Foreign Affairs in performing the state management of the conclusion, accession to and implementation of treaties.

Article 6.- Treaties and provisions of domestic law

1. In cases where a legal document and a treaty to which the Socialist Republic of Vietnam is a party, contains different provisions on the same matter, the provisions of the treaty shall prevail.
2. The promulgation of legal documents must ensure that they shall not obstruct the implementation of treaties which contain provisions on the same matter and to which the Socialist Republic of Vietnam is a party.
3. On the basis of the requirements, contents and nature of a treaty, the National Assembly, the State President or the Government, when deciding to consent to be bound by the treaty, shall also decide on the direct application of the whole or part of the treaty to agencies, organizations and/or individuals in case the provisions of the treaty are explicit and specific enough for implementation; or decide or propose to amend, supplement, cancel or promulgate legal documents for the implementation of the treaty.

Article 7.- Types of treaties

1. Bilateral or multilateral treaties concluded or acceded to by the Socialist Republic of Vietnam include:
 - a/ Treaties in the name of the State;
 - b/ Treaties in the name of the Government;
2. Treaties shall be concluded or acceded to in the name of the State in the following cases:
 - a/ Treaties signed by the State President with the Head(s) of other State(s);
 - b/ Treaties on peace, security, national boundaries, territory and sovereignty;
 - c/ Treaties on fundamental rights and obligations of citizens, on legal assistance;
 - d/ Treaties on universal international organizations and important regional organizations;
 - e/ Treaties concluded in the name of the State in accordance with the agreement with foreign contracting parties.
3. Treaties shall be concluded or acceded to in the name of the Government in the following cases:
 - a/ For the implementation of other treaties concluded or acceded to in the name of the State;
 - b/ Treaties on various fields other than those stated at Point b and Point c, Clause 2 of this Article;
 - c/ Treaties on international organizations other than those stated at Point d, Clause 2 of this Article;
 - d/ Treaties concluded in the name of the Government in accordance with the agreement with foreign contracting parties.

Article 8.- Consent to be bound by treaties

The Socialist Republic of Vietnam may take any of the following acts to express its consent to be bound by a treaty:

1. Signing of the treaty not subject to ratification or approval;
2. Ratification of the treaty;
3. Approval of the treaty;
4. Exchange of instruments constituting the treaty;
5. Accession to the treaty;

6. Other acts as agreed upon with foreign contracting parties.

Chapter II. CONCLUSION OF TREATIES

Section 1. Recommendations on Negotiation and Signing of Treaties

Article 9.- Responsibility of making recommendations on the negotiation and signing of treaties

1. The Supreme People's Court, the Supreme People's Procuracy, ministries, ministerial-level agencies and Government-attached agencies (hereinafter referred to as the recommending agencies) shall base themselves on their respective legally-established tasks and powers and the requirements of international cooperation to take initiative in submitting to the Government recommendations on the negotiation and signing of treaties.

2. Prior to the submission of recommendations to the Government on the negotiation and signing of treaties, the recommending agencies must obtain written examination opinions from the Ministry of Foreign Affairs as provided for in Article 10 of this Law and evaluation opinions from the Ministry of Justice as provided for in Article 17 to Article 21 of this Law, and opinions from concerned agencies and organizations.

3. In cases where the Ministry of Foreign Affairs recommends the negotiation and signing of a treaty, it must obtain evaluation opinions from the Ministry of Justice and written opinions from concerned agencies and organizations.

The Ministry of Foreign Affairs shall assume the prime responsibility for, and coordinate with concerned agencies and organizations in, recommending to the Government the negotiation and signing of treaties on peace, security, national boundaries, territory and sovereignty.

4. The recommending agencies shall be responsible for preparing drafts of treaties of the Vietnamese side. In cases where a draft treaty has been prepared by a foreign contracting party, the recommending agency shall have to study such draft, prepare different options of acceptance, amendment and/or supplementation or compile a draft of the Vietnamese side.

Article 10.- Responsibility of the Ministry of Foreign Affairs for examining recommendations on the negotiation and signing of treaties

1. The Ministry of Foreign Affairs shall be responsible for examining the recommendations on the negotiation and signing of treaties.

2. Contents of examination of recommendations on the negotiation and signing of treaties:

a/ The necessity and purposes of negotiation and signing of a treaty, on the basis of evaluating the relations between the Socialist Republic of Vietnam and the foreign contracting party concerned;

b/ Evaluation of the conformity of the treaty with fundamental principles of international law;

c/ Evaluation of the conformity of the treaty with national interests and foreign policy of the Socialist Republic of Vietnam;

d/ Evaluation of the conformity of the treaty with treaties on the same field, to which the Socialist Republic of Vietnam is a party;

e/ The authorities to sign the treaty, the name under which the treaty will be signed, the title, form, language(s), entry into force and wording techniques of the treaty;

f/ The compliance with the order and procedures for making recommendations on the negotiation and signing of treaties;

g/ Checking and comparison of the Vietnamese text with the foreign-language text of the treaty.

Article 11.- Competence to decide on negotiation and signing of treaties and contents of such decision

1. The State President shall decide on the negotiation and signing of treaties in the name of the State with the Head(s) of other State(s).

2. The Government shall decide on the negotiation and signing of treaties in the name of the Government or in the name of the State, except for the case stated in Clause 1 of this Article.

The Government shall be responsible for reporting to the State President before making a decision on the negotiation and signing of a treaty in the name of the State or a treaty in the name of the Government containing a provision that the treaty is subject to ratification.

3. The Government shall submit to the National Assembly Standing Committee for consideration the negotiation and conclusion of treaties containing provisions that contravene, or have not been made in, legal documents promulgated by the National Assembly or the National Assembly Standing Committee, or treaties the implementation of which requires amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly or the National Assembly Standing Committee; in case of negotiation and signing of treaties containing provisions contrary to legal documents of the National Assembly, the National Assembly Standing Committee shall report it to the National Assembly for opinions.

4. The Government shall make decisions in written form on the negotiation and signing of treaties. Such a decision shall contain the following contents:

a/ The title, form, language(s) of the treaty and the name in which the treaty shall be signed;

b/ The representative and his/her powers in negotiating or signing the treaty;

c/ The entry into force, provisional application of the treaty;

d/ The reservation, acceptance of or objection to reservation(s) made by the foreign contracting party(ies), declaration with respect to the multilateral treaty;

e/ Opinions on the contents of the treaty and other necessary issues;

f/ The decision on direct application of the whole or part of the treaty; the decision or proposal to amend, supplement, cancel or promulgate legal documents for the implementation of the treaty;

g/ The responsibilities of the recommending agency, the Ministry of Foreign Affairs and concerned agencies and organizations.

Article 12.- Order and procedures for submitting recommendations and deciding on negotiation and signing of treaties

1. At least thirty days before submitting recommendations to the Government on the negotiation and signing of treaties, the recommending agencies shall have to obtain written examination opinions from the Ministry of Foreign Affairs, evaluation opinions from the Ministry of Justice, and opinions from concerned agencies and organizations.

2. The consulted agencies and organizations mentioned in Clause 1 of this Article shall have to make written replies to the recommending agencies within fifteen days after the date of receipt of the written request for opinions.

3. The recommending agencies shall submit to the Government for decision the negotiation and signing of treaties within ten days after the date of receipt of written replies from the concerned agencies and organizations stated in Clause 1 of this Article.

4. The Government shall decide:

a/ To negotiate and sign a treaty within fifteen days after the date of receipt of the dossier submitted by the recommending agency or after the date of receipt of the opinions of the National Assembly Standing Committee or its notice on the opinions of the National Assembly on the negotiation and conclusion of a treaty containing provisions that contravene, or have not been made in, legal documents promulgated by the National Assembly or the National Assembly Standing Committee, or a treaty the implementation of which requires amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly or the National Assembly Standing Committee;

b/ To submit to the State President for decision the negotiation and signing of a treaty in the name of the State within fifteen days after the date of receipt of the dossier from the recommending agency in case the State President will sign the treaty with the Head(s) of other State(s);

c/ To report to the State President on the negotiation and signing of a treaty in the name of the State other than the case stated at Point b, Clause 4 of this Article or of a treaty in the name of the Government containing a provision that the treaty is subject to ratification, at least fifteen days before making decision on the negotiation and signing of the treaty;

d/ To submit to the National Assembly Standing Committee for consideration the negotiation and signing of a treaty containing provisions that contravene, or have not been made in, legal documents promulgated by the National Assembly and its Standing Committee, or a treaty the implementation of which requires amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly or the National Assembly Standing Committee, within fifteen days after the date of receipt of the dossier submitted by the recommending agency.

5. The National Assembly Standing Committee shall give its opinions on the negotiation and signing of a treaty stated at Point d, Clause 4 of this Article within thirty days after the date of receipt of the dossier submitted by the Government.

In case of giving opinions on the negotiation and signing of a treaty containing provisions contrary to legal documents of the National Assembly, the National Assembly Standing Committee shall report it to the National Assembly for opinions.

Article 13.- Order and procedures for the National Assembly Standing Committee to give opinions on the negotiation and signing of treaties

1. The National Assembly Standing Committee shall give its opinions on the negotiation and conclusion of treaties stated at Point d, Clause 4, Article 12 of this Law at its session in the following order:

a/ The Government's representative makes a presentation on the negotiation and signing of the treaty in question;

b/ Representatives of the Foreign Affairs Committee, the Ethnic Council and concerned committees of the National Assembly present their opinions;

c/ Representatives of concerned agencies and organizations invited to participate in the session present their opinions;

d/ The National Assembly Standing Committee debates;

e/ The chairperson of the session summarizes the opinions of the Standing Committee members on the negotiation and signing of the treaty;

f/ The National Assembly Standing Committee adopts the opinions on the negotiation and signing of the treaty.

2. Opinions of the National Assembly Standing Committee on the negotiation and signing of treaties shall be made in writing and serve as a basis for the State President or the Government to consider and decide to negotiate and sign such treaties.

In case of giving opinions on the negotiation and signing of a treaty containing provisions contrary to legal documents of the National Assembly, the National Assembly Standing Committee shall report it to the National Assembly for opinions.

Article 14.- Contents of submission documents, reports on recommendations on the negotiation and signing of treaties

A submission document or report on the recommendation on the negotiation and signing of a treaty shall contain the following contents:

1. The necessity, requirements and objectives of the negotiation and signing of the treaty;
2. Main contents of the treaty;
3. The title, form and the name in which the treaty shall be signed, the representative for signing, the language(s), entry into force and manner of entry into force, duration of effect and provisional application of the treaty;
4. Rights and obligations arising from the treaty with respect to the Socialist Republic of Vietnam;
5. Assessment of political, socio-economic and other impacts;
6. Evaluation of the observance of the principles set forth in Article 3 of this Law;
7. Evaluation of the conformity of the contents of the treaty with other treaties on the same field, to which the Socialist Republic of Vietnam is a party;
8. Evaluation of the compatibility between the provisions of the treaty and the provisions of Vietnamese laws;
9. Recommendations on any reservation, acceptance of or objection to reservation(s) made by the foreign contracting party(ies), declaration with respect to the multilateral treaty;
10. Recommendations on direct application of the whole or part of the treaty or recommendations on amendment, supplementation, cancellation or promulgation of legal documents for the implementation of the treaty;
11. Issues on which opinions remain divergent between the recommending agency and concerned agencies and organizations, between Vietnam and the foreign contracting party (parties), as well as recommendations on the measures to handle such issues.

Article 15.- Dossiers submitted for the negotiation and signing of treaties

1. The dossier submitted by the recommending agency to the Government shall comprise:
 - a/ The recommending agency's submission document, with the contents stated in Article 14 of this Law;
 - b/ The Vietnamese and foreign-language texts of the treaty; in case the treaty will be signed only in foreign language(s), the Vietnamese translation is required;
 - c/ Examination opinions of the Ministry of Foreign Affairs, evaluation opinions of the Ministry of Justice, and opinions of concerned agencies and organizations;
 - d/ Other necessary documents.
2. The dossier submitted or report made by the Government to the State President on the negotiation and signing of a treaty in the name of the State to be signed by the State President and the Head(s) of other State(s) or on the negotiation and signing of a treaty in the name of the State or a treaty in the name of the Government, which is subject to ratification, shall comprise:
 - a/ The Government's submission document or report, with the contents stated in Article 14 of this Law;

b/ The reason for the treaty in the name of the Government to be subject to ratification;

c/ The Vietnamese and foreign-language texts of the treaty; in case the treaty will be signed only in foreign language(s), the Vietnamese translation is required;

d/ Other necessary documents.

3. The dossier submitted by the Government to the National Assembly Standing Committee for consideration on the negotiation and signing of a treaty containing provisions that contravene, or have not been made in, legal documents promulgated by the National Assembly or the National Assembly Standing Committee or a treaty the implementation of which requires amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly or the National Assembly Standing Committee, shall comprise:

a/ The Government's submission document, with the contents stated in Article 14 of this Law;

b/ The Vietnamese and foreign-language versions of the treaty; in case the treaty will be signed only in foreign language(s), the Vietnamese translation is required;

c/ Other necessary documents.

Article 16.- Language(s), form of a treaty

1. A bilateral treaty shall have a text in Vietnamese, unless otherwise agreed upon between the Vietnamese party and the foreign contracting party. The Vietnamese text of a treaty must be commented by the Ministry of Foreign Affairs before recommendations on the negotiation and signing of the treaty are submitted to the Government.

In cases where a treaty shall be signed only in foreign language(s), the recommending agency shall have to translate the treaty into Vietnamese and consult the Ministry of Foreign Affairs on the comparison between the Vietnamese translation and the text in the language(s) in which the treaty will be signed before recommendations on the negotiation and signing of the treaty are submitted to the Government.

2. The original text of a bilateral treaty for the Vietnamese party must be printed on treaty paper, bound with treaty covers and sealed with the embossed stamp of the Ministry of Foreign Affairs or of the foreign-based diplomatic mission of the Socialist Republic of Vietnam, unless otherwise agreed by the contracting parties.

Section 2. Evaluation of Treaties

Article 17.- Treaties subject to evaluation

A treaty must be evaluated before recommendations on the negotiation and signing of the treaty are submitted to the Government.

Article 18.- Scope of evaluation of treaties

A treaty shall be evaluated in terms of:

1. The conformity with the Constitution;
2. The compatibility with the provisions of Vietnamese laws;
3. The possibility of direct application of the whole or part of the treaty;
4. The requirements for amendment, supplementation, cancellation or promulgation of legal documents for the implementation of the treaty.

Article 19.- Competence to evaluate treaties

1. The Ministry of Justice shall be responsible for evaluating treaties.
2. In case of evaluating a treaty recommended for negotiation and signing by the Ministry of Justice or a treaty recommended for negotiation and signing by another agency but on which opinions are divergent, the Minister of Justice shall establish a Council for evaluating the treaty.

Members of the Treaty-Evaluating Council shall include representatives from the Ministry of Foreign Affairs, the Government Office, and concerned agencies and organizations.

Article 20.- Order and procedures for evaluating treaties

1. The recommending agency shall have to send the Ministry of Justice a dossier of request for evaluation of the treaty before submitting to the Government recommendations on the negotiation and signing of the treaty.
2. The Ministry of Justice or the Evaluating Council shall evaluate the treaty, then send the evaluation results to the recommending agency and the Ministry of Foreign Affairs within fifteen days after the date of receipt of the dossier of request for evaluation.
3. In cases where the evaluated treaty contains provisions that contravene, or have not been made in, legal documents promulgated by the National Assembly or the National Assembly Standing Committee, or a treaty the implementation of which requires amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly or the National Assembly Standing Committee, the Ministry of Justice shall have to coordinate with the recommending agency in proposing measures to handle these cases.

Article 21.- Dossiers of request for evaluation of treaties

1. A dossier of request for evaluation of a treaty shall comprise:
 - a/ A written request for evaluation, which assesses the conformity of the treaty with the Constitution, the compatibility between the treaty and legal documents, and the possibility of direct application of the whole or part of the treaty, and proposes amendment, supplementation, cancellation or promulgation of legal documents for the implementation of the treaty;
 - b/ A draft submission document of the Government, recommending the negotiation and signing of the treaty;
 - c/ Copies of the Vietnamese and foreign-language versions of the treaty; in case the treaty will be signed only in foreign language(s), its Vietnamese translation is required;
 - d/ Opinions of concerned agencies and organizations;
 - e/ Other necessary documents.
2. The required number of sets of a dossier sent for evaluation is five.

**Section 3. Full Powers for Negotiation and Signing of Treaties,
Credentials for Participation in International Conferences**

Article 22.- Negotiation and signing of treaties without requiring Full Powers, participation in international conferences without requiring Credentials

1. The State President, the Prime Minister and the Minister of Foreign Affairs do not need Full Powers for negotiating and signing treaties and do not need Credentials for participating in

international conferences in relation to the negotiation and adoption of the texts of treaties or implementation of treaties (hereafter referred to as international conferences).

2. Heads of foreign-based diplomatic missions of the Socialist Republic of Vietnam do not need Full Powers for negotiating and adopting the texts of treaties between the Socialist Republic of Vietnam and the host countries.

3. Heads of permanent representative missions of the Socialist Republic of Vietnam in international organizations or in agencies of such organizations do not need Credentials for negotiating and adopting the texts of treaties with such international organizations or agencies.

Article 23.- Negotiation and signing of treaties requiring Full Powers, participation in international conferences requiring Credentials

1. The negotiation and signing of treaties or participation in international conferences shall require Full Powers or Credentials, except for the cases stated in Article 22 of this Law.

2. Heads of delegations for negotiation of treaties to be signed directly by the State President and the Heads of other States must be authorized by the State President in written form.

3. Heads of delegations for negotiation and signing of treaties in the name of the Government or treaties in the name of the State, which the Government has decided on their negotiation and signing, must be authorized by the Government in written form.

4. Heads of delegations participating in international conferences must be mandated by the Government in written form.

In case it is required to mandate members of a delegation of Vietnam to participate in an international conference in accordance with the rules of the conference, the recommending agency shall have to submit the issue to the Government for decision.

5. Persons authorized to negotiate or sign treaties or mandated to participate in international conferences must be leaders of the recommending agencies or those who have been nominated by the recommending agencies and decided by the Government, after consulting the Ministry of Foreign Affairs.

6. In case of not sending any person for signing a treaty or participating in an international conference abroad, after having reached an agreement with the Ministry of Foreign Affairs, the recommending agency shall propose the Government to authorize or mandate the head of the diplomatic mission or permanent representative mission of the Socialist Republic of Vietnam in an international organization or in an agency of such organization or another representative to sign such treaty or to participate in the international conference.

Article 24.- Diplomatic procedures for issuing Full Powers, Credentials

1. The Ministry of Foreign Affairs shall complete diplomatic procedures for issuing Full Powers for negotiation or signing of a treaty or Credentials for participation in an international conference within ten days after the date of receipt of the written decision made by the competent state agency on the negotiation and signing of the treaty or participation in the international conference.

2. The Minister of Foreign Affairs shall sign Full Powers for negotiation and signing of treaties or Credentials for participation in international conferences; if the Minister of Foreign Affairs is absent, a Vice-Minister of Foreign Affairs, who is authorized by the Minister of Foreign Affairs, shall sign such documents.

3. In cases where a decision on authorization or mandate does not specify the person authorized or mandated and the full title of the treaty in the Vietnamese and foreign language(s), at least five days before the start of the negotiation or signing of the treaty or participation in the international conference, the recommending agency shall have to notify in writing the Ministry of Foreign Affairs of the said information for the completion of the procedures for issuing Full Powers or Credentials.

4. The recommending agencies shall have to submit in a timely manner to the State President or the Government for decision any changes relating to the persons authorized or mandated; the Ministry of Foreign Affairs shall complete diplomatic procedures for issuing Full Powers or Credentials under the provisions of Clauses 1, 2 and 3 of this Article, upon the decision made by the State President or the Government.

Section 4. Signing of Treaties

Article 25.- Check, comparison of the texts of treaties

Before initialing or signing a treaty, the recommending agency shall coordinate with the Ministry of Foreign Affairs and concerned state agencies in checking and comparing the text in Vietnamese and the text in foreign language(s) to ensure the correctness of the contents and the uniformity of the form of the texts of the treaty.

Article 26.- Authentication of the texts of treaties

1. The text of a treaty shall be authenticated according to the procedures provided for in the treaty or as agreed upon between the Vietnamese party and the foreign contracting party(ies) participating in drafting the treaty.

2. Failing the procedures provided for in Clause 1 of this Article, the text of a treaty shall be deemed as authentic when competent representatives of the Vietnamese side and the foreign contracting party(ies) initial or sign the treaty.

3. The authenticated text of a treaty is the final text of the treaty.

Article 27.- Signing of treaties

1. The recommending agencies shall have to coordinate with the Ministry of Foreign Affairs in completing the signing procedures and finalizing the texts of treaties and organizing the signing ceremonies of treaties. The signing ceremonies shall be held solemnly; on the signing table there must be national flags of Vietnam and of the foreign contracting party(ies) or international organization concerned, unless otherwise provided for by the contracting parties.

2. In cases where the competent state agency has decided to approve the signing of a treaty, however it is impossible to organize the signing of such treaty, the recommending agency shall promptly report the case to the Government, recommending handling measures and, at the same time, notify the Ministry of Foreign Affairs thereof for coordination.

3. In cases where there are changes relating to the name under which the treaty will be signed, rights and obligations of the Vietnamese side, which contain provisions that contravene, or have not been made in, legal documents promulgated by the National Assembly or the National Assembly Standing Committee, or other fundamental changes in the text of the treaty the signing of which has been approved by the competent state agency, such treaty shall only be signed after its signing is approved by the competent state agency.

Article 28.- Signing of treaties during visits by high-level delegations

1. The recommending agencies shall have to coordinate with the Ministry of Foreign Affairs in completing the signing procedures and finalizing the texts of treaties the signing of which has been approved by competent state agencies during the visits by high-level Vietnamese delegations to foreign countries or by high-level foreign delegations to Vietnam.

2. The recommending agencies shall have to promptly report to competent state agencies, with recommendations on handling measures and, at the same time, notify the Ministry of Foreign Affairs for coordination the case where it is impossible to organize the signing of a

treaty during a visit by a high-level Vietnamese delegation to a foreign country or by a high-level foreign delegation to Vietnam, though the signing of the treaty has been approved by the competent state agency.

3. The Ministry of Foreign Affairs shall assume the prime responsibility for or coordinate the check and comparison of the final texts of treaties, and coordinate with the foreign parties in organizing the signing ceremonies of treaties during visits by high-level Vietnamese delegations to foreign countries or by high-level foreign delegations to Vietnam, unless otherwise agreed upon with foreign parties or otherwise decided by competent state agencies.

Article 29.- Responsibility to transmit texts of treaties after their signing

1. Within ten days after the date of signing of a bilateral treaty in Vietnam or after the date of arrival of the delegation for negotiation and signing of the treaty in case the treaty was signed abroad, the recommending agency shall have to send the original text of the treaty and the Vietnamese translation of the treaty in case it was signed only in foreign language(s) and an electronic version of the contents of the text of the treaty in the Vietnamese and foreign language(s) to the Ministry of Foreign Affairs for completion of treaty procedures.

2. In cases where the head of a diplomatic mission or permanent representative mission of the Socialist Republic of Vietnam in an international organization signs a treaty, the person who signed the treaty shall have to report and promptly transmit a copy of the signed treaty to the Ministry of Foreign Affairs and send, within fifteen days after the date of signing, the original text of the treaty to the recommending agency.

Within ten days after the date of receipt of the original text of the treaty, the recommending agency shall perform its responsibilities stated in Clause 1 of this Article.

3. The recommending agency shall have to send a copy of a multilateral treaty, which has been authenticated by the depository of the multilateral treaty, a Vietnamese translation of the treaty and an electronic version of the contents of the text of the treaty in the Vietnamese and foreign language(s) to the Ministry of Foreign Affairs for completion of treaty procedures within ten days after the date of receipt of such copy sent by the depository of the multilateral treaty.

Section 5. Ratification of Treaties

Article 30.- Recommendations on ratification of treaties

1. The recommending agency shall submit to the Government for further submission to the State President the ratification of a treaty, after having obtained written opinions from the Ministry of Foreign Affairs and concerned agencies and organizations, in case the signed treaty is subject to ratification.

In cases where the Ministry of Foreign Affairs is the agency recommending the ratification of a treaty, it shall submit to the Government for further submission to the State President the ratification of the treaty, after having obtained written opinions from concerned agencies and organizations.

2. In cases where the State President submits to the National Assembly for decision the ratification of a treaty, the Office of the State President shall coordinate with the recommending agency to send the dossier of request for verification of the treaty to the verifying agency.

Article 31.- Treaties subject to ratification

Treaties subject to ratification include:

1. Treaties that contain provisions that the treaties are subject to ratification;
2. Treaties signed in the name of the State;

3. Treaties signed in the name of the Government, which contain provisions contrary to the provisions of legal documents promulgated by the National Assembly or the National Assembly Standing Committee or relating to the state budget.

Article 32.- Competence to decide on the ratification of treaties and contents of such decision

1. The National Assembly shall decide to ratify treaties signed by the State President and the Head(s) of other State(s); ratify other treaties at the proposal of the State President.

2. The State President decides to ratify treaties defined in Article 31 of this Law, except for the case stated in Clause 1 of this Article.

3. A decision to ratify a treaty shall have the following contents:

a/ The title, time and place of signing of the treaty which is ratified;

b/ Contents of reservation, acceptance of or objection to reservation(s) made by the foreign contracting party(ies), declaration with respect to a multilateral treaty, and other necessary issues;

c/ The decision on direct application of the whole or part of the treaty; the decision or proposal to amend, supplement, cancel or promulgate legal documents of the National Assembly and the National Assembly Standing Committee for the implementation of the ratified treaty;

d/ The responsibilities of the recommending agency, the Ministry of Foreign Affairs and other concerned agencies and organizations in completing the procedures for ratifying and organizing the implementation of the treaty.

Article 33.- Treaties subject to verification

Treaties submitted to the National Assembly for ratification shall be subject to verification.

Article 34.- Scope of verification of treaties

Treaties shall be verified in terms of the following contents:

1. The necessity of ratification;

2. The observance of the order and procedures for recommending ratification;

3. The conformity with the Constitution and the compatibility with legal documents promulgated by the National Assembly and the National Assembly Standing Committee;

4. The possibility of direct application of the whole or part of the treaty;

5. The requirement for amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly and the National Assembly Standing Committee for the implementation of the treaty.

Article 35.- Competence to verify treaties

The Foreign Affairs Committee of the National Assembly shall assume the prime responsibility for verifying treaties. The Ethnic Council and other Committees of the National Assembly shall be responsible for participating in verifying treaties within the domains under their charge or as assigned by the National Assembly Standing Committee.

Article 36.- Order and procedures for verifying treaties

1. The Office of the State President shall coordinate with the recommending agencies in submitting the dossiers of request for verification of treaties to the agency with the prime verifying responsibility and the verification-participating agencies at least twenty days before the date of opening of the session of the National Assembly Standing Committee or at least thirty days before the date of opening of the session of the National Assembly.

2. The agency with the prime verifying responsibility shall convene meetings for the verification of treaties with the participation of the verification-participating agencies and concerned agencies and organizations within fifteen days after the date of receipt of the dossiers of request for verification.

3. The verification of a treaty shall be conducted in the following order:

a/ The Government's representative makes a presentation on the treaty;

b/ The participants in the meeting raise questions and the Government's representative gives additional information;

c/ A representative of the standing body of the Foreign Affairs Committee expresses his/her opinions;

d/ Representatives of the standing bodies of the verification-participating Council and/or Committees and representatives of the concerned agencies and organizations participating in the meeting express their opinions;

e/ Members of the Foreign Affairs Committee debate.

In the course of verification, the Government's representative may give additional explanations to clarify the matters raised or requested by Foreign Affairs Committee and/or participants in the verification meeting;

f/ The chairman of the meeting concludes; for important and necessary issues, he/she shall put them to vote.

4. Reports on verification of treaties for submission to the National Assembly and National Assembly Standing Committee must fully reflect the opinions of the Foreign Affairs Committee members and the opinions of the verification-participating Ethnic Council and/or Committees.

Verification reports shall be sent to the National Assembly and the National Assembly Standing Committee within the time limits provided for by law.

Article 37.- Dossiers of request for verification of treaties

A dossier of request for verification of a treaty shall comprise:

1. The State President's report on the recommendation of the ratification of the treaty;

2. A copy of the treaty and the Vietnamese translation in case the treaty was signed only in foreign language(s);

3. Other necessary documents.

Article 38.- Order and procedures for submitting and deciding on the ratification of treaties

1. The recommending agency shall have to obtain opinions from the Ministry of Foreign Affairs and concerned agencies and organizations on the ratification of a treaty within fifteen days after the date of receipt of the original text or a copy of the treaty as provided for in Article 29 of this Law.

2. The consulted agencies and organizations stated in Clause 1 of this Article shall have to send their written replies to the recommending agency within fifteen days after the date of receipt of the written requests for opinions.

3. The recommending agency shall submit to the Government for further submission to the State President the ratification of a treaty within fifteen days after the date of receipt of written replies from concerned agencies and organizations.
4. The Government shall submit to the State President for decision the ratification of a treaty within fifteen days after the date of receipt of the dossier for ratification of the treaty.
5. The State President shall consider and decide to ratify a treaty within fifteen days after the date of receipt of the dossier submitted by the Government or submit the treaty to the National Assembly for ratification at least thirty days before the date of opening of the National Assembly session.
6. The National Assembly shall decide to ratify treaties at its sessions.

Article 39.- Order and procedures for the National Assembly to consider and ratify treaties at its sessions

The National Assembly shall consider and ratify a treaty at its sessions in the following order:

1. The State President reports on the recommendation of the ratification of a treaty;
2. A Government's representative makes a presentation on the treaty;
3. A Foreign Affairs Committee's representative presents the verification report;
4. The National Assembly debates basic contents of the treaty in plenary session; before plenary session debate, groups or delegations of National Assembly deputies may discuss the contents of the treaty;

In the course of debate, the agency recommending the ratification of the treaty may give additional information on the matters relating to the contents of the treaty;

5. The National Assembly votes to adopt a resolution on the ratification of the treaty.

A treaty shall be ratified once it is voted for by more than half of the total number of National Assembly deputies. The National Assembly chairman shall sign the resolution on the ratification of the treaty for authentication. The State President shall sign an order to promulgate the National Assembly resolution on the ratification of the treaty.

Article 40.- Dossiers submitted for ratification of treaties

1. A dossier submitted by the recommending agency to the Government for further submission to the State President for the ratification of a treaty shall comprise:

a/ The recommending agency's submission document, which contains an assessment of the impacts of the treaty on Vietnam, recommendations on the ratification, time for ratification, the contents of reservation, acceptance of or objection to the reservation(s) made by the foreign contracting party(ies), declaration with respect to a multilateral treaty; recommendations on the direct application of the whole or part of the treaty, amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly, the National Assembly Standing Committee or the Government for the implementation of the treaty;

b/ A copy of the treaty and the Vietnamese translation in case the treaty was signed only in foreign language(s);

c/ The opinions of the Ministry of Foreign Affairs and concerned agencies and organizations;

d/ A proposed plan for implementation of the treaty;

e/ Other necessary documents.

2. A dossier submitted by the Government to the State President for the ratification of a treaty shall comprise:

a/ The Government's submission document, which contains an assessment of the impacts of the treaty on Vietnam, recommendations on the ratification, the contents of reservation, acceptance of or objection to the reservation(s) made by the foreign contracting party(ies), declaration with respect to a multilateral treaty; recommendations on the direct application of the whole or part of the treaty, amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly and the National Assembly Standing Committee for the implementation of the treaty;

b/ A copy of the treaty and the Vietnamese translation in case the treaty was signed only in foreign language(s);

c/ Other necessary documents;

3. A dossier submitted by the State President to the National Assembly for the ratification of a treaty shall comprise:

a/ The State President's submission document, which clearly states the reasons for the proposed ratification of the treaty by the National Assembly, contains an assessment of the impacts of the treaty on Vietnam, recommendations on the contents of reservation, acceptance of or objection to the reservation(s) made by the foreign contracting party(ies), declaration with respect to a multilateral treaty; recommendations on the direct application of the whole or part of the treaty, amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly, the National Assembly Standing Committee for the implementation of the treaty;

b/ A copy of the treaty and the Vietnamese translation in case the treaty was signed only in foreign language(s);

c/ Other necessary documents.

Article 41.- Notification of the ratification of treaties

1. The Ministry of Foreign Affairs shall notify foreign contracting party(ies) or the depository of the multilateral treaty of the ratification of a treaty within fifteen days after the date of signing of the order by the State President on the promulgation of the National Assembly resolution on the ratification of the treaty, or after the date of receipt of the State President decision on the ratification of the treaty.

2. The State President shall sign the instruments of ratification of a bilateral treaty. Instruments of ratification of a bilateral treaty shall have the contents specified at Points a and b, Clause 3, Article 32 of this Law and other necessary contents.

The Ministry of Foreign Affairs shall carry out the procedures for exchanging the instruments of ratification of a treaty with the foreign contracting party if so stipulated in the bilateral treaty or so agreed with the foreign contracting party that the procedures for exchanging the instruments of ratification must be completed in order to enforce the treaty.

3. The Minister of Foreign Affairs shall sign the instruments of ratification of a multilateral treaty to be sent to the depository of such treaty.

In cases where the Minister of Foreign Affairs is absent, a Vice-Minister of Foreign Affairs, who is authorized by the Minister of Foreign Affairs, shall sign such instruments, unless otherwise provided for by the depository of the multilateral treaty.

4. The Ministry of Foreign Affairs shall notify concerned agencies of the date of entry into force of a treaty within fifteen days after the date of entry into force of the ratified bilateral treaty or after the date of receipt of the notification by the depository of the date of entry into force of the multilateral treaty for the Socialist Republic of Vietnam.

Section 6. Approval of Treaties

Article 42.- Recommendations on approval of treaties

The recommending agency shall submit a treaty to the Government for decision and approval after having obtained written opinions of the Ministry of Foreign Affairs and concerned agencies and organizations in case the signed treaty is subject to approval; in case the Ministry of Foreign Affairs recommends the approval of a treaty, it shall submit the treaty to the Government for decision and approval after having obtained written opinions of concerned agencies and organizations.

Article 43.- Treaties subject to approval

The following treaties are subject to approval:

1. Treaties in the name of the Government which contain a provision requiring approval;
2. Treaties in the name of the Government which contain provisions contrary to the provisions of legal documents of the Government;
3. Treaties in the name of the Government which contain a provision requiring the completion of domestic legal procedures.

Article 44.- Competence to decide on the approval of treaties and contents of such decision

1. The Government shall decide to approve treaties specified in Article 43 of this Law.
2. A decision to approve a treaty shall contain the following contents:
 - a/ The title, time and place of signing of the treaty;
 - b/ The contents of reservation, acceptance of or objection to the reservation(s) made by the foreign contracting party(ies), declaration with respect to a multilateral treaty and other necessary issues;
 - c/ Decision on direct application of the whole or part of the treaty; proposal or decision to amend, supplement, cancel or promulgate legal documents of the National Assembly, the National Assembly Standing Committee and the Government for the implementation of the approved treaty;
 - d/ The responsibilities of the recommending agency, the Ministry of Foreign Affairs and other concerned agencies and organizations for completing the procedures for approval and organizing the implementation of the treaty.

Article 45.- Order and procedures for submitting and deciding on the approval of treaties

1. The recommending agency shall have to obtain opinions of the Ministry of Foreign Affairs and concerned agencies and organizations on the approval of a treaty within fifteen days after the date of receipt of the original text or a copy of the treaty as provided for in Article 29 of this Law.
2. The consulted agencies and organizations stated in Clause 1 of this Article shall have to send written replies to the recommending agency within fifteen days after the date of receipt of the written requests for opinions.
3. The recommending agency shall submit the treaty to the Government for decision and approval within fifteen days after the date of receipt of written replies from concerned agencies and organizations.

4. The Government shall decide on the approval of the treaty within fifteen days after the date of receipt of the dossier submitted by the recommending agency.

Article 46.- Dossiers submitted for the approval of treaties

A dossier submitted by the recommending agency to the Government for the approval of a treaty shall comprise:

1. The recommending agency's submission document, which contains an assessment of the impacts of the treaty on Vietnam; recommendations on the approval, point of time for approval, the contents of reservation, acceptance of or objection to the reservation(s) made by the foreign contracting party(ies), declaration with respect to a multilateral treaty; recommendations on direct application of the whole or part of the treaty, amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly, the National Assembly Standing Committee and the Government for the implementation of the treaty;
2. A copy of the treaty and the Vietnamese translation in case the treaty was signed only in foreign language(s);
3. The opinions of the Ministry of Foreign Affairs and concerned agencies and organizations;
4. A proposed plan on the implementation of the treaty;
5. Other necessary documents.

Article 47.- Notification of the approval of treaties

1. The Ministry of Foreign Affairs shall notify the foreign contracting party(ties) or the depository of a multilateral treaty of the approval of a treaty within fifteen days after the date of the approval decision made by the Government.
2. The Minister of Foreign Affairs shall sign the instruments of approval of a multilateral treaty to be sent to the depository of the treaty.

In cases where the Minister of Foreign Affairs is absent, a Vice-Minister of Foreign Affairs, who is authorized by the Minister of Foreign Affairs, shall sign such instruments, unless otherwise provided for by the depository.

3. The Ministry of Foreign Affairs shall notify concerned agencies and organizations of the date of entry into force of a treaty within fifteen days after the date of entry into force of the approved treaty or after the date of receipt of the notification from the depository of the date of entry into force of the multilateral treaty for the Socialist Republic of Vietnam.

Article 48.- Exchange of instruments constituting treaties

1. The instruments exchanged between the Socialist Republic of Vietnam and a foreign contracting party shall constitute a bilateral treaty, if it is so provided in the exchanged documents.
2. The provisions of Articles from 9 to 29 of this Law shall apply to the exchange of documents constituting treaties.

Chapter III. ACCESSION TO MULTILATERAL TREATIES

Article 49.- Responsibility for recommendation on accession to multilateral treaties

1. The recommending agencies, on the basis of their legally defined tasks and powers and the requirement for international cooperation, shall take initiative in submitting to the Government recommendations on the accession to multilateral treaties.

2. Before submitting recommendations on accession to treaties to the Government, the recommending agencies must obtain written examination opinions of the Ministry of Foreign Affairs in accordance with the provisions of Article 10 of this Law, evaluation opinions of the Ministry of Justice in accordance with the provisions of Articles 17 to 21 of this Law, and opinions of concerned agencies and organizations.

3. In cases where the Ministry of Foreign Affairs submits the recommendation on the accession to a multilateral treaty to the Government, it must obtain evaluation opinions from the Ministry of Justice and written opinions from concerned agencies and organizations.

The Ministry of Foreign Affairs shall assume the prime responsibility for, and coordinate with concerned agencies and organizations, in submitting to the Government recommendations on the accession to multilateral treaties on peace, security, national boundaries, territory and sovereignty.

4. In cases where the State President submits to the National Assembly for decision the accession to a multilateral treaty, the Office of the State President shall coordinate with the recommending agency in submitting to the verifying agency the dossier of request for verification.

Article 50.- Competence to decide on accession to multilateral treaties and contents of such decisions

1. The National Assembly shall decide on the accession to multilateral treaties at the proposal of the State President.

2. The State President shall decide on the accession to multilateral treaties in the name of the State and multilateral treaties subject to ratification, except for the case stated in Clause 1 of this Article.

3. The Government shall decide on the accession to multilateral treaties in the name of the Government.

4. A decision on the accession to a multilateral treaty shall have the following contents:

a/ The title, time and place of signing or approval of the acceded treaty;

b/ The contents of reservation, acceptance of or objection to the reservation(s) made by the foreign contracting parties, declaration with respect to the multilateral treaty and other necessary issues;

c/ The decision on direct application of the whole or part of the treaty; the decision or proposal to amend, supplement, cancel or promulgate legal documents of the National Assembly, the National Assembly Standing Committee or the Government for the implementation of the acceded treaty;

d/ The responsibilities of the recommending agency, the Ministry of Foreign Affairs and other concerned agencies and organizations for completing the procedures for accession to and organizing the implementation of the treaty.

Article 51.- Order and procedures for submitting recommendations and deciding on accession to multilateral treaties

1. At least thirty days before submitting to the Government the recommendation on the accession to a multilateral treaty, the recommending agency shall have to obtain written examination opinions from the Ministry of Foreign Affairs, evaluation opinions from the Ministry of Justice, and opinions from concerned agencies and organizations.

2. The consulted agencies and organizations stated in Clause 1 of this Article shall have to send their written replies to the recommending agency within fifteen days after the date of receipt of the written request for opinions.

3. The recommending agency shall submit to the Government the recommendation on the accession to the multilateral treaty within fifteen days after the date of receipt of written opinions of the agencies and organizations stated in Clause 1 of this Article.

4. The Government shall decide:

a/ To accede to a multilateral treaty in the name of the Government within fifteen days after the date of receipt of the dossier submitted by the recommending agency or after the date of receipt of opinions of the National Assembly or the National Assembly Standing Committee on the accession to a multilateral treaty containing provisions which contravene, or have not been made in, legal documents promulgated by the National Assembly or the National Assembly Standing Committee or a treaty the implementation of which requires amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly or the National Assembly Standing Committee;

b/ To submit to the State President the accession to a multilateral treaty specified in Clause 2, Article 50 of this Law within fifteen days after the date of receipt of the dossier submitted by the recommending agency;

c/ To submit to the National Assembly Standing Committee for opinion the accession to a multilateral treaty containing provisions which contravene, or have not been made in, legal documents promulgated by the National Assembly or the National Assembly Standing Committee or a treaty the implementation of which requires amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly or the National Assembly Standing Committee, within fifteen days after the date of receipt of the dossier submitted by the recommending agencies.

5. The National Assembly Standing Committee shall give opinions on the accession to a multilateral treaty specified at Point c, Clause 4 of this Article in the order provided for in Article 13 of this Law.

6. The State President shall decide:

a/ To accede to a multilateral treaty specified in Clause 2, Article 50 of this Law, within fifteen days after the date of receipt of the dossier submitted by the Government;

b/ To submit to the National Assembly for decision the accession to a multilateral treaty specified in Clause 1, Article 50 of this Law at least thirty days before the date of opening of the National Assembly session.

7. The National Assembly shall decide on the accession to a multilateral treaty at its session in the order and according to the procedures provided for in Article 39 of this Law; before being submitted to the National Assembly, the treaty must be verified in the order and according to the procedures provided for in Articles 34 to 37 of this Law.

Article 52.- Dossiers submitted for the accession to multilateral treaties

1. A dossier submitted by the recommending agency to the Government for the accession of a multilateral treaty shall comprise:

a/ The recommending agency's rational document, with the contents specified in Article 14 of this Law;

- b/ A copy of the treaty and the Vietnamese translation of the treaty;
- c/ Examination opinions of the Ministry of Foreign Affairs, evaluation opinions of the Ministry of Justice, and opinions of concerned agencies and organizations;
- d/ The list of parties to the treaty, documents on amendments, supplements to the treaty, reservations, acceptance of or objection to reservations, declarations made by the foreign contracting parties with respect to the treaty, legal procedures required for, and other necessary information relating to, the accession to the treaty;
- e/ A proposed plan for the implementation of the treaty;
- f/ Other necessary documents.

2. A dossier submitted by the Government to the State President for the accession to a multilateral treaty shall comprise:

- a/ The Government's submission document, which contains an assessment of the impacts of the treaty on Vietnam; recommendations on the accession, the contents of reservation, acceptance or objection to the reservation(s) made by the foreign contracting parties, declaration with respect to a multilateral treaty; recommendations on direct application of the whole or part of the treaty, amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly or the National Assembly Standing Committee for the implementation of the treaty;
- b/ A copy of the treaty and the Vietnamese translation of the treaty;
- c/ The list of parties to the treaty, documents on amendments, supplements to the treaty, reservations, acceptance of or objection to reservations, declarations made by the foreign contracting parties with respect to the treaty, legal procedures required for, and other necessary information relating to, the accession of the treaty;
- d/ Opinions of the National Assembly Standing Committee or the National Assembly in case of recommendation on the accession to a multilateral treaty specified at Point c, Clause 4, Article 51 of this Law;
- e/ Other necessary documents.

3. In case the Government submits to the National Assembly Standing Committee for consideration the accession to a multilateral treaty specified at Point c, Clause 4, Article 51 of this Law, the Government's dossier shall comprise documents stated at Points a, b, c and e, Clause 2 of this Article.

4. A dossier submitted by the State President to the National Assembly for the accession to a multilateral treaty shall comprise:

- a/ The State President's submission document, which clearly spells out the reasons for proposing the National Assembly to decide on the accession, contains an assessment of the impacts of the treaty on Vietnam, recommendations on the accession, the contents of reservation, acceptance or objection to the reservation(s) made by the foreign contracting parties, declaration with respect to a multilateral treaty; recommendations on direct application of the whole or part of the treaty, amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly or the National Assembly Standing Committee for the implementation of the treaty;
- b/ A copy of the treaty and the Vietnamese translation of the treaty;
- c/ The list of parties to the treaty, documents on amendments, supplements to the treaty, reservations, acceptance of or objection to reservations, declarations made by the foreign contracting parties with respect to the treaty, legal procedures required for the accession to and other necessary information relating to the accession of the treaty;
- d/ Other necessary documents.

Article 53.- Notification of accession to multilateral treaties

1. The Ministry of Foreign Affairs shall notify the depository of a multilateral treaty of the accession to the treaty within fifteen days after the date of signing of the order by the State President to promulgate the National Assembly resolution on the accession to the treaty or after the date of receipt of the decision made by the State President or the Government on the accession to the treaty.

2. The Minister of Foreign Affairs shall sign the instruments of accession to a multilateral treaty to be sent to the depository of the multilateral treaty.

In cases where the Minister of Foreign Affairs is absent, a Vice-Minister of Foreign Affairs, who is authorized by the Minister of Foreign Affairs, shall sign such instruments, unless otherwise provided for by the depository of the multilateral treaty.

3. The Ministry of Foreign Affairs shall notify concerned state agencies of the date of entry into force of a multilateral treaty for the Socialist Republic of Vietnam within fifteen days after the date of receipt of notification by the depository of the multilateral treaty.

Chapter IV. RESERVATIONS TO MULTILATERAL TREATIES

Article 54.- Reservations made by the Socialist Republic of Vietnam

1. The recommending agency shall have to clearly state, in its submission document submitted to the Government on the signing, approval, ratification of or accession to a multilateral treaty to which reservations are allowed and which contain provision(s) to which the Socialist Republic of Vietnam should declare its reservation(s), the proposal for reservation(s), the requirements, contents and time for declaration of reservations.

2. The recommending agency shall have to clearly state, in its submission document submitted to the Government on the ratification or approval of a multilateral treaty, the proposal to formally confirm the reservation(s) declared by the Socialist Republic of Vietnam at the time of signing of the multilateral treaty.

3. The state agency competent to decide on the signing, ratification, approval of or accession to a multilateral treaty shall also be competent to decide on making reservation(s) to such treaty.

Article 55.- Notification of reservations made by the Socialist Republic of Vietnam

1. The recommending agency shall coordinate with the Ministry of Foreign Affairs in notifying the depository of a multilateral treaty of the reservation(s) made by the Socialist Republic of Vietnam at the time of signing of such treaty.

2. The Ministry of Foreign Affairs shall notify the depository of a multilateral treaty of the reservation(s) made by the Socialist Republic of Vietnam within fifteen days after the date of receipt of the decision made by competent state agency on the ratification, approval of or accession to the treaty which contains provision(s) of which the Socialist Republic of Vietnam declares its reservations or which requires subsequent confirmation of reservation(s) declared at the time of signing of the treaty.

3. The Ministry of Foreign Affairs shall notify concerned state agencies of the entry into force of the declaration of the Socialist Republic of Vietnam on the reservation(s) made to the treaty within fifteen days after the date of receipt of the notification from the depository of the multilateral treaty.

Article 56.- Acceptance of or objection to reservations made by foreign contracting parties

1. The recommending agency shall, in its submission document submitted to the Government on the signing, ratification, approval of or accession to a multilateral treaty which permits reservations and stipulates that reservations are subject to acceptance by the contracting parties, have to clearly state the requirement and the contents of the acceptance of or objection to reservations made by the foreign contracting party(ies), the proposed time to express acceptance or objection to such reservations and the legal consequences of such acceptance or objection.

2. In cases where a foreign contracting party makes a reservation to a multilateral treaty after the recommending agency submits to the Government the signing, ratification, approval or accession to the multilateral treaty, the recommending agency shall have to additionally submit the recommendation on the acceptance of or objection to such reservation, after obtaining written opinions from the Ministry of Foreign Affairs, the Ministry of Justice and concerned agencies and organizations.

3. A dossier submitted by the recommending agency on the additional recommendation on the acceptance of or objection to a reservation as provided for in Clause 2 of this Article shall comprise:

- a/ The recommending agency's submission document with the contents specified in Clause 1 of this Article;
- b/ A copy of the multilateral treaty and the Vietnamese translation of the treaty;
- c/ Opinions of the Ministry of Foreign Affairs, the Ministry of Justice and concerned agencies and organizations;
- d/ Other necessary documents.

Article 57.- Competence to decide on acceptance of or objection to reservations made by foreign contracting parties

1. The National Assembly shall decide to accept or object to reservations made by foreign contracting parties with respect to multilateral treaties to which the National Assembly has decided on the ratification or accession.

2. The State President shall decide to accept or object to reservations made by foreign contracting parties with respect to multilateral treaties to which the State President has decided on the signing, ratification or accession.

3. The Government shall decide to accept or object to reservations made by foreign contracting parties with respect to multilateral treaties to which the Government has decided on the signing, approval or accession.

The acceptance of or objection to reservations must be established in writing.

Article 58.- Order and procedures for submitting recommendations and deciding on the acceptance of or objection to reservations made by foreign contracting parties

1. The order and procedures for submitting recommendations and deciding on the acceptance or objection to reservations made by foreign contracting parties with respect to multilateral treaties shall be similar to those provided for in Article 38 of this Law.

2. The National Assembly shall decide to accept or object to reservations made by foreign contracting parties with respect to multilateral treaties upon deciding on the ratification or accession to the multilateral treaties or after the receipt of the supplementary submission documents on the acceptance of or objection to the reservations.

3. The State President or the Government shall decide to accept or object to reservations made by foreign contracting parties with respect to multilateral treaties upon deciding on the signing, ratification, approval of or accession to the treaties or within thirty days after the date of receipt of the supplementary submission documents on the acceptance of or objection to the reservations.

Article 59.- Notification of the acceptance of or objection to reservations made by foreign contracting parties

1. The recommending agencies shall coordinate with the Ministry of Foreign Affairs in notifying the depository of multilateral treaties of the declarations made by the Socialist Republic of Vietnam on the acceptance of or objection to reservations made by foreign contracting parties, within fifteen days after the date of receipt of the decisions made by competent state agencies.

2. The Ministry of Foreign Affairs, when sending the instruments of ratification, approval of or accession to treaties, shall notify the depository of the multilateral treaties of the acceptance of or objection to reservations made by foreign contracting parties within fifteen days after the date of receipt of the decisions made by competent state agencies.

3. The Minister of Foreign Affairs shall sign the diplomatic notices on the acceptance of or objection to reservations to be sent to the depository of the multilateral treaties within fifteen days after the date of receipt of the decisions made by competent state agencies.

In cases where the Minister of Foreign Affairs is absent, a Vice-Minister of Foreign Affairs, who is authorized by the Minister of Foreign Affairs, shall sign such notices, unless otherwise provided for by the depository of the multilateral treaties.

4. The Ministry of Foreign Affairs shall notify concerned state agencies of the entry into force of the acceptance of or objection to reservations within fifteen days after the date of receipt of the notification from the depository of the multilateral treaty.

Article 60.- Withdrawal of reservations or withdrawal of objection to reservations

1. The recommending agencies shall have to submit to the Government the withdrawal of reservations or withdrawal of objection to reservations, after obtaining written opinions from the Ministry of Foreign Affairs, the Ministry of Justice and concerned agencies and organizations.

2. State agencies competent to decide to make reservations or object to reservations shall be competent to decide to withdraw such reservations or such objection to reservations.

The order and procedures for submitting recommendations and deciding on the withdrawal of reservations or withdrawal of objection to reservations shall be similar to those provided for in Article 38 of this Law.

The withdrawal of reservations or withdrawal of objection to reservations must be expressed in writing.

3. A dossier submitted for withdrawal of a reservation or withdrawal of objection to a reservation shall comprise:

a/ The submission document on the withdrawal of the reservation or withdrawal of the objection to the reservation, the legal consequences of the withdrawal of the reservation or withdrawal of objection to the reservation;

b/ A copy of the treaty and the Vietnamese translation of the treaty;

c/ Opinions of the Ministry of Foreign Affairs, the Ministry of Justice and concerned agencies and organizations;

d/ Other necessary documents;

4. The procedures for notification of withdrawal of reservations or withdrawal of objection to reservations shall be similar to those provided for in Articles 55 and 59 of this Law.

Chapter V. ENTRY INTO FORCE, PROVISIONAL APPLICATION OF THE WHOLE OR PART OF TREATIES

Article 61.- Entry in to force of treaties

A treaty shall enter into force for the Socialist Republic of Vietnam in the manner and for the duration as provided in the treaty or as agreed upon by the Vietnamese side and the foreign contracting parties.

Article 62.- Provisional application of the whole or part of treaties

A treaty or part of a treaty may be provisionally applied pending the completion of procedures for the entry into force of the treaty as provided in the treaty or as agreed upon by the Vietnamese side and the foreign contracting parties.

Article 63.- Termination of provisional application of the whole or part of treaties

1. The provisional application of the whole or part of a treaty shall be terminated if the Vietnamese side or the foreign contracting party notifies each other of the termination of the provisional application of the treaty, unless otherwise provided for in the treaty or otherwise agreed upon by the Vietnamese side and the foreign contracting parties.
2. State agencies competent to decide on the signing of a treaty shall be competent to decide on the termination of the provisional application of the whole or part of the treaty.
3. The order and procedures for terminating the provisional application of the whole or part of a treaty shall be similar to those provided for in Articles 12, 14 and 15 of this Law.

Article 64.- Notification of the termination of the provisional application of the whole or part of treaties

1. The Ministry of Foreign Affairs shall notify the foreign contracting party/parties of the decision made by the Vietnamese side to terminate the provisional application of the whole or part of a treaty or of the reply of the Vietnamese side to the decision made by a foreign contracting party on the termination of the provisional application of the whole or part of the treaty, within fifteen days after the date of receipt of the decisions made by competent state agencies.
2. The Ministry of Foreign Affairs shall notify concerned state agencies of the date of termination of the provisional application of the whole or part of a treaty within fifteen days after the date such termination becomes effective.

Chapter VI. DEPOSIT, KEEPING CUSTODY, MAKING OF CERTIFIED COPIES, PUBLICATION AND REGISTRATION OF TREATIES

Article 65.- Depository of multilateral treaties

The Ministry of Foreign Affairs shall perform the functions of a depository of a multilateral treaty in case the Socialist Republic of Vietnam is designated as the depository of such multilateral treaty.

Article 66.- Functions of a depository of multilateral treaties

1. The functions of a depository of a multilateral treaty shall include:

a/ Keeping custody of the original text of the treaty and Full Powers;

b/ Authenticating copies of the multilateral treaty and making other texts of the multilateral treaty in the languages as provided for in the treaty and then sending those texts to the parties to the treaty and States entitled to become parties to the treaty;

c/ Receiving signatures to the treaty, receiving and keeping custody of instruments, notifications and information relating to the treaty;

d/ Checking whether signatures or documents, notifications or information relating to the multilateral treaty in due and proper form;

e/ Notifying the parties to the multilateral treaty and States entitled to become parties to the multilateral treaty of the instruments, notifications and information relating to the treaty;

f/ Notifying States entitled to become parties to the treaty of the time of receipt of the adequate number of signatures or deposit of the adequate number of instruments of ratification, approval, acceptance or accession required for the entry into force of the treaty;

g/ Registering the multilateral treaty at the Secretariat of the United Nations.

2. In cases where Vietnam is the depository of a multilateral treaty and a foreign contracting party lodges a complaint about the performance of the depository's functions, the Ministry of Foreign Affairs shall assume the prime responsibility for, and coordinate with concerned state agencies in submitting the case to the Government for consideration and decision. The Government shall decide on the settlement of such complaint within fifteen days after the date of receipt of the dossier submitted by the Ministry of Foreign Affairs.

The Ministry of Foreign Affairs shall notify the foreign contracting party concerned of the result of settlement of complaints within fifteen days after the date decision is made by the Government.

Article 67.- Keeping custody of treaties

1. The Ministry of Foreign Affairs shall keep custody of the original texts of bilateral treaties; the original texts of multilateral treaties in case the Socialist Republic of Vietnam is the depository of the treaties; the authenticated copies of multilateral treaties to which the Socialist Republic of Vietnam is a party; instruments of ratification, approval of or accession to and other related documents.

2. The recommending agencies shall have to send to the Ministry of Foreign Affairs the original texts or authenticated copies and the Vietnamese translations of the treaties within the time limit specified in Article 29 of this Law.

Article 68.- Making of certified copies of treaties

The Ministry of Foreign Affairs shall make certified copies of treaties and send them to the National Assembly, the State President and the Government for report, to concerned agencies and organizations for implementation, to the Government Office for publication in "CONG BAO" of the Socialist Republic of Vietnam, within fifteen days after the date of receipt of a bilateral treaty in force, within thirty days after the date of receipt of the notification by the depository of the entry into force of a multilateral treaty for the Socialist Republic of Vietnam.

Article 69.- Publication of treaties

1. Treaties which have entered into force for the Socialist Republic of Vietnam shall be published in ‘CONG BAO’ of the Socialist Republic of Vietnam and the Series of Treaties, unless otherwise agreed by the Vietnamese side and the foreign contracting parties or otherwise decided by competent state agencies.

In case a treaty is requested not to be published, the recommending agency shall submit such request to the Government for decision, after having obtained written opinions from the Ministry of Foreign Affairs, the Ministry of Justice and concerned agencies and organizations.

2. Within fifteen days after the date of receipt of the copy of an effective treaty, sent by the Ministry of Foreign Affairs, the Government Office shall publish such treaty in “CONG BAO” of the Socialist Republic of Vietnam.

3. The Ministry of Foreign Affairs shall annually compile and publish the Series of Treaties concluded or acceded to by the Socialist Republic of Vietnam.

Article 70.- Registration of treaties

The Ministry of Foreign Affairs shall register with the Secretariat of the United Nations bilateral treaties in force for the Socialist Republic of Vietnam, and multilateral treaties in force, in case the Socialist Republic of Vietnam is the depository of such treaties.

Chapter VII. IMPLEMENTATION OF TREATIES

Section 1. Plans for Implementation of Treaties

Article 71.- Plans for implementation of treaties

1. The recommending agency shall, on the basis of the nature and contents of a treaty and its assigned tasks and powers, submit to the Government for decision on the plan for implementation of the treaty which the Socialist Republic of Vietnam has concluded or acceded to.

2. A plan for implementation of a treaty shall contain the following contents:

- a/ The implementation schedule;
- b/ Proposed responsibilities of concerned state agencies in the organization of the implementation of the treaty;
- c/ Recommendations on amendment, supplementation, cancellation or promulgation of legal documents for the implementation of the treaty;
- d/ Measures of organization, management, financing and other necessary measures for the implementation of the treaty;
- e/ Popularization, dissemination of the contents of the treaty.

Article 72.- Order and procedures for submitting for approval plans for implementation of treaties

1. The recommending agency shall consult concerned agencies and organizations on the draft plan for implementation of a treaty within fifteen days after the date of receipt of the notification of the entry into force of the treaty.

2. The consulted agencies and organizations shall make written replies to the recommending agency within fifteen days after the date of receipt of the written requests for opinions.

3. The recommending agency shall submit to the Government for decision the plan for implementation of a treaty within fifteen days after the date of receipt of replies of concerned agencies and organizations.

4. The Prime Minister shall decide on the plan for implementation of a treaty within thirty days after the date of receipt of the draft plan submitted by the recommending agency.

Article 73.- Execution of plans for implementation of treaties

1. After the Prime Minister decides on the plan for implementation of a treaty, the recommending agency and concerned agencies and organizations shall, within the scope of their tasks and powers, be responsible for organizing the execution of the plan.

2. In the course of execution of the plan, if any problems arise in relation to the interpretation, amendment, supplementation, extension, termination, denunciation, withdrawal from, suspension of the implementation of the treaty, the recommending agency shall carry out relevant procedures as provided for in Sections 2, 3 and 4 of this Chapter.

Section 2. Interpretation of Treaties

Article 74.- Interpretation of treaties

A treaty shall be interpreted in the following cases:

1. There is a request made by a foreign contracting party for the interpretation of the treaty;
2. There is a request made by the concerned individual, agency or organization for the interpretation of the treaty;
3. Other cases where interpretation is needed.

Article 75.- Requirements and grounds for interpretation of treaties

1. A treaty shall be interpreted in accordance with the spirit, purposes and contents of the treaty and the ordinary meaning of the terms used in the treaty.

2. The grounds for the interpretation of a treaty include:

- a/ The text of the treaty and annexes attached thereto;
- b/ Any agreement relating to the treaty which was made between all the parties to the treaty in connection with the conclusion of the treaty;
- c/ Any instrument which was made by a party(ies) to the treaty in connection with the conclusion of the treaty and accepted by the other parties;
- d/ Any agreement relating to the interpretation or implementation of the provisions of the treaty, which is made between the parties to the treaty after signing the treaty;
- e/ Practice in the interpretation of the treaty, which is accepted by the parties to the treaty;
- f/ Relevant rules of international law applicable in the relations between the parties to the treaty.

4. In cases where all the grounds stated in Clauses 2 of this Article had been applied for the interpretation but the results of interpretation remain unclear or unreasonable, competent state agencies shall give interpretation on the basis of the preparatory work of the treaty, the circumstances of the conclusion of the treaty and other grounds.

Article 76.- Competence to interpret treaties, contents of decision to interpret treaties

1. The National Assembly Standing Committee shall, on its own initiative or at the proposal of the State President, the Government, the Supreme People's Court, the Supreme People's Procuracy, the Ethnic Council, Committees of the National Assembly, the Central Committee of the Vietnam Fatherland Front, the Front's members or National Assembly deputies, decide on the interpretation of treaties in the following cases;

a/ Treaties which the National Assembly has decided on the ratification of or accession to.

b/ Treaties containing provisions which contravene, or have not yet been made in, legal documents of the National Assembly; treaties the implementation of which requires amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly;

c/ Treaties containing provisions which contravene, or have not yet been made in, legal documents of the National Assembly Standing Committee; treaties the implementation of which requires amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly Standing Committee;

d/ Other necessary cases.

2. The Government shall, on its own initiative or at the request of the recommending agency, decide on the interpretation of treaties which were concluded or acceded to in the name of the State or in the name of the Government, except in the cases stated in Clause 1 of this Article.

3. Decisions on the interpretation of treaties must be expressed in writing. A written interpretation of a treaty shall contain the following contents:

a/ The title, time and place of signing of the treaty that is interpreted;

b/ The contents of the interpretation of the treaty;

c/ The responsibilities of the recommending agency, the Ministry of Foreign Affairs and other concerned agencies and organizations.

Article 77.- Order and procedures for submitting recommendations and deciding on interpretation of treaties

1. The recommending agency shall have to obtain written opinions from the Ministry of Foreign Affairs, the Ministry of Justice and concerned agencies and organizations within thirty days after the date of receipt of the request for interpretation of a treaty sent by a foreign contracting party or forwarded by the Ministry of Foreign Affairs or made by a concerned Vietnamese agency or organization.

2. The consulted agencies and organizations shall have to make written replies to the recommending agency within fifteen days after the date of receipt of the written requests for opinions.

3. The recommending agency shall have to submit to the Government the contents of interpretation within thirty days after the date of receipt of the written opinions of the agencies and organizations stated in Clause 1 of this Article.

4. The Government shall decide:

a/ On the interpretation of a treaty specified in Clause 2, Article 76 of this Law within thirty days after the date of receipt of the dossier submitted by the recommending agency; to report to the State President on the interpretation of a treaty in the name of the State at least fifteen days before making decision on the interpretation of the treaty;

b/ To submit to the National Assembly Standing Committee the interpretation of a treaty stated at Point c or Point d, Clause 1, Article 76 of this Law, within thirty days after the date of receipt of the dossier submitted by the recommending agency.

c/ To submit to the State President for further submission to the National Assembly Standing Committee the interpretation of a treaty stated at Point a or Point b, Clause 1, Article 76 of this Law, within thirty days after the date of receipt of the dossier submitted by the recommending agency.

5. The State President shall submit to the National Assembly Standing Committee the interpretation of a treaty stated at Point c, Clause 4 of this Article, within thirty days after the date of receipt of the dossier submitted by the Government.

6. The National Assembly Standing Committee shall interpret a treaty within thirty days after the date of receipt of the dossier submitted by the State President or the Government.

Article 78.- Dossiers of submission of or reporting on interpretation of treaties

A dossier of submission of or reporting on the interpretation of a treaty shall comprise:

1. A submission document, which clearly states the requirement, grounds for interpretation of the treaty, and the proposed interpretation;
2. A copy of the treaty and the Vietnamese translation of the treaty in case the treaty was signed only in foreign language(s);
3. The request for interpretation, made by a foreign contracting party or a concerned Vietnamese agency or organization;
4. Opinions of the Ministry of Foreign Affairs, the Ministry of Justice and concerned Vietnamese agencies and organizations;
5. Other necessary documents.

Article 79.- Notification of the interpretation of treaties

1. In case a request for interpretation of a treaty is made by a foreign contracting party, the Ministry of Foreign Affairs shall notify the foreign contracting party of the contents of the interpretation of the treaty by the Vietnamese side within fifteen days after the date of receipt of the written interpretation from the competent state agency.

In cases where the foreign contracting party, after being notified by the Vietnamese side of the contents of the interpretation of a treaty, makes a new request for the interpretation of the treaty, the process and procedures for further interpretation of the treaty shall comply with the provisions of Article 77 of this Law.

2. In cases where a concerned Vietnamese state agency requests the interpretation of a treaty, the recommending agency shall notify this agency of the contents of the interpretation within ten days after the date of receipt of the written interpretation from the competent state agency.

3. In cases where the Vietnamese side requests a foreign contracting party to interpret a treaty, the Ministry of Foreign Affairs shall notify the recommending agency or concerned Vietnamese state agency of the contents of the interpretation of the treaty by the foreign contracting party within fifteen days after the date of receipt of the written interpretation from the foreign contracting party.

In cases where the Vietnamese side, after being notified by the foreign contracting party of the contents of the interpretation of a treaty, makes a new request for the interpretation of the treaty, the process and procedures for further interpretation of the treaty shall comply with the provisions of Article 77 of this Law.

Section 3. Amendment, Supplementation and Extension of Treaties

Article 80.- Amendment, supplementation and extension of treaties

Treaties may be amended, supplemented or extended as provided for in the treaties or as agreed upon between the Vietnamese side and the foreign contracting parties.

Article 81.- Competence to decide on amendment, supplementation or extension of treaties and contents of such decision

1. The National Assembly shall decide to amend, supplement or extend treaties which it has decided on the ratification of or accession to.
2. The State President shall decide to amend, supplement or extend treaties which he/she has decided on the signing, ratification of or accession to.
3. The Government shall decide to amend, supplement or extend treaties of which it has decided on the approval, accession to or signing and which are not subject to ratification.
4. Decisions on the amendment, supplementation or extension of treaties shall be made in writing. Such a decision shall contain the following contents:
 - a/ The title, time and place of signing and the date of entry into force of the treaty that is amended, supplemented or extended;
 - b/ The contents of amendment, supplementation or the duration for which the treaty is extended;
 - c/ The responsibilities of the recommending agency, the Ministry of Foreign Affairs and other concerned agencies and organizations.

Article 82.- Order and procedures for submitting and deciding on amendment, supplementation or extension of treaties

1. The recommending agency shall have to obtain written opinions from the Ministry of Foreign Affairs, the Ministry of Justice and concerned agencies and organizations within fifteen days after the date of receipt of the request for amendment, supplementation or extension of a treaty sent by a foreign contracting party or forwarded by the Ministry of Foreign Affairs or made by a concerned Vietnamese agency or organization.
2. The consulted agencies and organizations shall have to make written replies to the recommending agency within fifteen days after the date of receipt of the written requests for opinions.
3. The recommending agency shall have to submit to the Government the amendment, supplementation or extension of a treaty within thirty days after the date of receipt of the written opinions of the agencies and organizations stated in Clause 1 of this Article.

At least ninety days before a treaty ceases to be effective, the recommending agency shall have to submit to the Government the extension of the effect of the treaty, unless otherwise provided for in the treaty or otherwise agreed upon by the Vietnamese side and the foreign contracting party.
4. The Government shall decide:
 - a/ On the amendment, supplementation or extension of a treaty specified in Clause 3, Article 81 of this Law within fifteen days after the date of receipt of the dossier submitted by the recommending agency;
 - b/ To submit to the State President for decision the amendment, supplementation or extension of a treaty specified in Clause 2, Article 81 of this Law within fifteen days after the date of receipt of the dossier submitted by the recommending agency.

5. The State President shall decide:

a/ On the amendment, supplementation or extension of a treaty specified in Clause 2, Article 81 of this Law within thirty days after the date of receipt of the dossier submitted by the Government;

b/ To submit to the National Assembly for decision the amendment, supplementation or extension of a treaty specified in Clause 1, Article 81 of this Law within fifteen days after the date of receipt of the dossier submitted by the Government.

6. The National Assembly shall decide on the amendment, supplementation or extension of a treaty at its session in the order and according to the procedures similar to those provided for in Article 39 of this Law; before being submitted to the National Assembly, the treaty must be verified in the order and according to the procedures similar to those provided for in Articles 34 to 37 of this Law.

Article 83.- Dossiers submitted for amendment, supplementation or extension of treaties

A dossier submitted for the amendment, supplementation or extension of a treaty shall comprise:

1. A submission document, which clearly states the purpose, requirement, legal grounds and legal consequences of the amendment, supplementation or extension of the treaty;
2. A copy of the treaty and the Vietnamese translation in case the treaty was signed only in foreign language(s);
3. The request made by a foreign contracting party or a concerned Vietnamese state agency, concerning the amendment, supplementation or the extended duration of the treaty;
4. Opinions of the Ministry of Foreign Affairs, the Ministry of Justice and concerned agencies and organizations;
5. Other necessary documents.

Article 84.- Notification of amendment, supplementation or extension of treaties

1. The Ministry of Foreign Affairs shall coordinate with the recommending agency in notifying the foreign contracting party(ies) of the amendment, supplementation or extension of a treaty within fifteen days after the date of receipt of the decision made by a competent state agency on the amendment, supplementation or extension of the treaty.
2. The Ministry of Foreign Affairs shall notify the recommending agency and concerned state agencies of the amendment, supplementation or extension of a treaty within fifteen days after the date of entry into force of the amendment, supplementation or extension of the treaty.

Section 4. Termination, Denunciation, Withdrawal from, Suspension of Application of the Whole or Part of Treaties

Article 85.- Grounds for termination, denunciation, withdrawal from, suspension of application of the whole or part of treaties

1. The termination, denunciation, withdrawal from, or suspension of application of the whole or part of a treaty shall be effected in accordance with the provisions of the treaty or with the agreement between the Vietnamese side and the foreign contracting party(ies).
2. A treaty may be terminated, denounced, withdrawn or suspended from application in the following cases:

- a/ In accordance with the provisions of the treaty or the agreement of all parties to the treaty;
- b/ Due to the conclusion of a later treaty relating to the same subject matter;
- c/ As a consequence of an infringement of the treaty;
- d/ As the subject of the treaty ceases to exist or is cancelled;
- e/ Due to a fundamental change of the circumstances which existed at the time of the conclusion of or accession to the treaty, which affects the implementation of the treaty;
- f/ As a consequence of the severance of diplomatic or consular relations;
- g/ Due to the emergence of a newly formed peremptory norm of general international law.

3. A multilateral treaty may be suspended from application by agreement between only a certain numbers of the parties to the treaty.

Article 86.- Termination or suspension of application of the whole or part of a treaty due to the conclusion of a later treaty on the same subject matter

1. A treaty between Vietnamese side and another party shall terminate in case the Vietnamese side and such party subsequently sign a new treaty on the same subject matter, except for the case stated in Clause 2 of this Article.

2. The previously signed treaty stated in Clause 1 of this Article shall be provisionally suspended from application if it is so agreed between the Vietnamese side and the other party(ies) to the treaty.

Article 87.- Termination or suspension of application of the whole or part of a treaty as a consequence of its infringement

1. The Socialist Republic of Vietnam may terminate or suspend the application of the whole or part of a bilateral treaty in case the foreign contracting party makes a serious infringement of the treaty.

2. In case of an express infringement made by one or more parties of a multilateral treaty to which Vietnam is a party, the Vietnamese side may:

- a/ Reach agreement with other parties on the termination or suspension of application of the whole or part of the treaty in the relations between the Vietnam, such parties and the infringing party or between the Vietnamese side and such parties.

- b/ Suspend from application the whole or part of the multilateral treaty in the relations between the Vietnamese party and the infringing party if the Vietnamese side is seriously affected by such infringement.

- c/ Suspend from application the whole or part of the multilateral treaty in the relations between the Vietnamese side and other parties if the infringement fundamentally changes the continued performance of the obligations arising under the treaty by the Vietnamese side and other parties.

Article 88.- Termination, denunciation, withdrawal from, or suspension of, application of treaties as their objects cease to exist or are cancelled

1. The Vietnamese side may terminate, denounce, or withdraw from a treaty in case the object that is closely linked to the application of the treaty ceases to exist or was cancelled.

2. The Vietnamese side may suspend the application of a treaty in case of temporary impossibility of application of the treaty.

Article 89.- Termination, denunciation, withdrawal from, or suspension of, application of treaties due to fundamental change of circumstances existing at the time of the conclusion or accession

1. The Vietnamese side may invoke a fundamental change of the circumstances existing at the time of conclusion of or accession to a treaty as a ground for terminating, denouncing or withdrawing from, or suspending the application of a treaty if the existence of such circumstances constitutes an essential basis of the consent of the Vietnamese side to be bound by the treaty and such change radically transforms the scope of obligations still to be performed by the Vietnamese side under the treaty.
2. The provisions of Clause 1 of this Article shall not apply to treaties defining national boundaries between the Vietnamese side and other parties to such treaties.

Article 90.- Termination or suspension of application of treaties due to severance of diplomatic or consular relations

In case of a severance of the diplomatic relations or consular relations between the Socialist Republic of Vietnam and another party to a treaty and the existence of such diplomatic relations or consular relations is indispensable for the application of the treaty, the recommending agency shall have to submit to the Government the termination or suspension of application of the treaty.

Article 91.- Termination of treaties due to their conflict with newly emerging peremptory norm of general international law

In cases where a new peremptory norm of general international law emerges, any treaties in force which are in conflict with such new norm shall become void and terminate.

Article 92.- Suspension of application of multilateral treaties by agreement between certain parties to the treaties

1. The Vietnamese side may conclude an agreement with certain parties to a multilateral treaty on the suspension of the application of some provisions of the treaty in the relations between the Vietnamese side and such parties in the following cases:
 - a/ The treaty contains a provision to that effect;
 - b/ Such suspension of application is not prohibited by the treaty, provided that such suspension does not affect the rights and obligations of other parties arising under the treaty and is not in conflict with the object and purpose of the treaty.
2. The Vietnamese side shall notify other remaining parties of the conclusion of the agreement and the specified provisions of the treaty that the Socialist Republic of Vietnam has the intention to suspend their application, unless otherwise provided for in the treaty.

Article 93.- Competence to decide on the termination, denunciation, withdrawal from and suspension of the application of treaties and contents of such decision

1. The National Assembly shall decide on the termination, denunciation, withdrawal from or suspension of the application of treaties to which it has decided on the ratification or accession.
2. The State President shall decide on the termination, denunciation, withdrawal from or suspension of application of treaties to which he/she has decided on the signing, ratification or accession to.
3. The Government shall decide on the termination, denunciation, withdrawal from, or suspension of the application of treaties of which it has decided on the approval, accession to, or signing and which are not subject to ratification.

4. Decisions to terminate, denounce, withdraw from, or suspend the application of treaties shall be expressed in writing, each containing the following contents:

a/ The title, time and place of signing and the valid duration of the treaty to be terminated, withdrawn from, denounced or suspended of application.

b/ The responsibilities of the recommending agency, the Ministry of Foreign Affairs and concerned agencies and organizations.

Article 94.- Order and procedures for submitting and deciding on termination, denunciation, withdrawal from and suspension of the application of treaties

1. The recommending agency shall have to obtain written opinions from the Ministry of Foreign Affairs, the Ministry of Justice and concerned agencies and organizations within fifteen days after the date of receipt of the request for termination, denunciation, withdrawal from or suspension of the application of a treaty sent by a foreign contracting party or forwarded by the Ministry of Foreign Affairs or made by a concerned Vietnamese state agency.

2. The consulted agencies and organizations shall have to make written replies to the recommending agency within fifteen days after the date of receipt of the written requests for opinions.

3. The recommending agency shall have to submit to the Government the termination, denunciation, withdrawal from or suspension of the application of a treaty within thirty days after the date of receipt of the written opinions of the agencies and organizations stated in Clause 1 of this Article.

4. The Government shall decide:

a/ On termination, denunciation, withdrawal from or suspension of the application of a treaty specified in Clause 3, Article 93 of this Law within fifteen days after the date of receipt of the dossier submitted by the recommending agency;

b/ To submit to the State President for decision termination, denunciation, withdrawal from or suspension of the application of a treaty specified in Clause 2, Article 93 of this Law within fifteen days after the date of receipt of the dossier submitted by the recommending agency.

5. The State President shall decide:

a/ On termination, denunciation, withdrawal from or suspension of the application of a treaty specified in Clause 2, Article 93 of this Law within fifteen days after the date of receipt of the dossier submitted by the Government;

b/ To submit to the National Assembly for decision termination, denunciation, withdrawal from or suspension of the application of a treaty specified in Clause 1, Article 93 of this Law within fifteen days after the date of receipt of the dossier submitted by the Government.

6. The National Assembly shall decide on the termination, denunciation, withdrawal from or suspension of the application of a treaty at its session in the order and according to the procedures similar to those provided for in Article 39 of this Law; before being submitted to the National Assembly, the treaty must be verified in the order and according to the procedures similar to those provided for in Articles 34 to 37 of this Law.

Article 95.- Dossiers submitted for the termination, denunciation, withdrawal from, suspension of the application of treaties

A dossier submitted for the termination, denunciation, withdrawal from or suspension of the application of a treaty shall comprise:

1. A submission document, which clearly states the reasons, legal grounds and legal consequences of the termination, denunciation, withdrawal from or suspension of the application of the treaty;

2. A copy of the treaty and the Vietnamese translation in case the treaty was signed only in foreign language(s);
3. The request made by a foreign contracting party or a concerned Vietnamese state agency, concerning the termination, denunciation, withdrawal from or suspension of the application of the treaty;
4. Opinions of the Ministry of Foreign Affairs, the Ministry of Justice and concerned agencies and organizations;
5. Other necessary documents.

Article 96.- Notification on the termination, denunciation, withdrawal from or suspension of the application of treaties

1. The recommending agencies shall coordinate with the Ministry of Foreign Affairs in carrying out the procedures for terminating, denouncing, withdrawing from or suspending the application of treaties within thirty days after the date of receipt of the decisions made by competent state agencies specified in Article 93 of this Law.

The Ministry of Foreign Affairs shall notify the foreign contracting parties of the termination, denunciation, withdrawal from or suspension of the application of bilateral treaties which were concluded by the Socialist Republic of Vietnam.

2. The Minister of Foreign Affairs shall sign the notifications on the termination, denunciation, withdrawal from or suspension of the application of multilateral treaties to be sent to the depositories of such multilateral treaties.

In cases where the Minister of Foreign Affairs is absent, a Vice-Minister of Foreign Affairs, who is authorized by the Minister of Foreign Affairs, shall sign such notifications, unless otherwise provided for by the depository of the multilateral treaty.

3. The Ministry of Foreign Affairs shall notify concerned state agencies of the termination, denunciation, withdrawal from or suspension of the application of treaties within fifteen days after the date the termination, denunciation, withdrawal from or suspension of the application of treaties becomes effective.

**Chapter VIII. RESPONSIBILITIES OF AGENCIES, ORGANIZATIONS
AND INDIVIDUALS IN THE CONCLUSION, ACCESSION TO
AND IMPLEMENTATION OF TREATIES**

Article 97.- Responsibilities of agencies, organizations and individuals

Agencies, organizations and individuals shall have to comply with treaties to which the Socialist Republic of Vietnam is a party.

Article 98.- Responsibilities of the Ministry of Foreign Affairs

In performing the state management over the conclusion, accession to and implementation of treaties, the Ministry of Foreign Affairs shall have the following tasks and powers:

1. To assume the prime responsibility for and coordinate the drafting of legal documents relating to the conclusion, accession to and implementation of treaties;
2. To assume the prime responsibility for organizing the communication and popularization and guiding the implementation of the law on the conclusion, accession to and implementation of treaties;

3. To submit to the Government long-term and annual plans on the conclusion, accession to and implementation of treaties;
4. To submit to the Government reports on an annual basis or when requested; submit to the State President, when requested, reports on the conclusion, accession to and implementation of treaties;
5. To complete diplomatic procedures in relation to the conclusion, accession to and implementation of treaties;
6. To complete diplomatic procedures for the protection of the rights and interests of the Socialist Republic of Vietnam, in case a foreign contracting party infringes a treaty;
7. To take part directly in assisting the conclusion of or accession to treaties during visits by high-level Vietnamese delegations to foreign countries and by high-level foreign delegations to Vietnam;
8. To undertake international cooperation in the conclusion, accession to and implementation of treaties within its competence or as assigned by the Government;
9. To organize the custody, deposit, making of certified copies, publication and registration of treaties;
10. To assume the prime responsibility for or coordinate the organization of the popularization and dissemination of treaties to which the Socialist Republic of Vietnam is a party;
11. To make statistics on, review treaties which the Socialist Republic of Vietnam has concluded or acceded to.

Article 99.- Responsibilities of recommending agencies

Within the scope of their respective tasks and powers, the recommending agencies shall have the following duties:

1. To draw up long- term and annual plans for the conclusion, accession to and implementation of treaties falling within the scope of their state management and to transmit them to the Ministry of Foreign Affairs for sum-up and submission to the Government; annual plans shall be sent to the Ministry of Foreign Affairs on the 15th of October of the previous year at the latest.
2. To take initiative in recommending the completion of legal procedures for treaties;
3. To work out roadmaps and specific measures for the implementation of treaties which are in force for the Socialist Republic of Vietnam and to which they have made recommendations on their conclusion or accession;
4. To assume the prime responsibility for or coordinate the popularization and dissemination of treaties which are in force for the Socialist Republic of Vietnam and to which they have made recommendations on their conclusion or accession;
5. To make recommendations to the Government on necessary measures to protect the rights and interests of the Socialist Republic of Vietnam, in case the treaties to which they have made recommendations on the conclusion or accession are infringed;
6. To make reports on the conclusion, accession to and implementation of treaties within the scope of their state management and send them on the 15th of November at the latest annually to the Ministry of Foreign Affairs for sum-up and submission to the Government. Such reports shall be made in a form set by the Ministry of Foreign Affairs.

When requested, the recommending agencies shall report on the conclusion, accession to and implementation of treaties to the State President or the Government.

Article 100.- Responsibilities for supervision of the conclusion, accession to and implementation of treaties

1. The National Assembly, the National Assembly Standing Committee, the Ethnic Council and Committees of the National Assembly, National Assembly deputies' delegations and individual National Assembly deputies shall be responsible for supervising the conclusion, accession to and implementation of treaties by agencies, organizations and individuals subject to supervision.

2. Supervisory activities shall be carried out in an open and objective manner and in conformity with the legally established competence, process and procedures, and shall not obstruct the normal operation of supervised agencies, organizations and individuals.

Article 101.- Scope of supervision, supervision programs

1. The scope of supervision of the conclusion, accession to and implementation of treaties shall cover:

a/ Supervision of the implementation of the provisions of law on the conclusion, accession to and implementation of treaties;

b/ Supervision of the implementation of treaties.

2. The supervision of the conclusion, accession to and implementation of treaties constitutes a content of the National Assembly's annual supervision program.

Article 102.- Supervisory activities

1. The National Assembly shall conduct supervision through the following:

a/ To review reports of the State President or the Government on the conclusion, accession to and implementation of treaties;

b/ To review reports of the National Assembly Standing Committee on its consideration on the negotiation, signing of and accession to treaties containing provisions that contravene, or have not been made in, legal documents of the National Assembly, or treaties the implementation of which requires amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly;

c/ To review treaties which are in force and to which the State President or the Government has decided on the conclusion and accession but which show signs contrary to the Constitution;

d/ To review answers to inquiries by the State President, the National Assembly chairman, the Prime Minister, ministers and other members of the Government, the president of the Supreme People's Court and the director of the Supreme People's Procuracy about the conclusion, accession to and implementation of treaties.

2. The National Assembly Standing Committee shall conduct supervision through the following activities:

a/ To review reports of the Government on the conclusion, accession to and implementation of treaties;

b/ To review the Government's submission documents on the negotiation, signing of and accession to treaties containing provisions that contravene, or have not been made in, legal documents of the National Assembly, the National Assembly Standing Committee or treaties the implementation of which requires amendment, supplementation, cancellation or promulgation of legal documents of the National Assembly or the National Assembly Standing Committee;

c/ To review treaties which are in force and to which the State President or the Government has decided on the conclusion and accession but which show signs contrary to the Constitution;

d/ Review answers to inquiries by the State President, the National Assembly chairman, the Prime Minister, ministers and other members of the Government, the president of the Supreme People's Court, and the director of the Supreme People's Procuracy about the conclusion, accession to and implementation of treaties during the interval between two National Assembly sessions.

3. The Ethnic Council, Committees of the National Assembly shall conduct supervision through the following activities:

a/ To examine reports of the Government on the conclusion, accession to and implementation of treaties in the domains under the management of the Council or Committees or as assigned by the National Assembly Standing Committee;

b/ To request, in case of necessity, the Government, ministries, ministerial-level agencies, the Supreme People's Court and the Supreme People's Procuracy to report on the issues relating to the conclusion, accession to and implementation of treaties, which are of concern to the Council or Committees.

4. National Assembly deputies' delegations shall conduct supervision through the following activities:

a/ To organize supervisory teams of National Assembly deputies' delegations and make arrangement for the National Assembly deputies of their delegations to supervise the implementation of the provisions of law on the conclusion, accession to and implementation of treaties, and the implementation of treaties in localities;

b/ To request agencies, organizations and individuals in localities to give answers about the issues relating to the conclusion, accession to and implementation of treaties, which are of concern to the National Assembly deputies' delegations;

c/ To appoint, when requested, National Assembly deputies in their delegations to join in the supervisory teams of the National Assembly's bodies to supervise the implementation of the provisions of law on the conclusion, accession to and implementation of treaties, and the implementation of treaties in localities.

5. Individual National Assembly deputies shall conduct supervision through the following activities:

a/ To raise questions to the State President, the National Assembly chairman, the Prime Minister, ministers and other members of the Government, the president of the Supreme People's Court, and the director of the Supreme People's Procuracy about the conclusion, accession to and implementation of treaties;

b/ To supervise the implementation of the provisions of law on the conclusion, accession to and implementation of treaties, and the implementation of treaties in localities.

Article 103.- Competence to review supervision results

1. On the basis of supervision results, the National Assembly shall have the following powers:

a/ To request the National Assembly Standing Committee, the Government, the Prime Minister, the Supreme People's Court and the Supreme People's Procuracy to issue documents guiding the implementation of treaties;

b/ To request the Government to decide on or to submit to the State President for decision the amendment, termination, denunciation, withdrawal from and suspension of application of the whole or part of a treaty containing provisions showing signs contrary to the Constitution; in cases where such decision falls within the competence of the National Assembly, the State President shall submit the case to the National Assembly for decision;

c/ To issue resolutions on the answers to inquiries and on the responsibilities of answerers, if necessary.

2. On the basis of supervision results, the National Assembly Standing Committee shall have the following powers:

a/ To request the Government to decide or to submit to the State President for decision on the amendment, termination, denunciation, withdrawal from and suspension of application of the whole or part of a treaty containing provisions which show signs contrary to the Constitution; in cases where such decision falls within the competence of the National Assembly, the State President shall submit the case to the National Assembly for decision;

b/ To request competent agencies, organizations and individuals to take measures to promptly terminate the infringement of treaties in Vietnam; request the Government to decide on or to submit to the State President for decision the termination, denunciation, withdrawal from or suspension of application of treaties in case it detects that the infringement of a treaty by a foreign contracting party causes harms to national interests, rights and legitimate interests of organizations and individuals; in cases where such decision falls within the competence of the National Assembly, the State President shall submit the case to the National Assembly for decision;

c/ To issue resolutions on the answers to inquiries and on the responsibilities of the answerers, if necessary.

3. On the basis of supervision results, the Ethnic Council and Committees of the National Assembly shall have the following powers:

a/ To recommend, request the Government, competent agencies to propose or decide on the amendment, termination, denunciation, withdrawal from or suspension of application of the whole or part of a treaty already concluded or acceded by decision of the Government, which shows signs contrary to the Constitution;

b/ To requests competent agencies, organizations and individuals to take measures to promptly terminate the infringement of treaties in Vietnam; request the Government to decide on or to submit to the State President for decision the termination, denunciation, withdrawal from or suspension of application of treaties in case it detects that the infringement of a treaty by a foreign contracting party causes harms to national interests, rights and legitimate interests of organizations and individuals; in cases where such decision falls within the competence of the National Assembly, the State President shall submit the case to the National Assembly for decision;

4. On the basis of supervision results, National Assembly deputies' delegations and individual National Assembly deputies shall have the following powers:

a/ To recommend, request competent agencies, organizations and individuals to amend, supplement, suspend the implementation of, or cancel the whole or part of legal documents for the implementation of treaties;

b/ To recommend, request competent agencies, organizations and individuals to consider and settle the issues relating to state policies and laws on the conclusion, accession to and implementation of treaties;

c/ To recommend, request competent agencies, organizations and individuals to take measures to promptly terminate the infringement of treaties in localities.

Article 104.- Responsibilities of supervised agencies, organizations and individuals

Supervised agencies, organizations and individuals shall have the responsibilities provided for in this Law and in the law on the National Assembly's supervisory activities.

Chapter IX. IMPLEMENTATION PROVISIONS

Article 105.- Budgets for the conclusion, accession to and implementation of treaties

The budgets for the conclusion, accession to and implementation of treaties in the name of the State or in the name of the Government shall be ensured by the State budget and other financial sources.

The Government shall guide in detail the allocation, use and management of State budget funds for the conclusion, accession to and implementation of treaties.

Article 106.- Transitional provisions

1. The National Assembly, the State President and the Government shall decide on the direct application of the whole or part of treaties to which the Socialist Republic of Vietnam is a party and which were concluded or acceded to before the date this Law takes effect, to agencies, organizations and individuals, if necessary.

2. Treaties concluded in the name of the Supreme People's Court, the Supreme People's Procuracy, ministries, ministerial-level agencies or Government-attached agencies before the date this Law takes effect shall be further implemented until the termination of such treaties; in case of treaties containing provisions on the automatic extension, containing no provisions on the effective duration or containing provisions on an indefinite effective duration, the Supreme People's Court, the Supreme People's Procuracy, ministries, ministerial-level agencies or Government-attached agencies shall have to make recommendation to competent state agencies to decide on the termination of such treaties.

3. Within one year after the date this Law takes effect, on the basis of the implementation of treaties, the agencies stated in Clause 2 of this Article shall have the following duties:

a/ To make recommendation on the application of the whole or part of a treaty specified in Clause 1 of this Article;

b/ To make recommendation on the negotiation and signing of a new treaty in the name of the State or in the name of the Government in replacement of a treaty specified in Clause 2 of this Article, if necessary.

Article 107.- Implementation effect

1. This Law shall take effect as from January 1st, 2006.

2. The August 20, 1998 Ordinance on the Conclusion and Implementation of Treaties shall cease to be effective from the date this Law takes effect.

3. The Government shall detail and guide the implementation of this Law.

This Law was passed on June 14, 2005, by the XIth National Assembly of the Socialist Republic of Vietnam at its 7th session.

Chairman of the National Assembly
NGUYEN VAN AN