

**THE NATIONAL
ASSMEBLY**

The Law No. 70/2020/QH14

**THE SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness**

Hanoi, November 13, 2020

THE LAW

ON INTERNATIONAL AGREEMENTS

Pursuant to the Constitution of the Socialist Republic of Vietnam;

The National Assembly promulgates a Law on International Agreements.

Chapter I

GENERAL PROVISIONS

Article 1. Scope

1. This Law set forth rules, powers, procedures for conclusion, amendments, renewal, termination, withdrawal, suspension, and implementation of international agreements, responsibilities of relevant authorities in conclusion and implementation of international agreements.

2. This Law does not govern the conclusion and implementation of agreements on official development assistance (ODA) and concessional loans of foreign grant funding bodies as per the law on public debt management; agreements on lending, aids of Vietnam to foreign parties as per the law on lending and aids of Vietnam to foreign parties; agreements on foreign non-governmental aids as per the law on foreign non-governmental aids; contracts under civil law; project contracts under public-private partnership investment as per the law on public-private partnership investment.

Article 2. Interpretation of terms

For the purpose of this Law, these terms below shall be construed as follows:

1. “*international agreement*” means a written agreement on international cooperation between a Vietnamese contracting party, within its functions, tasks and powers, and a foreign contracting party, which does not give rise to, alter or terminate a right or obligation of the Socialist Republic of Vietnam under international law.

2. “*Vietnamese contracting party*” refers to:

a) the State, the National Assembly, the Government;

b) the Nationality Council, Committees of National Assembly (hereinafter referred to as agencies of the National Assembly), Secretary General of National Assembly, the Office of the National Assembly, agencies affiliated to the Standing Committee of National Assembly, State Audit;

c) the President's Office, the Supreme People's Court, the Supreme People's Procuracy;

d) Ministries, ministerial-level agencies, Governmental agencies;

dd) the People's Council, the People's Committee of province (hereinafter referred to as provincial regulatory bodies);

e) General Department, Departments affiliated to Ministries, ministerial-level agencies;

g) specialized agencies affiliated to the People's Committee of province;

h) the People's Committee of district;

i) the People's Committee of commune in border areas; or

k) central agencies of socio-political organizations, political-socio-professional organizations, social organizations, socio-professional organizations (hereinafter referred to as central agencies of organizations); provincial agencies of socio-political organizations, political-socio-professional organizations, social organizations, socio-professional organizations (hereinafter referred to provincial agencies of organizations).

3. "*central regulatory body*" refer to authorities prescribed in points b, c and d clause 2 hereof.

4. "*foreign contracting party*" means the State, the National Assembly, the Government, local government, an authority established under foreign law, international organization or individual.

5. "*conclusion*" means a legal act performed by a competent person or authority, including signing, ratification of international agreement or exchange of instruments constituting an international agreement.

6. "*signing*" means a legal act performed by a competent or authorized person, by his/her signature, to accept the binding of an international agreement on the agency or organization that concludes the international agreement.

7. "*termination of international agreement*" means a legal act performed by the Vietnamese contracting party to denounce the validity of the international agreement.

8. "*withdrawal from international agreement*" means to a legal act performed by the Vietnamese contracting party to denounce the consent to be bound by the international agreement.

9. "*suspension of international agreement*" means a legal act performed by the Vietnamese contracting party to suspend the full or partial implementation of the international agreement.

Article 3. Rules for conclusion and implementation of international agreements

1. Compliance with the Constitution and laws of the Socialist Republic of Vietnam, national interests, foreign policy of the Socialist Republic of Vietnam and international treaties to which the Socialist Republic of Vietnam is a signatory; compliance with the principle of respect for national sovereignty, non-interference in the internal affairs of countries and other basic principles of international law.
2. The conclusion of an international agreement may not give rise to, alter or terminate the rights and obligations of the Socialist Republic of Vietnam in accordance with international law; may not conclude an international agreement on matters that must be achieved through the conclusion of a treaty in accordance with law.
3. Assurance of the external relations and effectiveness of the concluded international agreement, within the state budget allocated or autonomous budget according to the provisions of law.
4. In conformity with the functions, tasks and powers of the agencies or organizations concluding international agreements and with the procedures for concluding international agreements specified in this Law.
5. The conclusion of international agreements by agencies and organizations specified at Points b, c, d, dd, e, g, h, i and k, Clause 2, Article 2 of this Law shall not be binding on the State, the National Assembly, the Government or Vietnamese agencies or organizations that have not concluded these international agreements.
6. Communal People's Committees in border areas only conclude international agreements with foreign contracting parties being equivalent local governments on information exchange, pairing, cooperation in border management in accordance with relevant international treaties to which the Socialist Republic of Vietnam is a signatory.
7. The Vietnamese contracting party is responsible for implementing the signed international agreement, and at the same time, has the right to request the foreign contracting party also implement such international agreement in a spirit of friendship and cooperation.

Article 4. Contents of the state management of international agreements

1. Promulgating legislative documents on international agreements.
2. Ensuring the conclusion and implementation of international agreements as per the law.
3. Raising awareness and guiding the implementation of the law on international agreements.
4. Releasing statistics and archiving of international agreements.
5. Inspecting, commending and handling violations of the law on international agreements.

6. Settle complaints and whistleblowing related to the conclusion and implementation of international agreements.

Article 5. Regulatory bodies of international agreements

1. The Government performs the unified state management of international agreements.

2. The Ministry of Foreign Affairs shall be held accountable to the Government for performing the state management of international agreements.

3. Ministries and ministerial-level agencies shall, within the ambit of their respective tasks and powers, coordinate with the Ministry of Foreign Affairs in performing the state management of international agreements in the name of their respective agencies and general departments or departments affiliated to the ministries and ministerial-level agencies.

4. People's Committees of provinces shall, within the ambit of their respective tasks and powers, coordinate with the Ministry of Foreign Affairs in performing the state management of international agreements in the name of their respective agencies or specialized agencies affiliated to the People's Committees of provinces, districts, communes in border areas.

Article 6. Name of international agreement

An international agreement is concluded under the name of an agreement, announcement, statement, letter of intent, memorandum, minutes of settlement, minutes of exchange, cooperation program, cooperation plan or other name, other than the specific names of international treaties including conventions, treaties, agreements.

Article 7. Language of international agreement

An international agreement must be written in Vietnamese, unless otherwise agreed between the Vietnamese contracting party and the foreign contracting party. In cases where the international agreement only has a document in a foreign language, the Vietnamese contracting party shall translate the international agreement into Vietnamese.

The document in Vietnamese must keep the content accurate and the form consistent with the document in foreign language of the international agreement.

Chapter II

CONCLUSION OF INTERNATIONAL AGREEMENTS

Section 1. CONCLUSION OF INTERNATIONAL AGREEMENTS IN THE NAME OF THE STATE, GOVERNMENT

Article 8. Power to decide conclusion of an international agreement in the name of the State or the Government

1. The State President shall decide the conclusion of an international agreement in the name of the State.
2. The Prime Minister shall decide the conclusion of an international agreement in the name of the Government.

Article 9. Procedures for concluding international agreements in the name of the State or the Government

1. Ministry, ministerial-level agency or Governmental agency shall send a proposal for conclusion of an international agreement in the name of the State or the Government to seek written consultation from the Ministry of Foreign Affairs and relevant agencies and organizations directly related to this international agreement.
2. The agency or organization from whom the consultation is sought (hereinafter referred to as consulting entity) shall respond in writing within 7 working days after receiving a duly completed proposal specified in Article 27 of this Law.
3. The Ministry, ministerial-level agency or Governmental agency shall examine the consultation, complete the proposal and seek approval from the Prime Minister for the international agreement in the name of the Government; or request the Government to seek approval from the State President for the international agreement in the name of the State.
4. The State President or the Prime Minister shall decide and proceed to sign or authorize another person to sign the international agreement. On the basis of a written decision of the State President or the Prime Minister, the Ministry, ministerial-level agency or Governmental agency shall hold the conclusion of the international agreement.
5. The Ministry, ministerial-level agency or Governmental agency shall report in writing to the State President or the Prime Minister and send copies of the international agreement to the Ministry of Foreign Affairs and relevant agencies and organizations in writing within 15 days from the date on which the international agreement is signed.

Article 10. Grant of a power of attorney to sign an international agreement in the name of the State or the Government

The Minister of Foreign Affairs shall grant a power of attorney to sign international agreements in the name of the State or the Government on the basis of written consent of the State President or the Prime Minister, except for international agreements to be signed by the State President, the Prime Minister or the Minister of Foreign Affairs.

Article 11. Review and comparison of international agreement documents in the name of the State or the Government before conclusion

Before concluding an international agreement in the name of the State, the Ministry, ministerial-level agency or Governmental agency shall take charge and cooperate with the Ministry of

Foreign Affairs and relevant state agencies in reviewing and comparing the document in Vietnamese and the document in foreign language to ensure the accuracy of content and consistency in form.

Section 2. CONCLUSION OF INTERNATIONAL AGREEMENTS IN THE NAME OF THE NATIONAL ASSEMBLY, AGENCIES OF THE NATIONAL ASSEMBLY, SECRETARY OF THE NATIONAL ASSEMBLY, NATIONAL ASSEMBLY OFFICE, AGENCIES AFFILIATED TO THE STANDING COMMITTEE OF THE NATIONAL ASSEMBLY, STATE AUDIT

Article 12. Power to decide conclusion of international agreements in the name of the National Assembly, agencies of the National Assembly, Secretary of the National Assembly, National Assembly Office, agencies affiliated to the Standing Committee of the National Assembly, State Audit

1. The President of National Assembly shall decide the conclusion of international agreements in the name of the National Assembly.
2. The President of the Nationality Council, the Chairperson of the Committee of the National Assembly, shall decide the conclusion of international agreements in their names.
3. The Secretary General of the National Assembly shall decide the conclusion of international agreements within the competence of the Secretary General of the National Assembly.
4. The Chairperson of National Assembly Office shall decide the conclusion of international agreements in the name of the National Assembly Office.
5. The head of an agency affiliated to the Standing Committee of the National Assembly shall decide the conclusion of international agreements in the name of that agency.
6. The State Auditor General shall decide the conclusion of international agreements in the name of the State Audit.

Article 13. Procedures for conclusion of international agreements in the name of the National Assembly, agencies of the National Assembly, Secretary General of the National Assembly, Office of the National Assembly, agencies affiliated to the Standing Committee of the National Assembly, the State Audit

1. The Foreign Affairs Committee of the National Assembly shall send a proposal for conclusion of an international agreement in the name of the National Assembly to seek written consultation from the Ministry of Foreign Affairs and relevant agencies and organizations directly related to this international agreement.

An authority of the National Assembly, the Secretary General of the National Assembly, Office of the National Assembly, authority of the Standing Committee of the National Assembly, the State Audit shall send a proposal for conclusion of an international agreements in their name to

seek written consultation from the Foreign Affairs Committee of National Assembly, the Ministry of Foreign Affairs and agencies and organizations directly related to this international agreement.

2. The consulting entities shall respond in writing within 7 working days after receiving a duly completed proposal specified in Article 27 of this Law.

3. The competent person defined in Article 12 of this Law shall decide and proceed to sign or authorize another person to sign the international agreement after reviewing and receiving consultation from the consulting entities.

4. In case a consulting entity disagrees with the conclusion of international agreements, the procedures shall be done as follows:

a) The authority of the National Assembly, the Secretary General of the National Assembly, the Office of the National Assembly, the authority affiliated to the Standing Committee of the National Assembly, the State Audit shall seek the consultation from the Deputy President of the National Assembly in charge of foreign affairs and opinions of the consulting entity must be fully reported.

Within 7 working days after receiving duly completed documentation specified in Article 28 of this Law, the Deputy President of National Assembly in charge of foreign affairs shall give his/her opinions on the conclusion of the international agreement;

b) Within 07 working days after receiving duly completed documentation specified in Article 28 of this Law and the opinions of the Deputy President of National Assembly in charge of foreign affairs from the authority of the National Assembly, the Secretary General of National Assembly, the Office of the National Assembly, authority affiliated to the Standing Committee of the National Assembly, the State Auditor, the President of the National Assembly shall decide in writing the conclusion of international agreement;

c) The conclusion of the international agreement shall be proceeded following a written consent from the President of the National Assembly.

5. The authority of the National Assembly, the Secretary General of the National Assembly, the Office of the National Assembly, the authority affiliated to the Standing Committee of the National Assembly, the State Audit shall report in writing to the President of the National Assembly and send copies of the international agreement to the Foreign Affairs Committee of National Assembly, the Ministry of Foreign Affairs within 15 days from the date on which the international agreement is signed.

Section 3. CONCLUSION OF INTERNATIONAL AGREEMENTS IN THE NAME OF THE PRESIDENT'S OFFICE, THE SUPREME PEOPLE'S COURT, THE SUPREME PEOPLE'S PROCURACY

Article 14. Power to decide the conclusion of international agreements in the name of the State President's Office, the Supreme People's Court and the Supreme People's Procuracy

1. The President of the State President's Office shall decide the conclusion of international agreements in the name of the State President's Office.
2. The Chief Justice of the Supreme People's Court shall decide the conclusion of international agreements in the name of the Supreme People's Court.
3. The Chief Procurator of the Supreme People's Procuracy shall decide the conclusion of international agreements in the name of the Supreme People's Procuracy.

Article 15. Procedures for concluding international agreements in the name of the State President's Office, the Supreme People's Court and the Supreme People's Procuracy

1. The State President's Office, the Supreme People's Court and the Supreme People's Procuracy shall send a proposal for conclusion of an international agreement in their name to seek written consultation from the Ministry of Foreign Affairs and agencies and organizations directly related to such international agreement.
2. The consulting entities shall respond in writing within 7 working days after receiving a duly completed proposal specified in Article 27 of this Law.
3. The President of the State President's Office, the Chief Justice of the Supreme People's Court and the Chief Procurator of the Supreme People's Procuracy shall decide and proceed to sign or authorize another person to sign the international agreement after reviewing and acquiring consultation.
4. In case the consulting entity disagrees with the conclusion of international agreements, the procedures shall be done as follows:
 - a) The Office of the State President, the Supreme People's Court and the Supreme People's Procuracy shall seeking the consultation from the President on the conclusion of the international agreement. The submitting agency must fully report the consultation of the consulting entity;
 - b) Within 7 working days after receiving duly completed documentation as prescribed in Article 28 of this Law, the State President shall give his/her opinion in writing on the conclusion of the international agreement;
 - c) The conclusion of the international agreement shall be proceeded following a written consent from the State President.
5. The Office of the State President, the Supreme People's Court and the Supreme People's Procuracy shall report to the President in writing and send a copy of the international agreement to the Ministry of Foreign Affairs within 15 days after the international agreement is signed.

Section 4. CONCLUSION OF INTERNATIONAL AGREEMENTS IN THE NAME OF MINISTRIES, MINISTERIAL-LEVEL AGENCIES, GOVERNMENTAL AGENCIES

Article 16. Power to decide the conclusion of international agreements in the name of Ministries, ministerial-level agencies or Governmental agencies

Ministers, heads of ministerial-level agencies, heads of Governmental agencies shall decide the conclusion of international agreements in the name of ministries, ministerial-level agencies or Governmental agencies.

Article 17. Procedures for conclusion of international agreements in the name of a Ministry, ministerial-level agency or Governmental agency

1. The Ministry, ministerial-level agency and Governmental agency shall send a proposal for conclusion of an international agreement in their name to seek written consultation from the Ministry of Foreign Affairs and relevant agencies and organizations directly related to this international agreement.
2. The consulting entities shall respond in writing within 7 working days after receiving a duly completed proposal specified in Article 27 of this Law.
3. The Minister, head of ministerial-level agency, head of Governmental agency shall decide and proceed to sign or authorize another person to sign the international agreements after reviewing and acquiring opinions of the consulting entities.
4. In case the consulting entity disagrees with the conclusion of international agreements, the procedures shall be done as follows:
 - a) The Ministry, ministerial-level agency and Governmental agency shall seek consultation from the Prime Minister on the conclusion of the international agreement; the submitting agency must fully report the consultation of the consulting entity;
 - b) Within 7 working days after receiving duly completed documentation as prescribed in Article 28 of this Law, the Prime Minister shall give his/her opinions in writing on the conclusion of the international agreement;
 - c) The conclusion of the international agreement shall be proceeded following a written consent from the Prime Minister.
5. The Ministry, ministerial-level agency or Governmental agency shall report in writing to the Prime Minister and send a copy of the international agreement to the Ministry of Foreign Affairs within 15 days from the date on which the international agreement is signed.

Section 5. CONCLUSION OF INTERNATIONAL AGREEMENTS IN THE NAME OF PROVINCIAL REGULATORY BODIES

Article 18. Power to decide conclusion of an international agreement in the name of provincial regulatory bodies

1. Presidents of the People's Councils of provinces shall decide the conclusion of international agreements in the name of the People's Councils of provinces.
2. Presidents of the People's Committees of provinces shall decide the conclusion of international agreements in the name of the People's Committees of provinces.

Article 19. Procedures for concluding an international agreement in the name of the provincial regulatory body

1. The provincial regulatory body shall send a proposal for conclusion of an international agreement in their name to seek written consultation from the Ministry of Foreign Affairs and relevant agencies and organizations directly related to this international agreement.
2. The consulting entities shall respond in writing within 7 working days after receiving a duly completed proposal specified in Article 27 of this Law.
3. The competent person defined in Article 18 of this Law shall decide and proceed to sign or authorize another person to sign the international agreement after reviewing and acquiring consultation from the consulting entities.
4. In case the consulting entity disagrees with the conclusion of international agreements, the procedures shall be done as follows:
 - a) The provincial regulatory body shall seek consultation from the Prime Minister on the conclusion of the international agreement. The submitting agency must fully report the consultation of the consulting entity;
 - b) Within 7 working days after receiving duly completed documentation as prescribed in Article 28 of this Law, the Prime Minister shall give his/her opinions in writing on the conclusion of the international agreement;
 - c) The conclusion of the international agreement shall be proceeded following a written consent from the Prime Minister.
5. The provincial regulatory body shall report in writing to the Prime Minister and send a copy of the international agreement to the Ministry of Foreign Affairs within 15 days from the date on which the international agreement is signed.

Section 6. CONCLUSION OF INTERNATIONAL AGREEMENTS IN THE NAME OF GENERAL DEPARTMENT, DEPARTMENTS AFFILIATED TO MINISTRIES, MINISTERIAL-LEVEL AGENCIES; SPECIALIZED AGENCIES AFFILIATED TO THE PEOPLE'S COMMITTEES OF PROVINCES; THE PEOPLE'S COMMITTEES OF DISTRICTS; THE PEOPLE'S COMMITTEES OF COMMUNES IN BORDER AREAS

Article 20. Conclusion of international agreements in the name of General Department, Departments affiliated to Ministries, ministerial-level agencies; specialized agencies affiliated to the People's Committees of provinces; the People's Committees of districts; the People's Committee of commune in border areas

1. Ministers, heads of ministerial-level agencies shall decide the conclusion of international agreements in the name of General Department, Departments affiliated to Ministries, ministerial-level agencies.
2. The President of People's Committee of province shall decide the conclusion of international agreements in the name of specialized agencies affiliated to the People's Committees of provinces; the People's Committees of districts; the People's Committees of communes in border areas.
3. The Government shall elaborate the conclusion and implementation of international agreements in the name of specialized agencies affiliated to the People's Committees of provinces; the People's Committees of districts; the People's Committees of communes in border areas.

Section 7. CONCLUSION OF INTERNATIONAL AGREEMENTS IN THE NAME OF CENTRAL AGENCIES OF ORGANIZATIONS AND PROVINCIAL AGENCIES OF ORGANIZATIONS

Article 21. Power to decide conclusion of an international agreement in the name of the central agency of organization

The head of the central agency of organization shall decide the conclusion of an international agreement in the name of the central agency of organization following a written consent of the foreign affair agency of that organization.

Article 22. Procedures for concluding an international agreement in the name of the central agency of organization

1. The central agency of organization shall send a proposal for conclusion of an international agreement in their name to seek written consultation from the Ministry of Foreign Affairs and relevant agencies and organizations directly related to this international agreement.
2. The consulting entities shall respond in writing within 7 working days after receiving a duly completed proposal specified in Article 27 of this Law.
3. The central agency of organization shall continue to seek consultation from the foreign affair agency of that organization after acquiring consultation from the consulting entities.
4. Within 7 working days after receiving duly completed documentation as prescribed in Article 28 of this Law, the foreign affair agency of that organization shall give their opinions in writing on the conclusion of the international agreement.

5. The head of the central agency of organization shall decide and proceed to sign or authorize another person to sign the international agreement following a written consent of the foreign affair agency of that organization.

6. The central agency of the organization shall report in writing to the foreign affair agency of that organization and send a copy of the international agreement to the Ministry of Foreign Affairs within 15 days from the date the international agreement is signed.

Article 23. Conclusion of international agreements in the name of provincial agencies of organizations

1. The foreign affair agency of the provincial agency of organization shall decide the conclusion of international agreements in the name of that provincial agency of organization.

2. The Government shall elaborate regulations on the conclusion and implementation of international agreements in the name of provincial agencies of organizations.

Section 8. CONCLUSION OF INTERNATIONAL AGREEMENTS IN THE NAME OF MULTIPLE AGENCIES AND ORGANIZATIONS; INTERNATIONAL AGREEMENTS RELATED TO NATIONAL DEFENSE AND SECURITY, INVESTMENT; INTERNATIONAL AGREEMENTS OF AGENCIES AND UNITS IN THE PEOPLE'S ARMY AND PEOPLE'S PUBLIC SECURITY

Article 24. Conclusion of international agreements in the name of multiple agencies and organizations

1. In a case where at least two agencies or organizations conclude an international agreement with a foreign contracting party, these agencies or organizations shall agree in writing to designate an agency or organization to act as the contact point for the conclusion. If they cannot reach such an agreement, they shall seek decision from the competent superior agency.

2. The contact point of conclusion shall seek consultation, report to the competent authority in case of different opinions and in the cases specified in Sections 2, 3, 4, 5, 6, 7 of this Chapter.

Article 25. Conclusion of international agreements relating to national defense, security and investment

1. In case of concluding an international agreement related to national defense and security under the management of the Ministry of National Defense, in addition to compliance with Articles 9, 13, 15, 17, 19, 22 and 24 of this Law, the central regulatory body, provincial regulatory body or central agencies of organization shall send a proposal for conclusion of the international agreement to seek written consultation from the Ministry of National Defense.

2. In case of concluding an international agreement related to security under the management of the Ministry of Public Security, in addition to compliance with Articles 9, 13, 15, 17, 19, 22 and 24 of this Law, the central regulatory body, provincial regulatory body or central agencies of

organization shall send a proposal for conclusion of the international agreement to seek written consultation from the Ministry of Public Security.

3. In case of concluding an international agreement related to investment, in addition to compliance with Articles 9, 13, 15, 17, 19, 22 and 24 of this Law, the central regulatory body, provincial regulatory body or central agencies of organization shall send a proposal for conclusion of the international agreement to seek written consultation from the Ministry of Planning and Investment.

4. The consulting entities provided for in clauses 1, 2 and 3 hereof shall respond in writing within 7 working days after receiving a duly completed proposal specified in Article 27 of this Law.

Article 26. Conclusion of international agreements of agencies and units in the People's Army and the People's Public Security

1. The Minister of National Defense shall specify the conclusion and implementation of international agreements by agencies and units in the People's Army in accordance with the principles specified in Article 3 of this Law.

2. The Minister of Public Security shall specify the conclusion and implementation of international agreements by agencies and units in the People's Public Security in accordance with the principles specified in Article 3 of this Law.

Section 9. CONSULTATION REQUESTS, PROPOSALS AND RESPONSIBILITIES TO GIVE CONSULTATION RESPONSES WITH RESPECT TO CONCLUSION OF INTERNATIONAL AGREEMENTS

Article 27. Consultation requests regarding proposals for conclusion of international agreements

Required documents in a consultation request regarding a proposal for conclusion of international agreement, as prescribed in Clause 1 Article 9, Clause 1 Article 13, Clause 1 Article 15, Clause 1 Article 17, Clause 1 Article 19 and Clause 1 Article 22 of this Law, include:

1. A proposal for conclusion of international agreement shall at least contain:

a) Requirements and purposes of concluding the international agreement;

b) The main contents of the international agreement;

c) Assessment of the conformity of the international agreement with the Vietnamese law and relevant international treaties to which the Socialist Republic of Vietnam is a signatory;

d) Assessment of the impact of the international agreement on politics, foreign affairs, national defense, security, socio-economic and other impacts;

dd) Compliance with the rules specified in Article 3 of this Law;

e) The feasibility and effectiveness of the international agreement;

2. Draft international agreement document in Vietnamese and foreign language. In case the international agreement only contains a document in foreign language, Vietnamese translation is required.

Article 28. Proposal for conclusion of international agreement

Required documents in a proposal for conclusion of international agreement, as prescribed in Clause 3 Article 9, Clause 4 Article 13, Clause 4 Article 15, Clause 4 Article 17, Clause 4 Article 19 and Clause 4 Article 22 of this Law, include:

1. A proposal for conclusion of international agreement, which includes the contents specified in Clause 1, Article 27 of this Law and issues with differing opinions between the consulting entity (if any), proposal for authorization to sign international agreement (if any);

2. Written consultation responses of agencies and organizations specified in Clause 2 of Article 9, Clause 2 of Article 13, Clause 2 of Article 15, Clause 2 of Article 17, Clause 2 of Article 19, of Clause 2 of Article 22 and Clause 4 of Article 25 of this Law;

3. Report on explanation and acquiring opinions of the consulting entities;

4. Draft international agreement document in Vietnamese and foreign language. In case the international agreement only contains a document in foreign language, Vietnamese translation is required.

Article 29. Contents of a consultation response made by the Ministry of Foreign Affairs

1. Necessity and purposes of concluding the international agreement on the basis of the assessment of the relationship between Vietnam and the foreign contracting party.

2. Assessment of the conformity of the international agreement with the national interests, national interests, and foreign policy of the Socialist Republic of Vietnam.

3. Assessment of the conformity of the international agreement with the relevant international treaties to which the Socialist Republic of Vietnam is a signatory.

4. Evaluation that if an international agreement gives rise to, alters or terminates the rights and obligations of the Socialist Republic of Vietnam in accordance with international law.

5. The name, form, in the name of, level of signing agency, language, entry into force and technique of the international agreement.

6. Compliance with the procedures for proposal for conclusion of international agreement.

7. Consistency of the international agreement written in Vietnamese and that written in foreign language.

Article 30. Contents of a consultation response made by relevant agencies and organizations

1. Assessment of the conformity between international cooperation contents of an international agreement and international cooperation undertakings of branches or domains within the scope of their assigned functions and tasks; requirements for ensuring national defense and security (if any).
2. Assessment of conformity between the content of the international agreement and the provisions of relevant specialized law.
3. Evaluation of the feasibility and effectiveness of the international agreement.

Section 10. CONCLUDING AGREEMENTS IN HIGH-LEVEL DELEGATION VISITS

Article 31. Conclusion of international agreements during high-level delegation visits

1. Central regulatory bodies, provincial regulatory bodies, central agencies of organizations shall cooperate with the Ministry of Foreign Affairs or the Foreign Affairs Committee of National Assembly in completing procedures for signing and finalizing international agreement draft that is decided to be signed by a competent authority during a visit of a high-level Vietnamese delegation to an overseas country or a foreign high-level delegation in Vietnam.
2. The Ministry of Foreign Affairs or the Foreign Affairs Committee of National Assembly shall take charge and cooperate in reviewing and comparing the final document of the international agreement; the Ministry of Foreign Affairs or the Office of the National Assembly shall coordinate with the foreign party in holding a signing ceremony of the international agreement during the visit of a high-level Vietnamese delegation in a foreign country or a foreign high-level delegation in Vietnam.

Chapter III

ENTRY INTO FORCE, AMENDMENT, RENEWAL, TERMINATION, WITHDRAWAL, SUSPENSION OF INTERNATIONAL AGREEMENTS

Article 32. Entry into force of international agreements

1. An international agreement comes into force as specified in such international agreement.
2. In cases where an international agreement has no provisions on entry into force, such international agreement shall come into force according to the written agreement between the Vietnamese contracting party and the foreign contracting party.

Article 33. Amendment and renewal of an international agreement

1. The agency and person competent to decide the conclusion of an international agreement shall have the power to decide the amendment or renewal of such international agreement.
2. The procedures for amending or renewing an international agreement shall be similar to the procedures for the conclusion of international agreements specified in this Law.
3. Central regulatory bodies, provincial regulatory bodies, central agencies of organizations shall notify the Ministry of Foreign Affairs of the amendment or renewal of international agreements specified in Section 1, 2, 3, 4, 5 and 7 Chapter II of this Law within 15 days from the effective date of the amendment or renewal.

Article 34. Termination, withdrawal from or suspension of an international agreement

1. An international agreement may be terminated, withdrawn or suspended under the provisions of such international agreement or under an agreement between a Vietnamese contracting party and a foreign contracting party.
2. The Vietnamese contracting party must terminate or withdraw from an international agreement if the implementation of such international agreement violates one of the principles specified in Article 3 of this Law.
3. The agency and person competent to decide the conclusion of an international agreement shall have the power to decide the termination, withdrawal and suspension of such international agreement.
4. The procedures for termination, withdrawal and suspension of an international agreement shall be similar to the procedures for the conclusion of international agreements specified in this Law.
5. Central regulatory bodies, provincial regulatory bodies, central agencies of organizations shall notify the Ministry of Foreign Affairs of the termination, withdrawal or suspension of international agreements specified in Section 1, 2, 3, 4, 5 and 7 Chapter II of this Law within 15 days from the effective date of the termination, withdrawal or suspension.

Chapter IV

REDUCED PROCEDURES

Article 35. Requirements for application of reduced procedures for conclusion of international agreements

1. Reduced procedures for conclusion of international agreements in the name of the State, the National Assembly or the Government will apply if the following requirements are met:

a) The conclusion of international agreements is consistent with policies and projects that obtain approval from the State President, Prime Minister, President of the National Assembly or from competent authorities with the consent of the State President, Prime Minister or President of the National Assembly;

b) In urgent cases due to political and foreign affair requirements.

2. The reduced procedures apply to the conclusion of international agreements in the name of central regulatory bodies, provincial regulatory bodies and central agencies of organizations will apply if the following requirements are met:

a) Obtaining the permission of a competent authority to sign in the visit of a Vietnamese high-level delegation in a foreign country or a foreign high-level delegation in Vietnam;

b) In urgent cases due to political, foreign affairs, emergency relief, and disaster or epidemic recovery.

Article 36. Reduced procedures for concluding international agreements in the name of the State

1. The Ministry, ministerial-level agency and Governmental agency shall send a proposal for conclusion of an international agreement to seek written consultation from the Ministry of Foreign Affairs and relevant agencies and organizations directly related to this international agreement.

2. The consulting entities shall respond in writing within 3 working days after receiving a duly completed proposal specified in Article 40 of this Law.

3. The Ministry, ministerial-level agency and Governmental agency shall conclude the international agreement as to the policy or project already approved by the competent authority as prescribed in point a clause 1 Article 35 of this Law.

4. In cases where there are differing opinions between the Ministry, ministerial-level agency and Governmental agency and consulting entities about the necessity to conclude the international agreement; compliance with the principles specified in Article 3 of this Law; or requirements for application of reduced procedures specified in Clause 1, Article 35 of this Law, the Ministry, ministerial-level agency and Governmental agency shall propose the Government to seek the decision from the State President. Documents required are specified in Article 28 of this Law. The conclusion of the international agreement shall be proceeded following a written consent from the State President.

Article 37. Reduced procedures for concluding international agreements in the name of the National Assembly

1. The Foreign Affairs Committee of the National Assembly shall send a proposal for conclusion of an international agreement to seek written consultation from the Ministry of Foreign Affairs and relevant agencies and organizations directly related to this international agreement.

2. The consulting entities shall respond in writing within 3 working days after receiving a duly completed proposal specified in Article 40 of this Law.

3. The Foreign Affairs Committee of the National Assembly shall conclude the international agreement as to the policy or project already approved by the competent authority as prescribed in point a clause 1 Article 35 of this Law.

4. In cases where there are differing opinions between the Foreign Affairs Committee of the National Assembly and consulting entities about the necessity to conclude the international agreement; compliance with the principles specified in Article 3 of this Law; or requirements for application of reduced procedures specified in Clause 1, Article 35 of this Law, Foreign Affairs Committee of the National Assembly shall propose the Deputy President of National Assembly to seek the decision from the President of National Assembly. Documents required are specified in Article 28 of this Law. The conclusion of the international agreement shall be proceeded following a written consent from the President of the National Assembly.

Article 38. Reduced procedures for concluding international agreements in the name of the Government

1. The Ministry, ministerial-level agency and Governmental agency shall send a proposal for conclusion of an international agreement to seek written consultation from the Ministry of Foreign Affairs and relevant agencies and organizations directly related to this international agreement.

2. The consulting entities shall respond in writing within 3 working days after receiving a duly completed proposal specified in Article 40 of this Law.

3. The Ministry, ministerial-level agency and Governmental agency shall conclude the international agreement as to the policy or project already approved by the competent authority as prescribed in point a clause 1 Article 35 of this Law.

4. In cases where there are differing opinions between the Ministry, ministerial-level agency and Governmental agency and consulting entities about the necessity to conclude the international agreement; compliance with the principles specified in Article 3 of this Law; or requirements for application of reduced procedures specified in Clause 1, Article 35 of this Law, the Ministry, ministerial-level agency and Governmental agency shall seek the decision from the Prime Minister. Documents required are specified in Article 28 of this Law. The conclusion of the international agreement shall be proceeded following a written consent from the Prime Minister.

Article 39. The reduced procedures for conclusion of international agreements in the name of central regulatory bodies, provincial regulatory bodies and central agencies of organizations

1. The central regulatory body, provincial regulatory body and central agency of organization shall send a proposal for conclusion of an international agreement to seek written consultation from the Ministry of Foreign Affairs and relevant agencies and organizations directly related to this international agreement.

2. The consulting entities shall respond in writing within 3 working days after receiving a duly completed proposal specified in Article 40 of this Law.

Article 40. Consultation requests regarding proposals for conclusion of international agreements under reduced procedures

1. A consultation request shall at least contain:

a) Requirements and purposes of concluding an international agreement;

b) The main contents of the international agreement;

c) Assessment of the impact of the international agreement on politics, foreign affairs, national defense, security, socio-economic and other impacts;

d) Compliance with the principles as prescribed in Article 3 hereof; grounds for application of reduced procedures.

2. Documentary evidence for application of reduced procedures is specified in Article 35 of this Law.

3. Draft international agreement document in Vietnamese and foreign language. In case the international agreement only contains a document in foreign language, Vietnamese translation is required.

Article 41. Amendment and renewal of an international agreement under reduced procedures

1. For minor amendments or renewals, within the scope of their assigned functions, tasks, powers and no new international agreement is going to be concluded, the central regulatory body, provincial regulatory body and central agency of organization will not necessarily seek consultation from relevant entities. The consulting entities shall respond in writing within 3 working days after receiving a duly completed proposal specified in Article 40 of this Law.

2. In cases where an international agreement designates an agency to amend the contents of the international agreement, such agency shall decide the amendment without having to seek consultation from other agencies or organizations, unless otherwise decided by the agency or person competent to decide the conclusion of the international agreement.

Chapter V

IMPLEMENTATION OF INTERNATIONAL AGREEMENTS

Article 42. Responsibilities of central regulatory bodies, provincial regulatory bodies, central agencies of organizations, provincial agencies of organizations in the implementation of international agreements

Central regulatory bodies, provincial regulatory bodies, central agencies of organizations, provincial agencies of organizations, within the scope of their duties and powers, have the following responsibilities:

1. Implementing an international agreement concluded or proposed by that agency if that international agreement is concluded in the name of the State, the National Assembly or the Government, concurrently requesting the contracting party to implementing such international agreement in the spirit of friendship and cooperation;
2. Preparing long-term plans and annual plans on the implementation of the international agreement concluded or proposed by that agency if that international agreement is concluded in the name of the State, the National Assembly or the Government, and then send them to the Ministry of Foreign Affairs for supervision and to the Prime Minister; annual plans are submitted by November 15 of the previous year;
3. Copying, making public, raise public awareness of the international agreement concluded or proposed by that agency if that international agreement is concluded in the name of the State, the National Assembly or the Government, unless such international agreement is not permitted to be made public under an agreement between a Vietnamese contracting party and a foreign contracting party or under a decision of a competent authority; where the international agreement only contains the document in foreign language, the Vietnamese translation of the international agreement must be attached;
4. Urge the implementation of international agreement in the name of general departments, departments affiliated to Ministries, ministerial-level agencies, specialized agencies affiliated to People's Committees of provinces, People's Committees of districts and People's Committees of communes in the border areas under their management;
5. Approving the plans to implement international agreement in the name of general departments, departments affiliated to Ministries, ministerial-level agencies, specialized agencies affiliated to People's Committees of provinces, People's Committees of districts and People's Committees of communes in the border areas under their management;
6. Taking necessary measures to protect the rights and interests of a Vietnamese contracting party in case an international agreement is breached.

Article 43. Responsibilities of agencies and units that advise on foreign affairs and international cooperation of central regulatory bodies and provincial regulatory bodies in the implementation of international agreements

1. Advising on the formulation of long-term plans and annual plans on the implementation of international agreements concluded or proposed by central regulatory bodies and provincial regulatory bodies if the international agreements are concluded in the name of the State, the National Assembly and the Government.
2. Urging the implementation of international agreements concluded or proposed by central regulatory bodies and provincial regulatory bodies if the international agreements are concluded in the name of the State, the National Assembly and the Government.

Chapter VI

RESPONSIBILITIES OF CENTRAL REGULATORY BODIES, PROVINCIAL REGULATORY BODIES, CENTRAL AGENCIES OF ORGANIZATIONS, PROVINCIAL AGENCIES OF ORGANIZATIONS, FOREIGN AFFAIRS AGENCIES OF ORGANIZATIONS IN THE IMPLEMENTATION OF INTERNATIONAL AGREEMENTS

Article 44. Responsibilities of the Ministry of Foreign Affairs

1. Send reports to the Government on an annual basis or upon request on the conclusion and implementation of international agreements; send reports to the Government for forwarding to the National Assembly on the conclusion and implementation of international agreements on an annual basis or at the request of the National Assembly.
2. Release statistics of concluded international agreements.

Article 45. Responsibilities of the Foreign Affairs Committee of National Assembly

1. Assist the Standing Committee of National Assembly in directing, regulating and coordinating the conclusion and implementation of international agreements of agencies of the National Assembly, Secretary of the National Assembly, National Assembly Office, agencies affiliated to the Standing Committee of the National Assembly, State Audit.
2. Take charge and cooperate with agencies of the National Assembly, Secretary of the National Assembly, National Assembly Office, agencies affiliated to the Standing Committee of the National Assembly, State Audit in sending annual or ad-hoc reports on conclusion and implementation of international agreements to the National Assembly or the Standing Committee of National Assembly.

Article 46. Responsibilities of central regulatory bodies, provincial regulatory bodies, central agencies of organizations, provincial agencies of organizations

Central regulatory bodies, provincial regulatory bodies, central agencies of organizations, provincial agencies of organizations shall, apart from the responsibilities as prescribed in Article 42, within the scope of their duties and powers, have the following responsibilities:

1. Sending long-term plans and annual plans on the implementation of the international agreement to the Ministry of Foreign Affairs for supervision and to the Prime Minister; annual plans are submitted by November 15 of the previous year;
2. Archiving original international agreements that these agencies have concluded or proposed to conclude if these international agreements are concluded in the name of the State, the National Assembly or the Government as per the law on archives;
3. Reporting on the conclusion and implementation of international agreements no later than November 15 every year or upon request, to the Ministry of Foreign Affairs for monitoring and summing up reports to the Government and the Prime Minister;
4. Raising awareness of the law on international agreements;
5. Inspecting, commending and handling violations of the law on international agreements;
6. Settle complaints and whistleblowing related to the conclusion and implementation of international agreements.

Article 47. Responsibilities of Ministers, heads of ministerial-level agencies, heads of Governmental agencies, Presidents of the People's Committees of provinces

1. Ministers, heads of ministerial-level agencies, heads of Governmental agencies shall be held accountable to the Government for the conclusion of international agreements in their name and in the name of general departments, departments affiliated to Ministries, ministerial-level agencies.
2. The President of People's Committee of province shall be held accountable to the Government for the conclusion of international agreements in their name or in the name of specialized agencies affiliated to the People's Committee of province; the People's Committee of district; the People's Committee of commune in border area.

Article 48. Responsibilities of agencies and units that advise on foreign affairs and international cooperation of central regulatory bodies and provincial regulatory bodies

Agencies and units that advise on foreign affairs and international cooperation of central regulatory bodies and provincial regulatory bodies, apart from the responsibilities in the implementation of international agreements as prescribed in Article 43, shall have the following responsibilities:

1. Drafting documents under the promulgation competence of central regulatory bodies and provincial regulatory bodies on the conclusion and implementation of international agreements;
2. Advising central regulatory bodies and provincial regulatory bodies on the conclusion and implementation of international agreements in the name of central regulatory bodies and provincial regulatory bodies, general departments, departments affiliated to Ministries,

ministerial-level agencies, specialized agencies affiliated to the People's Committees of provinces; the People's Committees of districts; the People's Committees of communes in border areas;

3. Monitoring, consolidating and reporting central regulatory bodies and provincial regulatory bodies on the conclusion and implementation of international agreements in the name of general departments, departments affiliated to Ministries, ministerial-level agencies, specialized agencies affiliated to the People's Committees of provinces; the People's Committees of districts; the People's Committees of communes in border areas;

4. Reporting and seeking direction from the competent authorities on issues in the conclusion and implementation of international agreements in the name of general departments, departments affiliated to Ministries, ministerial-level agencies, specialized agencies affiliated to the People's Committees of provinces; the People's Committees of districts; the People's Committees of communes in border areas.

Article 49. Responsibilities of foreign affairs agencies of organizations

Foreign affairs agencies of organizations, within their tasks and powers, have the following responsibilities:

1. Taking charge and cooperating with relevant entities in providing guidance on the conclusion and implementation of international agreements;

2. Cooperating with the Ministry of Foreign Affairs in management of the conclusion and implementation of international agreements of central agencies of organizations;

3. Sending annual or ad-hoc reports to the superior authorities and notify the Government and the Ministry of Foreign Affairs of the conclusion and implementation of international agreements of central agencies of organizations.

Article 50. Funding for conclusion and implementation of international agreements

1. Funding for the conclusion and implementation of international agreements in the name of in the name of the State, the National Assembly and the Government, central regulatory bodies, provincial regulatory bodies, general departments, departments affiliated to Ministries, ministerial-level agencies, specialized agencies affiliated to the People's Committees of provinces; the People's Committees of districts; the People's Committees of communes in border areas shall be set aside in the recurrent expenditures of state budget and other sources of funds as per the law.

2. Funding for the conclusion and implementation of international agreements in the name of central agencies of organizations, provincial agencies of organizations shall be set aside from their own finance or other sources of funds as per the law.

3. The Government shall elaborate this Article.

Chapter VII

IMPLEMENTATION

Article 51. Entry in force

1. This Law comes into forces as of July 1, 2021.
2. Ordinance on Conclusion and Implementation of International Agreements shall cease to be effective from the date of entry into force of this Law.

Article 52. Grandfather clause

1. For any international agreement which has not been concluded before the date of entry into force of this Law but relevant procedures for conclusion have been initiated as prescribed in Ordinance on Conclusion and Implementation of International Agreements No. 33/2007/PL-UBTVQH11 and Decision No. 36/2018/QD-TTg dated August 24, 2018 of the Prime Minister on procedures for signing and implementing agreements in the name of the Government and requesting the President of Vietnam to sign agreements in the name of the State that are not international treaties, the conclusion shall be done as per this Ordinance or Decision without following procedures for conclusion as per this Law.
2. For any international agreement which has not been concluded as prescribed in Ordinance on Conclusion and Implementation of International Agreements No. 33/2007/PL-UBTVQH11 and Decision No. 36/2018/QD-TTg dated August 24, 2018 of the Prime Minister on procedures for signing and implementing agreements in the name of the Government and requesting the President of Vietnam to sign agreements in the name of the State that are not international treaties, the Vietnamese contracting party shall amend, renew, terminate, withdraw from or suspend the international agreement according to the procedures specified in this Law.

This Law is passed on November 13, 2020, by the 14th National Assembly of the Socialist Republic of Vietnam at its 10th session.

CHAIRPERSON OF NATIONAL ASSEMBLY

Nguyen Thi Kim Ngan

LawSoft and protected under Clause 2, Article 14 of the Law on Intellectual Property. Your comments are always welcomed