

LAW

ON THE CONCLUSION, ACCESSION AND IMPLEMENTATION OF INTERNATIONAL TREATIES

Pursuant to the Constitution of the Socialist Republic of Vietnam, promulgated in 1992, as revised in accordance with the Resolution No. 51/2001/QH10 dated 25 December 2001 of the Tenth National Assembly, the 10th Session;

The present Law regulates the conclusion, accession and implementation of international treaties in the name of the State and in the name of the Government of the Socialist Republic of Vietnam.

CHAPTER I

GENERAL PROVISIONS

Article 1. Scope of regulation application

1. —The present Law shall provide for apply to the conclusion, accession, reservation, depository, keeping custody, making certified copies, publication, registration, implementation, interpretation, amendment, modification, termination, denunciation, withdrawal, suspension of the application of international treaties concluded or acceded to in the name of the State or the name of the Government of the Socialist Republic of Vietnam.

~~1.2.~~ International agreements concluded by the Supreme People's Court, Supreme People's Procuracy, Ministries, Ministerial Agencies, Governmental Agencies, Provinces, Cities under the central government, political organizations, socio-political organizations, social organizations, and socio-professional organizations with foreign respective agencies and organizations are not international treaties and are provided for in other legal normative documents.

Article 2. Explanation of terms

For the purposes of the present Law:

1. *“International treaties concluded or acceded to by the Socialist Republic of Vietnam”*, hereinafter referred to as international treaties, 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 organisations or other subjects of international law, irrespective of their titles, as well as the agreements being recorded in one or more documents such as treaties, conventions, acts, agreements, arrangements, protocols, memorandums of understanding, exchanged diplomatic notes or documents with other titles.

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2. “*Full Powers*” means a document issued by the competent authority designating one or more representatives of the Socialist Republic of Vietnam for undertaking one or more legal acts concerning the negotiation or signing of treaties.

2a. *Procuration* means a document issued by the competent authority designating one or more representatives of the Socialist Republic of Vietnam for participation in international conferences to undertake one or more legal acts in relation to the negotiation, adoption of the texts of international treaties at the conferences or the implementation of multilateral treaties.

3. “*Conclusion*” means legal acts process undertaken by competent persons or authorities, including starting from acts of negotiation, to signing, ratification, and approval of international treaties or exchange of documents constituting international treaties.

4. “*Signing*” means a legal act undertaken by a competent person or authority, including signing of an international treaty without subject to ratification or approval to express the consent of the Socialist Republic of Vietnam to be bound by such international treaty and signing of an international treaty subject to ratification or approval.

5. “*Initialing*” means a legal act undertaken by a competent or authorised person to confirm that the text of an international treaty the Socialist Republic of Vietnam intends to sign is the final text agreed upon with a foreign contracting party (parties).

6. “*Ratification*” means a legal act undertaken by the National Assembly or the State President, whereby it expresses the consent of the Socialist Republic of Vietnam to be bound by an international treaty signed.

7. “*Approval*” means a legal act undertaken by the Government, whereby it expresses the consent of the Socialist Republic of Vietnam to be bound by an international treaty signed.

8. “*Exchange of documents constituting an international treaty*” means the exchange of letters or diplomatic notes or documents with other titles constituting a bilateral international treaty between the Socialist Republic of Vietnam and a foreign contracting party.

9. “*Accession*” means a legal act undertaken by the National Assembly, State President or Government, whereby it expresses the consent of the Socialist Republic of Vietnam to be bound by a multilateral international treaty in cases where when the period in which the treaty is open for signature expires and the Socialist Republic of Vietnam has not signed the such international treaty during such period, irrespective of the entry into force of the treaty.

10. “*Reservation*” means a statement made by the Socialist Republic of Vietnam or a foreign contracting party when signing, ratifying, approving or acceding to a multilateral international treaty, whereby it purports to exclude or modify the legal effect of a certain provision of the treaty in its application to the Socialist Republic of Vietnam or the foreign contracting party respectively.

11. “*International treaties to which Vietnam is a party*” means international treaties that are in force with respect to the Socialist Republic of Vietnam.

12. “*Termination of an international treaty*” means a legal act undertaken by the National Assembly, State President or Government, whereby it denounces the effect of an international treaty concluded or acceded to by the Socialist Republic of Vietnam.

13. “*Denunciation of an international treaty*” means a legal act undertaken by the National Assembly, State President or Government, whereby it denounces the consent to be bound by a international treaty concluded by the Socialist Republic of Vietnam.

14. “*Withdrawal from an international treaty*” means a legal act undertaken by the National Assembly, State President or Government, whereby it denounces the consent to be bound by a multilateral international treaty concluded or acceded to by the Socialist Republic of Vietnam.

15. “*Suspension of an international treaty*” means a legal act undertaken by the National Assembly, State President or Government, whereby it suspends the implementation of the whole or part of an international treaty that is in force with respect to the Socialist Republic of Vietnam.

16. “*Foreign contracting parties*” mean States, international organisations or other subjects of international law.

17. “*International organisations*” mean inter-governmental organisations.

Article 3. Principles of conclusion, accession and implementation of international treaties

International treaties shall be concluded, acceded to and implemented on the basis of full compliance with the following principles:

1. In conformity with fundamental principles of international law, especially the principles of respect for independence, sovereignty, territorial integrity, of prohibition of the threat or use of force, of non-interference in the domestic affairs of each other, of equality and mutual benefit;

1a. In conformity with the national interests, foreign policy of independence, self-control, peace, friendship, and cooperation with all countries of the Socialist Republic of Vietnam

2. In conformity with the provisions of the Constitution of the Socialist Republic of Vietnam;

3. An international treaty which contains~~ing contrary~~ provision(s) to contrary or has not been provided for in ~~to any provisions of~~ legal documents promulgated by the National Assembly or the Standing Committee of the National Assembly or an international treaty the implementation of which requires amendment, supplement, ~~denunciation-repeal~~ or promulgation of any legal documents of the National Assembly or the Standing Committee of the National Assembly, shall be submitted to the Standing Committee of the National Assembly for consideration before the signing of or accession. The Standing Committee of the National Assembly shall report to the National Assembly of its opinion at the nearest session of the National Assembly;

4. International treaties concluded or acceded to in the name of the Government must not contradict to the international treaties concluded or acceded to in the name of the State;

5. The Socialist Republic of Vietnam ~~fully implements-complies with~~ international treaties to which the Socialist Republic of Vietnam is a party and requests other parties to international treaties fully implement such international treaties.

Article 3a. State management on conclusion, accession, and implementation of international treaties

State management on conclusion, accession, and implementation of international treaties contains the followings:

1. Promulgating legal normative documents on conclusion, accession, and implementation of international treaties;
2. Organizing and ensuring the implementation of international treaties;
3. Proliferating and disseminating international treaties to which the Socialist Republic of Vietnam is a party;
4. Proliferating, disseminating and providing guidance for the enforcement of laws on conclusion, accession, and implementation of international treaties;
5. Depository, keeping custody, making certified copies, publication of international treaties;
6. Making statistics and checking the international treaties concluded or acceded to by the Socialist Republic of Vietnam;
7. Drawing long-term plans and annual plans on conclusion, accession, and implementation of international treaties;

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8. Supervising, examining, inspecting, and dealing with the violation of provisions of laws on conclusion, accession, and implementation of international treaties;
9. Resolving complaints and denunciations related to the conclusion, accession, and implementation of international treaties;
10. Internationally cooperating in the fields of conclusion, accession, and implementation of international treaties.

Article 3b. State management agencies on conclusion, accession, and implementation of international treaties

1. The Government uniformly directs state management on conclusion, accession, and implementation of international treaties nationwide.
2. The Ministry of Foreign Affairs is responsible for assisting the Government in undertaking the function of state management on conclusion, accession, and implementation of international treaties;
- 4.3. Ministries, Ministerial-level agencies, and Governmental agencies within their respective duties and powers coordinate with the Ministry of Foreign Affairs in undertaking the state management on conclusion, accession, and implementation of international treaties.

Article 4. International treaties and provisions of domestic law

1. ~~Legal documents shall be promulgated without prejudice to the implementation of international treaties to which the Socialist Republic of Vietnam is a party.~~

2. In case, with respect to the same subject matter a legal document contains provision(s) different from any relevant provisions of an international treaty to which the Socialist Republic of Vietnam is a party, the provisions of the international treaty shall apply.

• There are three solutions for Paragraph 2

Solution 1: (this solution has been submitted to the National Assembly for opinions)

Legal documents shall be promulgated without prejudice to the implementation of international treaties to which the Socialist Republic of Vietnam is a party.

Solution 2:

The promulgation of legal normative documents shall take into consideration the international treaties to which the Socialist Republic of Vietnam is a party.

Solution 3: to delete this clause

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• **There are three solutions for Paragraph 3**

Solution 1:

Based upon the requirement, contents and nature of the international treaties, the competent authorities shall make decisions on ratification, approval, accession to or signing without ratification, or approval of international treaties; decisions on the direct application of such international treaties to agencies, organizations, and individuals; decisions or proposals for promulgation of legal normative documents to implement such international treaties.

Solution 2:(this solution has been submitted to the National Assembly for opinions and has minor amendments in language)

~~3.~~ International treaties that are in force with respect to the Socialist Republic of Vietnam may apply directly to agencies, organizations, and individuals in accordance with the decisions made by competent authorities stated in the decisions on signing, ratification, approval or accession to international treaties with respect to cases of signing without ratification and approval.

In case it is ~~impossible to apply directly~~ necessary to promulgate legal normative documents to implement certain provisions of an international treaty that is in force with respect to the Socialist Republic of Vietnam, the competent authority, in deciding on the ~~signing,~~ ratification, approval, ~~or~~ accession to or signing without ratification and approval of such international treaties, shall decide or propose on the to promulgation of e legal document(s) for implementing the international treaty.

Solution 3: to delete this paragraph

Article 5. Classification-Types of international treaties

~~1. The titles and names of international treaties shall be agreed upon by the contracting parties, depending on the entities that sign or accede to the international treaties, the scope of application of the international treaties and the extent of commitments arising from the international treaties with respect to the Socialist Republic of Vietnam.~~

~~2.~~ Bilateral or Multilateral International treaties concluded or acceded to by the Socialist Republic of Vietnam include:

- a) International treaties in the name of the State;
- b) International treaties in the name of the Government;

~~3.~~ International treaties shall be concluded or acceded to in the name of the State in the following cases:

a) International treaties shall be signed directly by the State President together with the Heads of other States;

b) International treaties on peace, security, boundaries, territory and state sovereignty;

c) International treaties on basic rights and duties of nationals, on legal assistance;

d) International treaties on universal international organisations and important regional organisations;

®) ~~As agreed upon by~~ Pursuant to the agreement with foreign contracting parties.

43. International treaties shall be concluded or acceded to in the name of the Government in the following cases:

a) For the implementation of other international treaties concluded or acceded to in the name of the State;

b) International treaties on those fields which are not prescribed in sub-paragraphs b and c of Paragraph 32 of this Article;

c) International treaties on those international organisations and regional organisations which are not prescribed in sub-paragraph d of Paragraph 32 of this Article;

d) ~~As agreed upon by~~ Pursuant to the agreement with foreign contracting parties.

4. In cases where there is agreement with foreign contracting parties, the international treaties as provided for in Paragraph 2 of this Article may be signed or acceded in the name of the Government, provided that before signing or acceding such international treaties shall be submitted to the Standing Committee of the National Assembly for opinions. The Standing Committee of the National Assembly shall report to the National Assembly on its opinion at the nearest session.

Article 6. Consent to be bound by international treaties

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

1. Definitely signing of the international treaty without subject to ratification or approval;

2. Ratification of the international treaty;

3. Approval of the international treaty;

4. Exchange of documents constituting the international treaty;
5. Accession to the international treaty;
6. Other forms of expression as agreed upon with foreign contracting parties.

CHAPTER II

CONCLUSION OF INTERNATIONAL TREATIES

SECTION 1

RECOMMENDATIONS ON NEGOTIATION AND SIGNING OF INTERNATIONAL TREATIES

Article 7. Responsibility of making recommendations on negotiation and signing of international treaties

1. Ministries, branches, on the basis of their functions, duties and power assigned in respective fields of State management and requirements of international co-operation, shall take the lead to submit to the Government recommendations on the negotiation and signing of international treaties (hereinafter referred to as the recommending agencies).

2. Before submitting to the Government on the negotiation and signing of international treaties, the recommending agencies shall, after obtaining written examining opinions from the Ministry of Foreign Affairs as provided for in Article 8 of this Law, relevant agencies and evaluating opinions from the Ministry of Justice as provided for in Articles from 14 to 18 of this Law, and written opinions from relevant agencies.

23. In case the Ministry of Foreign Affairs makes recommendations on the negotiation or signing of an international treaty, the Ministry of Foreign Affairs shall submit to the Government for decision, after obtaining written opinions from relevant agencies and evaluating opinions from the Ministry of Justice.

~~3. The recommending agencies shall be responsible to obtain evaluating opinions in written form from the Ministry of Justice in accordance with the provisions of Articles from 14 to 18 of this Law, in addition to the obtaining of written opinions from relevant agencies.~~

The Ministry of Foreign Affairs shall take the lead in coordinating with relevant agencies to recommend to the Government on the negotiation, signing of international treaties on peace, security, national borders and territory.

4. The recommending agencies shall be responsible to prepare drafts of international treaties of the Vietnamese party. In case a draft international treaty was prepared by a foreign party, the recommending agency shall study such draft and prepare a draft of the Vietnamese party.

The recommending agencies shall be responsible to prepare different plans for accepting amending or modifying draft international treaties, in case of negotiation of multilateral international treaties.

Article 8. Responsibility of the Ministry of Foreign Affairs with respect to the examination of recommendations on negotiation, signing of international treaties

The Ministry of Foreign Affairs shall be responsible to examine recommendations on negotiation, signing of international treaties ~~reply in written form to any request for opinions~~ made by a recommending agency on the following main issues:

1. The necessity, objectives and purposes of negotiation, signing of an international treaty, on the basis of evaluating the relationship between the Socialist Republic of Vietnam and the foreign contracting party concerned;

2. Evaluating of the extent of conformity between the draft international treaty, international treaty with fundamental principles of International Law;

2a. Evaluating of the extent of conformity between the international treaty with the national interests and foreign policies of the State of the Socialist Republic of Vietnam;

3. Evaluating the conformity of the contents of the international treaty proposed for negotiation or signing and the contents of other international treaties on the same field, to which the Socialist Republic of Vietnam is a party;

4. The authorities to sign the international treaty, the name under which the international treaty will be signed, title, formulation, language(s), entry into force and document techniques of the treaties;

5. The compliance with the procedures for making recommendations on negotiation, signing of the international treaty.

Article 9. Competence to decide on negotiation, signing of international treaties

1. The State President shall decide on the negotiation and signing of international treaties in the name of the State with the Heads of other States.

2. The Government shall decide on the negotiation and signing of international treaties in the name of the Government and in the name of the State, except in cases provided for in Paragraph 1 of this Article.

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

3. The Government shall submit to the Standing Committee of the National Assembly for consideration on the negotiation and signing of international treaties containing contrary provisions or provisions which have not been provided for in containing provisions contrary to any provisions of legal documents promulgated by the National Assembly and the Standing Committee of the National Assembly, or international treaties the implementation of which requires amendment, supplement, denunciation repeal or promulgation of any legal documents of the National Assembly or the Standing Committee of the National Assembly. The Standing Committee of the National Assembly shall report the National Assembly of its opinions at the nearest session of the National Assembly.

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

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

b) The designated representative and his/her designated authority in negotiating, signing the international treaty;

c) The entry into force, provisional application of the international treaty (if necessary);

d) The reservation, acceptance of or objection to reservation(s) made by foreign contracting parties, declaration(s) with respect to the multilateral international treaty (if necessary);

®) The opinions on the contents of the international treaty and other necessary issues;

e) The decisions on the direct application of the whole or part of international treaties, requirements for amendment, supplement, repeal or promulgation of legal normative documents to implement international treaties;

g) The responsibility of the recommending agency, Ministry of Foreign Affairs and other relevant agencies.

Article 10. Procedures for making recommendations and decisions on negotiation, signing of international treaties

1. No later than 30 days ~~B~~before submitting recommendations to the Government on the negotiation and signing of international treaties, the recommending agencies shall be responsible to consult and obtain written examining opinions from the Ministry of Foreign Affairs, evaluating opinions from the Ministry of Justice, and opinions from relevant agencies ~~and evaluating opinions from the Ministry of Justice.~~

2. The consulted agencies referred to in Paragraph 1 of this Article shall be responsible to make written reply to the recommending agencies within 15 days after the date of receipt of a written request for opinions.

3. A recommending agency shall submit to the Government for decision on the negotiation and signing of an international treaty within 10 days after the date of receipt of written reply from relevant agencies.

4. The Government shall decide:

a) On the negotiation and signing of an international treaty within 15 days after the date of receipt of the documents submitted by the recommending agency or after the date of receipt of the opinions of the Standing Committee of the National Assembly on the negotiation and signing of an international treaty containing contrary provisions or provisions which have not been provided for in containing provisions contrary to any provisions of legal documents promulgated by the National Assembly and the Standing Committee of the National Assembly, or an international treaty the implementation of which requires amendment, supplement, denunciation repeal or promulgation of any legal documents of the National Assembly or the Standing Committee of the National Assembly;

b) To submit to the State President on the decisions on the negotiation and signing of an international treaty in the name of the State within 15 days after the date of receipt of the documents submitted by the recommending agency in cases where the State President signs with other Heads of State;

c) To report to the State President on the negotiation, signing of an international treaty in the name of the State, except for the cases as provided for in sub-paragraph b Paragraph 4 of this Article or an international treaty in the name of the Government containing a provision which requires the treaty be subject to ratification, at least 150 days before making decision on the negotiation, signing of the international treaty;

d) To submit to the Standing Committee of the National Assembly for consideration on the negotiation and signing of an international treaty containing contrary provisions or provisions which have not been provided for in containing provisions contrary to any provisions of legal documents promulgated by the National Assembly and the Standing Committee of the National Assembly, or an international treaty the implementation of which requires amendment, supplement, denunciation repeal or promulgation of any legal documents of the National Assembly or the Standing Committee of the National Assembly, within 15 days after the date of receipt of the documents submitted by the recommending agency.

5. The Standing Committee of the National Assembly shall give its opinions on the negotiation and signing of an international treaty within 30 days after the date of receipt of the documents submitted by the Government as provided for in

sub-paragraph de of Paragraph 4 of this Article and report to the National Assembly on its opinions at the nearest session of the National Assembly.

Article 10a. Procedures for giving opinions by the Standing Committee of the National Assembly on negotiation and signing of international treaties

1. The Standing Committee of the National Assembly shall give opinions on negotiation and signing of international treaties as provided for in sub-paragraph d of Paragraph 4 of Article 10 at the session of the Standing Committee of the National Assembly in accordance with the following order:
 - a) The representatives of the Government present on the recommendations on negotiation, signing, and contents of the international treaties;
 - b) The representatives of the Committee on External Relations, Ethnic Council, and relevant Committees of the National Assembly express their views on the contents of the international treaties;
 - c) The representatives of relevant agencies are invited to attend the session to express their views on the contents of the international treaties;
 - d) The Standing Committee of the National Assembly discuss;
 - e) The chairman of the session summarizes opinions by members of the Standing Committee of the National Assembly on negotiation and signing of the international treaties;
 - f) The Standing Committee of the National Assembly adopts opinions on negotiation and signing of international treaties.
2. The opinions by the Standing Committee on negotiation and signing of international treaties as provided for in sub-paragraph f of Paragraph 1 of this Article shall be the basis for the State President or the Government to consider to make decisions on negotiation and signing of international treaties.
3. The Standing Committee of the National Assembly shall be responsible to report to the National Assembly on the opinions as provided for in sub-paragraph f of Paragraph 1 of this Article at the nearest session of the National Assembly.

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Article 11. Contents of documents of recommendations, reports of recommendations on negotiation and signing of international treaties

A recommendation document or report on recommendations on the negotiation and signing of an international treaty shall contain the following contents:

1. The necessity, requirements and objectives of the negotiation and signing of the international treaty;
2. Main contents of the draft international treaty or international treaty;
3. Title, form and the name in which the international treaty shall be signed, the representative designated for signing, the language(s), entry into force and methods of entry into force, duration of effect and temporary application of the international treaty (if necessary);
4. Rights and obligations arising from the international treaty with respect to the Socialist Republic of Vietnam;
5. Evaluation of political, economic, social, financial and other impacts;
6. Evaluation of the observance of the principles of the conclusion of the international treaty as provided for in Article 3 of this Law;
7. Evaluation of the conformity of the contents of the draft international treaty or international treaty and other international 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 draft international treaty or international treaty and the provisions of the law of Vietnam;
9. Recommendations on any reservation, acceptance of or objection to reservation(s) made by the foreign contracting party (parties), declaration(s) with respect to the multilateral international treaty (if necessary);
10. Recommendations on direct application of the whole or part of the international treaty or recommendations on any amendment, supplement, ~~denunciation~~ repeal or promulgation of legal documents for the implementation of the international treaty (if necessary);
11. Issues on which opinions are divergent between the recommending agency and relevant agencies, between the Vietnamese side and the foreign contracting party (parties), as well as recommendations on the methods to address such issues.

Article 12. Documents submitted on negotiation and signing of an international treaty

1. Documents submitted by a recommending agency to the Government shall include:
 - a) A recommendation document containing the contents as provided for in Article 11 of this Law;

b) A completed draft of the international treaty or text of the international treaty [the versions in the Vietnamese language and foreign language(s), and the translation version in the Vietnamese language in case the international treaty will be signed only in foreign language(s)];

c) Examining Opinions of the Ministry of Foreign Affairs and relevant agencies;

d) Evaluating opinions of the Ministry of Justice;

®) Opinions of relevant agencies;

e) Other necessary documents.

2. Documents submitted or reported by the Government to the State President on the negotiation and signing of an international treaty in the name of the State to be signed directly by the State President and the Head(s) of other State(s) or on the negotiation and signing of an international treaty in the name of the State or an international treaty in the name of the Government containing a provision which requires the treaty be subject to ratification, shall include:

a) A recommendation document or report of the Government containing the contents as provided for in Article 11 of this Law;

b) The reason why the international treaty in the name of the Government is subject to ratification;

c) A completed draft of the international treaty, the text of the international treaty [the text in the Vietnamese language and foreign language(s), the translation version in the Vietnamese language in case the international treaty will be signed only in foreign language(s)];

d) Other necessary documents.

3. Documents submitted by the Government to the Standing Committee of the National Assembly for consideration on the negotiation and signing of an international treaty containing contrary provisions or provisions which have not been provided for in containing provisions contrary to any provisions of legal documents promulgated by the National Assembly and the Standing Committee of the National Assembly or an international treaty the implementation of which requires amendment, modification, denunciation repeal or promulgation of any legal documents of the National Assembly or the Standing Committee of the National Assembly, shall include:

a) A recommendation document containing the contents as provided for in Article 11 of this Law;

b) A completed draft of the international treaty or text of the international treaty [the text in the Vietnamese language and foreign language(s), the translation version in the Vietnamese language which has been given opinions by the Ministry

of Foreign Affairs in case the international treaty will be signed only in foreign language(s)];

c) Other necessary documents.

Article 13. Language(s), form of an international treaty

1. A bilateral international treaty shall have a text in the Vietnamese language, unless otherwise agreed between Vietnamese party and by foreign contracting parties. The Vietnamese text of an international treaty shall be commented by the Ministry of Foreign Affairs before it is submitted to the Government on the negotiation and signing of the international treaty.

In case an international treaty is signed only in foreign language(s), the recommending agency shall be responsible to translate the international treaty into the Vietnamese language and consult with the Ministry of Foreign Affairs for the comparison with the language(s) in which the treaty will be signed before submitting to the Government on the negotiation and signing of the international treaty.

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

SECTION 2

EVALUATION OF INTERNATIONAL TREATIES

Article 14. International treaties subject to evaluation

~~Draft i~~International treaties ~~or international treaties to be signed or acceded to in the name of the State or in the name of the Government~~ shall be subject to evaluation before being submitted to the Government on the negotiation, signing or accession to ~~the international treaty~~.

Article 15. Scope of evaluation of international treaties

~~Draft i~~International treaties ~~or international treaties~~ shall be subject to evaluation of the followings:

1. ~~The~~ conformity with the Constitution;
2. ~~The~~ compatibility with legal documents, ~~such as the extent of conformity, the extent of conflict, provisions that contradict to or has not been stipulated in legal documents~~;
3. ~~The~~ possibility of direct application of the whole or part of the international treaty;

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~~1.4.~~ ~~€~~The requirements for amendments, supplement, ~~denunciation- repeal~~ or promulgation of legal documents for the implementation of the international treaty.

Article 16. Competence to evaluate

1. The Ministry of Justice shall be responsible to evaluate draft international treaties or international treaties.

2. In case of evaluating a draft international treaty or international treaty, which the Ministry of Justice recommended on its negotiation or signing, the Minister of Justice shall establish an Evaluating Council.

The members of the Evaluating Council shall include representatives from the Government's Office, Ministry of Foreign Affairs and relevant agencies.

Article 17. Procedures for evaluation

1. A recommending agency shall be responsible to send the Ministry of Justice a request for evaluation of the international treaties before submitting to the Government on the negotiation, signing of or accession to an international.

2. The Ministry of Justice shall evaluate the draft international treaty or international treaty and then send the evaluation results in written form to the recommending agency, Ministry of Foreign Affairs and Government's Office within 15 days after the date of receipt of documents requesting for evaluation.

3. The Ministry of Justice shall be responsible to attached to its recommendation document submitted to the Government the opinions of the Evaluating Council and the ~~draft international treaty or~~ international treaty, in case of evaluating an ~~draft international treaty or~~ international treaty of which the Ministry of Justice recommends on the negotiation, signing or accession.

4. In cases where the international treaty to be evaluated containing contrary provisions or provisions which have not been provided for in legal documents promulgated by the National Assembly and the Standing Committee of the National Assembly or an international treaty the implementation of which requires amendment, modification, repeal or promulgation of any legal documents of the National Assembly or the Standing Committee of the National Assembly, the Ministry of Justice shall be responsible to coordinate with recommending agencies to propose solutions to submit to the Government for decisions on the submission to the Standing Committee of the National Assembly for opinions.

Article 18. Documents for requesting evaluation

1. Documents sent by a recommending agency in requesting the Ministry of Justice for evaluation shall include:

a) A written request for evaluation, which assess the conformity with the Constitution, clearly states the compatibility between the draft international treaty

or international treaty and legal documents, as well as the possibility of direct application of international treaty, proposals for modification, denunciation or promulgation of any legal documents of the National Assembly or the Standing Committee of the National Assembly for the implementation of the international treaty;

b) A draft recommendation document addressed to the Government on the negotiation and signing of the international treaty;

c) A copy of the international treaty or draft international treaty, its translation version in the Vietnamese language in case the international treaty will be signed only in foreign language(s);

d) A summary of opinions from relevant agencies;

®) Other necessary documents.

2. Documents sent in requesting for evaluation shall include ~~two~~ five (5) sets.

SECTION 3

FULL POWERS FOR NEGOTIATION, SIGNING OF INTERNATIONAL TREATIES, PARTICIPATION IN INTERNATIONAL CONFERENCES

Article 19. Negotiation and signing of international treaties without requiring full powers and participating in international conferences without requiring procuration

1. The State President, Prime Minister and Minister of Foreign Affairs do not need Full Powers for negotiating, signing international treaties and do not need procuration for participating in international conferences in relation to the negotiation, adoption of the texts of international treaties or implementation of an international treaty (herein after referred to as ~~participation~~ n international conferences).

2. The heads of diplomatic missions of the Socialist Republic of Vietnam to foreign countries do not need Full Powers for negotiating for the adoption of the texts of international treaties between the Socialist Republic of Vietnam and the receiving State.

3. The heads of permanent representative missions of the Socialist Republic of Vietnam beside at international organisations or bodies of such international organizations do not need Full Powers Procuration in negotiating with concerned international organisations of bodies for the adoption of the texts of international treaties at such organizations or bodies.

4. The persons referred to in Paragraphs 2 and 3 of this Article do not need Full Powers for participating international conferences held in receiving countries in relation to the negotiation, adoption of international treaties.

Article 20. Negotiation and signing of international treaties requiring Full Powers and participating in international conferences requiring Procuration

1. The heads of delegations for negotiation of international treaties to be signed directly by the State President and the Heads of other States must be authorised by the State President in written form.

2. The heads of delegations for negotiation and signing of international treaties in the name of the Government or international treaties in the name of the State, which the Government decided on their negotiation and signing, must be authorised by the Government in written form.

3. The heads of delegations for participating in international conferences must be ~~authorised~~commissioned by the Government in written form.

In case it is required to ~~authorise~~ commission members of a delegation of Vietnam for participating in an international conference in accordance with the rules of the conference, the recommending agency shall be responsible to submit to the Government for decision.

4. Representatives authorised ~~by~~ for negotiation, signing or commissioned ~~for~~ participating international conferences must be leaders of ministries, agencies. In case a recommending agency suggested designating a representative other than leaders of ministries, agencies, the recommending agency, after obtaining opinions from the Ministry of Foreign Affairs, shall be submitted to the Government for decision.

5. In case it is impossible to send a representative for signing an international treaty or participating an international conference abroad, after having reached an agreement with the Ministry of Foreign Affairs, the recommending agency shall make recommendation to the Government to authorise or commission the Head of a diplomatic mission or permanent representative mission of the Socialist Republic of Vietnam ~~beside an~~ at international organisations or bodies of such organizations or other representatives for signing such international treaty or for participating the international conference.

Article 21. Diplomatic procedures for issuing Full Powers, Procuration

1. The Ministry of Foreign Affairs shall accomplish diplomatic procedures for issuing a Full Powers or Procuration for negotiating, signing an international treaty or participating an international conference within 10 days after the date of the written decision made by the competent authority on the negotiation and signing of the international treaty, participating in the international conference and on the representative(s) authorised for negotiation and signing of the international treaty, participating in the international conference.

2. The Minister of Foreign Affairs shall sign the Full Powers or Procuration for negotiation and signing of international treaties or participating in international conferences.

In case the Minister of Foreign Affairs is absent, the authorised Deputy Minister of Foreign Affairs shall sign instead, unless otherwise agreed upon with foreign contracting parties or otherwise provided for by the international conferences concerned.

3. In case a decision on authorisation or commission does not clearly specify the person authorised and the full title of the international treaty in the Vietnamese and foreign languages, except in urgent cases, the recommending agency, at least 5 days before the start of the negotiation or signing of the international treaty or participating in the international conference, shall be responsible to notify the Ministry of Foreign Affairs in writing of the said information for the completion of diplomatic procedures for issuing Full Powers or Procuration.

4. The recommending agencies shall have to submit timely to the Government for decision, in case of any change relating to the persons authorised or commissioned.

The Ministry of Foreign Affairs shall accomplish diplomatic procedures for issuing Full Powers or Procuration in accordance with Paragraphs 1, 2 and 3 of this Article, upon the decision made by the Government.

Article 22. Negotiation and signing of international treaties without required Full Powers and Participating in International Conferences without required Procuration

1. Those persons who negotiated or signed international treaties or participated in international conferences without required Full Powers or Procuration as prescribed in Article 20 of this Law shall not be recognised as representatives of the Socialist Republic of Vietnam and the acts undertaken by such persons shall have no legal effect with respect to the Socialist Republic of Vietnam, unless such acts are subsequently confirmed in writing by the State President or Government of the Socialist Republic of Vietnam at the recommendations made by the recommending agencies and the Ministry of Foreign Affairs.

2. During or after the negotiation, signing of an international treaty or participation in an international conference, the recommending agency shall submit to the Government on the confirmation of the legal effect of the negotiation, signing of the international treaty or participation in the international conference without required Full Powers or Procuration, after obtaining written opinions from relevant agencies.

3. The Government shall decide on the confirmation of the legal effect of the negotiation and signing of the international treaty without required Full Powers or

participation in the international conference without required ~~Full Powers~~ Procuration or submit to the State President for confirmation within 15 days with respect to cases provided for in Paragraph 1 of Article 20 of this Law after the date of receipt of the recommendation document submitted by the recommending agency.

4. The State President shall decide on the confirmation of the legal effect of the negotiation of the international treaty without required Full Powers within 15 days after the date of receipt of the recommendation document submitted by the Government.

5. The Ministry of Foreign Affairs shall notify the foreign contracting party/parties or the organising body of the international conference of the confirmation of the legal effect of the negotiation and signing of the international treaty without Full Powers or Procuracy within 15 days after the date of the written decision made by the State President as provided for in Paragraph 4 of this Article or by Government as provided for in Paragraph 3 of this Article.

The Minister of Foreign Affairs shall sign the diplomatic notification. In case the Minister of Foreign Affairs is absent, the authorised Deputy Minister of Foreign Affairs shall sign instead, unless otherwise agreed upon by the contracting parties or otherwise provided for by the international conference.

SECTION 4

SIGNING OF INTERNATIONAL TREATIES

Article 23. Check, comparison of the texts of international treaties

Before the initialing or signing an international treaty, the recommending agency shall co-ordinate with the Ministry of Foreign Affairs and relevant agencies to check and compare the text in the Vietnamese language and the text in foreign language(s) with an aim to ensuring the correctness of the contents and the uniformity of the form of the texts of the international treaty.

Article 24. Authentication of the texts of international treaties

1. The text of an international treaty is established as authentic by the procedures as provided for in the international treaty or agreed upon by the Vietnamese party and the foreign contracting parties participating in drafting the international treaty.

2. In case of absence of such procedures referred to in Paragraph 1 of this Article, the text of an international treaty is deemed as authentic when competent representatives of the Vietnamese party and the foreign contracting parties initial or sign the text of the international treaty.

3. The authentic text of an international treaty is the final text of the treaty.

Article 25. Signing of international treaties

1. The recommending agencies shall be responsible co-ordinate with the Ministry of Foreign Affairs to accomplish procedures for authorising representatives for signing and the contents of the texts of international treaties, to organise the ceremony of signing of international treaties. The signing ceremonies shall be held solemnly, on the signing table there must be State flags of Vietnam and of the foreign contracting parties or international organisation concerned, unless otherwise provided for by the Vietnamese party and the foreign contracting parties.

2. In case the competent authority has made decision authorising the signing of an international treaty, however it is impossible to sign such international treaty, the recommending agency shall timely report to the Government with recommendations on ways for settlement of the case and notify the Ministry of Foreign Affairs for co-ordination.

3. In case there are changes of the contents, especially the name under which the international treaty will be signed, rights and obligations of the Vietnamese side, there are contrary provisions or provisions which have not been provided for in legal normative documents promulgated by the National Assembly, the Standing Committee of the National Assembly, as compared to the draft contents of the treaty already approved for signing, such international treaty shall only be signed after approval by the competent authority, including the decision on the contents newly arising, on the basis of the recommendations submitted by the recommending agency, examining opinions from the Ministry of Foreign Affairs and related agencies in accordance with the procedures as provided for in Article 10 of this Law.

Article 26. Signing of international treaties during visits by high-level Delegations

1. The recommending agencies shall be responsible to co-ordinate with the Ministry of Foreign Affairs to accomplish procedures for authorising representatives for signing and the contents of the texts of international treaties, which the competent authorities authorised to sign during the visits made by high-level delegations of the State and Government of the Socialist Republic of Vietnam to foreign countries (~~hereinafter referred to as high-level Delegations~~) or during visits by foreign high-level Delegations to Vietnam.

2. In case the competent authority has made decision authorising the signing of an international treaty, however it is impossible to sign such international treaty during a visit by a Vietnamese high-level Delegation to a foreign country or by a foreign high-level Delegations to Vietnam, the recommending agency shall timely report to the ~~State President or the Government~~ competent authority with recommendations on ways for settlement of the case and notify the Ministry of Foreign Affairs for co-ordination.

3. The Ministry of Foreign Affairs shall take the lead or co-ordinate with relevant agencies to make the final check, comparison of the texts of international treaties and co-ordinate with the foreign parties to organise ceremonies of signing of international treaties during visits by Vietnamese high-level Delegations to foreign countries or by foreign high-level Delegations to Vietnam, unless otherwise agreed upon with foreign parties or otherwise decided by competent authorities.

Article 27. Responsibility to transmit texts of international treaties after their signing

1. The recommending agency shall be responsible to transmit the original text of the international treaty, a translation version of the treaty in the Vietnamese language in case it was signed only in foreign language(s) and an electronic text of the international treaty in the Vietnamese and foreign languages to the Ministry of Foreign Affairs for completion of treaty procedures within 10 days after the date of signing of a bilateral international treaty in Vietnam or after the date of arrival of the delegation for negotiation and signing the international treaty in case the treaty was signed abroad.

2. In case the head of a diplomatic mission or permanent representative mission of the Socialist Republic of Vietnam beside at an international organisation signed the international treaty, the person who signed the treaty shall be responsible to make reports and promptly transmit the Ministry of Foreign Affairs a copy of the text of the signed international treaty and transmit the original text of the international treaty to the recommending agency within 15 days after the date of signing.

~~The recommending agency shall be responsible to transmit the original text of the international treaty, a translation version of the treaty in the Vietnamese language in case it was signed only in foreign language(s) and an electronic text of the international treaty in the Vietnamese and foreign languages and electronic text of the international treaty to the Ministry of Foreign Affairs for completion of treaty procedures w~~Within 10 days after the date of receipt of the original text of the international treaty, the recommending agency shall undertake the responsibility as provided for in Paragraph 1 of this Article.

3. The recommending agency shall be responsible to transmit a copy of the text of a multilateral international treaty that was certified by the depository, a translation version of the international treaty in the Vietnamese language to the Ministry of Foreign Affairs for completion of treaty procedures within 10 days after the date of receipt of such texts sent by the depository.

SECTION 5

RATIFICATION, ~~APPROVAL~~ OF INTERNATIONAL TREATIES

Article 28. Recommendations on ratification, ~~approval~~ of international treaties

1. The recommending agency shall submit to the Government for decision on the ratification ~~or approval~~ of an international treaty, after having obtained written opinions from the Ministry of Foreign Affairs and relevant agencies, in case the signed international treaty is subject to ratification ~~or approval~~.

In case the Ministry of Foreign Affairs makes recommendations on ratification ~~or approval~~ of international treaties, the Ministry of Foreign Affairs shall submit to the Government on the ratification ~~or approval~~ of international treaties, after having obtained opinions in writing from relevant agencies.

2. In case the State President submits to the National Assembly for decision on ratification of an international treaty, the Office of the State President will coordinate with the recommending agency to submit documents in requesting for verification of the international treaty as provided for in Articles ~~from 31 to 31d~~ of this Law.

Article 29. International treaties subject to ratification

International treaties subject to ratification include:

1. International treaties that contain provisions requiring the treaties be subject to ratification;

2. International treaties in the name of the State;

3. ~~International treaties that were signed in the name of the State and contain a provision requiring the completion of domestic legal procedures;~~

4. International treaties in the name of the Government in the following cases:

a) The international treaties as provided for in Paragraph 4 of Article 5 of this Law;

a)b) ~~on peace, security, boundaries, territory, state sovereignty;~~

5. ~~International treaties that contain provisions contrary to any provisions of legal documents promulgated by the National Assembly or the Standing Committee of the National Assembly;~~

c) ~~6. International treaties relating to the State budget at the recommendation by the Government for ratification;~~

Article 30. Competence to decide on the ratification of international treaties

1. The National Assembly decides to ratify international treaties, which were directly signed by the State President and the Heads of other States; ratify other international treaties at the request of the State President.

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2. The State President ~~decides~~ proposes the National Assembly to ratify international treaties in the following cases: provided for in Article 29 of this Law, except cases referred to in Paragraph 1 of this Article.

- a. International treaties on peace, security, boundaries, territory, and state sovereignty;
- b. The international treaties containing contrary provisions with any provisions in legal normative documents promulgated by the National Assembly or multilateral international treaties of which the implementation requires amendment, supplement, repeal or promulgation of legal normative documents by the National Assembly;
- c. Other necessary cases.

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3. The State President decides to ratify international treaties provided for in Article 29 of this Law, except cases referred to in Paragraphs 1 and 2 of this Article.

4. The National Assembly and State President decide on the ratification of international treaties in written form. Such a decision contains the following contents:

- a) The title, time and place of signing of the international treaty which is ratified;
- b) Contents of reservation, acceptance of or objection to reservation(s) made by other foreign contracting parties, declaration with respect to a multilateral international treaty (if any) and other necessary issues;
- c) Decision on direct application of the whole or part of the international treaty, the requirement for amendment, supplement, ~~denunciation~~ repeal or promulgation of legal documents of the National Assembly and the Standing Committee of the National Assembly for the implementation of the international treaty (if necessary);
- d) The responsibility of the recommending agency, Ministry of Foreign Affairs and other relevant agencies in accomplishing the procedures for ratification and organisation of the implementation of the international treaty.

Article 31: ~~Verification of~~ International treaties subject to verification

~~1-~~ International treaties shall be subject to verification before submitting to in case the National Assembly for decisions in the following cases: decides to ratify them in accordance with the provisions of Paragraph 1 Article 30 of this Law.

1. Ratification as provided for in Paragraph 1 of Article 30 of this Law;
2. Accession as provided for in Paragraph 1 of Article 42 of this Law;

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3. Amendment, supplement, and extension of international treaties as provided for in Paragraph 2 of Article 74 of this Law;
4. Termination, denunciation, withdrawal or suspension of application of international treaties as provided for in Paragraph 1 of Article 86 of this Law;

Article 31a. Scope of verification

1. The necessity for ratification, accession, amendment, supplement, extension, or termination, denunciation, withdrawal or suspension of application of the international treaties;
2. The observance of the procedures for making recommendations on ratification, accession, amendment, supplement, extension, or termination, denunciation, withdrawal or suspension of application of the international treaties;
3. The conformity with the Constitution, the extent of compatibility with the provisions of legal documents promulgated by the National Assembly and the Standing Committee of the National Assembly;
4. Requirements for amendment, supplement, repeal or promulgation of legal document(s) of the National Assembly or the Standing Committee of the National Assembly for the implementation of international treaties;
5. The possibility of direct application of international treaties.

Article 31b. Competence for verification

2. ~~The~~ Committee on External Relations of the National Assembly (hereinafter referred to as presiding verification agency) and Ethnic Council and other Committees of the National Assembly (hereinafter referred to as participating verification agency) shall be responsible to verify international treaties within the field of which the Ethnic Council or other Committees are in charge or in accordance with the designation by the Standing Committee of the National Assembly ~~and submit the Report of verification to the National Assembly and the Standing Committee of the National Assembly.~~

3. ~~International treaties shall be verified of their conformity with the Constitution, the necessity for ratification of the international treaty, the extent of contradiction between the provisions of the treaties and the provisions of legal documents promulgated by the National Assembly and the Standing Committee of the National Assembly, requirement for amendment, supplement, denunciation or promulgation of legal document(s) of the National Assembly or the Standing Committee of the National Assembly for the implementation of international treaties, the possibility of direct application of international treaties, the observance~~

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~~of the procedures for making recommendations on ratification of the international treaties.~~

Article 31c. Procedures for verification

~~41.~~ The Office of the State President shall be responsible to co-ordinate with the recommending agency to submit the documents in requesting for verification to the presiding verification agency and participating verification agencies, at least 20 days before the start of the session of the Standing Committee of the National Assembly or at least 30 days before the start of the session of the National Assembly.

~~52.~~ The presiding verification agency and participating verification agencies ~~Ethnic Council or any other Committees of the National Assembly~~ shall convene their meetings for the verification of international treaties for submitting the Report of verification to the National Assembly, the Standing Committee of the National Assembly, within 15 days after the date of receipt of the documents in requesting for verification.

Report of verification of international treaties must fully reflect opinions of members of verification agencies.

Article 31d. Documents in requesting for verification

~~61.~~ Documents in requesting for verification of an international treaty as provided for in Paragraph ~~51~~ of ~~this~~ Article 31c of this Law shall include:

- a. ~~a~~A recommendation document of the State President;
- b. ~~a~~A copy of the international treaty, a translation version in the Vietnamese language in case the international treaty was signed only in foreign language(s); and
- ~~a.c.~~ eOther documents if necessary.

~~2.~~ The documents for verification shall be provided with the quantity as requested by the presiding verification agency ~~Ethnic Council or other Committees of the National Assembly~~.

Article 32. Procedures for submitting recommendation and making decisions on the ratification of international treaties

1. The recommending agency shall consult and obtain written opinions from the Ministry of Foreign Affairs and relevant agencies on the ratification of an international treaty within 15 days after the date of signing of such treaty in Vietnam or after the date of receipt of the original text or certified copy of an international treaty as prescribed in Paragraphs 2 and 3 of Article 27 of this Law.

2. The consulted agencies referred to in Paragraph 1 of this Article shall be responsible to send their written reply to the recommending agency within 15 days after the date of receipt of the written request for opinions.

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3. The recommending agency shall submit to the Government on the ratification of an international treaty within 15 days after the date of receipt of written opinions from relevant agencies.

4. The Government shall submit to the State President for decision on the ratification of an international treaty within 15 days after the date of receipt of the documents submitted by the recommending agency.

5. The State President shall decide to:

a) Ratify an international treaty within 15 days after the date of receipt of documents submitted by the Government.

b) Submit to the National Assembly for decision on the ratification of an international treaty within 30 days after the date of receipt of the documents submitted by the Government.

6. The National Assembly shall decide to ratify an international at the ~~nearest~~ session of the National Assembly.

Article 32a. Procedures for making decisions on ratification of international treaties by the National Assembly at the session of the National Assembly

The National Assembly shall consider to ratifying international treaties at its session in accordance with the following procedures:

1. The State President reports on the request for ratification of international treaties;
2. The representatives of the Government present on the international treaties;
3. The representatives of the presiding verification agency present on the Report of verification;
4. The National Assembly discuss at the plenary session on the principal contents of the international treaties;

Groups or Delegations of the National Assembly deputies may discuss on the contents of the international treaties before discussing at the plenary session.

At the request, the agency recommending the signing of the international treaties presents on the contents of the international treaties during discussions of the National Assembly, Groups or Delegations of the National Assembly deputies;

5. The Standing Committee of the National Assembly directs the Secretariat of the session to synthesize opinions of the National Assembly deputies;

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4.6. The National Assembly votes on the international treaties. The international treaties shall be ratified when there are more than half of the total deputies of the National Assembly voting for. The Chairman of the National Assembly signs resolutions on the ratification of the international treaties.

Article 33. Documents submitted for ratification of international treaties

1. Documents submitted by a recommending agency to the Government on the ratification of an international treaty signed shall include:

a) A recommendation document addressed to the Government, which evaluates the impacts of the international treaty with respect to the Vietnam, makes necessary recommendations on the ratification, point of time for ratification, the contents of reservation, acceptance or objection to reservation(s) made by foreign contracting parties, declaration with respect to a multilateral international treaty (if any), as well as recommendations on direct application of the whole or part of the international treaty, requirements of amendment, supplement, ~~denunciation~~repeal or promulgation of legal documents of the Government, the Standing Committee of the National Assembly or the National Assembly for the implementation of the international treaty ~~(if necessary)~~;

b) A copy of the international treaty, a translation version in the Vietnamese language in case the treaty was signed only in foreign language(s);

c) The opinions from the Ministry of Foreign Affairs and relevant agencies;

d) Other necessary documents;

®) A proposed plan for organization of the implementation of such international treaty.

2. Documents submitted by the Government to the State President on the ratification of an international treaty shall include:

a) A recommendation document of the Government, which evaluates the impacts of the international treaties with respect to the Socialist Republic of Vietnam, makes necessary recommendations on the ratification, point of time for ratification, the contents of reservation, acceptance or objection to reservation(s) made by foreign contracting parties, declaration with respect to a multilateral international treaty (if any), recommendations on direct application of the whole or part of the international treaty, on amendment, supplement, ~~denunciation~~repeal or promulgation of legal documents of the National Assembly or the Standing Committee of the National Assembly for the implementation of the international treaty (if necessary);

b) A copy of the international treaty, a translation version in the Vietnamese language in case the international treaty was signed only in foreign language(s);

c) Other necessary documents;

3. Documents submitted by the State President to the National Assembly on the ratification of an international treaty shall include:

a) A recommendation document of the State President, which clearly spells out the reason why the National Assembly is requested to make decisions on the ratification of the international treaty, evaluates the impacts of the international treaty with respect to Vietnam, makes recommendations on the ratification, contents of reservation, acceptance or objection to reservation(s) made by foreign contracting parties, declaration with respect to a multilateral international treaty (if any), recommendations on direct application of the whole or part of the international treaty, on amendment, supplement, ~~denunciation~~repeal or promulgation of legal documents of National Assembly or the Standing Committee of the National Assembly for the implementation of the international treaty (if necessary);

b) A copy of the international treaty, a translation version in the Vietnamese language in case the treaty was signed only in foreign language(s);

c) Other necessary documents.

Article 34. Notification of the ratification of international treaties

1. The Ministry of Foreign Affairs shall notify foreign contracting party (parties) or the depositary of a multilateral international treaty of the ratification of an international treaty within 15 days after the date of the Order on the publication of the Resolution of the National Assembly issued by the State President regarding the accession to the international treaties or after the date of the decision on ratification of the international treaties made by the ~~National Assembly or the~~ State President.

~~The recommending agency shall be responsible to provide the Ministry of Foreign Affairs of necessary information with an aim to implementing timely and fully diplomatic procedures for ratification of international treaties.~~

2. The State President shall sign the instruments of ratification of bilateral international treaties. The Ministry of Foreign Affairs shall carry out the exchange of instruments of ratification of an international treaty with the foreign contracting party in cases where the bilateral international treaties contain the provisions or agreements that in order for the international treaties to be effective, after the Socialist Republic of Vietnam and the foreign contracting party must complete the procedures for exchanging the instruments of ratification of the ~~signed~~ international treaty, ~~unless otherwise agreed upon by both parties.~~

3. The Minister of Foreign Affairs shall sign the instruments of ratification of multilateral international treaties to be sent to the respective depositories of such international treaties.

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In case the Minister of Foreign Affairs is absent, the authorized Deputy Minister of Foreign Affairs shall sign instead, unless otherwise provided for by the depositaries.

4. The Ministry of Foreign Affairs shall notify relevant agencies on the date of entry into force of international treaties within 15 days after the date of entry into force of ratified bilateral international treaties or after the date of receipt of notification by the depositaries of the date of entry into force of multilateral international treaties with respect to the Socialist Republic of Vietnam.

Section 6

Approval of international treaties

Article 34a. Recommendations on approval of international treaties

1. The recommending agency shall submit to the Government for decision on the approval of an international treaty, after having obtained written opinions from the Ministry of Foreign Affairs and relevant agencies, in case the signed international treaty is subject to approval.

2. In case the Ministry of Foreign Affairs makes recommendations on approval of international treaties, the Ministry of Foreign Affairs shall submit to the Government on the approval of international treaties, after having obtained opinions in writing from relevant agencies.

Article 35. International treaties subject to approval

International treaties subject to approval include:

1. International treaties in the name of the Government which contain provisions stipulating the requirement for approval;
2. International treaties in the name of the Government which contain provisions contrary to the provisions of legal documents of the Government;
3. International treaties in the name of the Government which contain provisions requiring the completion of domestic legal procedures.

Article 36. Competence to decide on the approval of international treaties

The Government makes decisions to approve international treaties as prescribed in Article 35 of this Law in written form with the following contents:

1. Title, time and place of signing of the international treaty approved;
2. The contents of reservation, acceptance of or objection to reservation(s) made by foreign contracting parties, declaration with respect to a multilateral international treaty ~~(if any)~~ and other necessary issues;

3. Decision on direct application of the whole or part of the international treaty, the requirement for amendment, supplement, ~~denunciation~~ repeal or promulgation of legal documents for the implementation of the approved international ~~(if necessary)~~;

4. The responsibility of the recommending agency, Ministry of Foreign Affairs and other relevant agencies for the completion of the procedures for approval and organization of the implementation of the international treaty.

Article 37. Procedures for submitting recommendation and making decisions on the approval of international treaties

1. A recommending agency shall consult and obtain opinions of the Ministry of Foreign Affairs and relevant agencies on the approval of an international treaty within 15 days after the date of signing of the international treaty in Vietnam or after the date of receipt of the original text or copy of the international treaty as provided for in Paragraphs 2 and 3 Article 27 of this Law.

2. The consulted agencies referred to at Paragraph 1 this Article shall be responsible to send reply in writing to the recommending agency within 15 days after the date of receipt of the written request for opinions.

3. The recommending agency shall submit the Government for decision on the approval of the international treaty within 15 days after the date of receipt of written reply from relevant agencies.

4. The Government shall decide on the approval of the international treaty within 15 days after the date of receipt of documents submitted by the recommending agency.

Article 38. Documents submitted on the approval of international treaties

Documents submitted by a recommending agency to the Government on the approval of an international treaty shall include:

1. A recommendation document addressed to the Government, which evaluates the impacts of the international treaty with respect to Vietnam, makes necessary recommendations on the approval, point of time for approval, the contents of reservation, acceptance of or objection to reservation(s) made by foreign contracting parties, declaration with respect to a multilateral international treaty (if any), recommendations on direct application of the whole or part of the international treaty, requirements of amendment, supplement, ~~denunciation~~ repeal or promulgation of legal documents for the implementation of the international treaty (if necessary);

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

3. The opinions from the Ministry of Foreign Affairs and relevant agencies;

4. Other necessary documents;

5. A proposed plan for organization of the implementation of such international treaty.

Article 39. Notification of the approval of international treaties

1. The Ministry of Foreign Affairs shall notify foreign contracting party (parties) or the depositary of a multilateral international treaty of the ratification of an international treaty within 15 days after the date of the decision on approval made by the Government.

The recommending agency shall be responsible to provide the Ministry of Foreign Affairs of necessary information with an aim to implementing timely and fully diplomatic procedures for approval of international treaties.

2. The Minister of Foreign Affairs shall sign the instruments of approval of multilateral international treaties to be sent to the respective depositaries of such international treaties.

In case the Minister of Foreign Affairs is absent, the authorized Deputy Minister of Foreign Affairs shall sign instead, unless otherwise provided for by the depositaries.

3. The Ministry of Foreign Affairs shall notify relevant agencies on the date of entry into force of international treaties within 15 days after the date of entry into force of approved bilateral international treaties or after the date of receipt of notification by the depositaries of the respective date of entry into force of multilateral international treaties with respect to the Socialist Republic of Vietnam.

Article 40. Exchange of documents constituting international treaties

1. The exchange of documents between the Socialist Republic of Vietnam and a foreign contracting party shall constitute a bilateral international treaty, if it is so provided in such exchanged documents.

2. The provisions of Articles from 7 to 27 of this Law shall apply to the recommendation, competence to make decision; procedures for signing, evaluation of international treaties shall also apply to the exchange of documents constituting international treaties.

CHAPTER III

ACCESSION TO MULTILATERAL INTERNATIONAL TREATIES

Article ~~41-39~~. Principles Responsibilities for recommendation on accession to multilateral international treaties

1. ~~The recommendation on accession to multilateral international treaties shall comply with the principles stipulated in Article 3 of this Law.~~

~~2.~~ The recommending agencies, on the basis of their functions, duties and powers assigned to them in respective fields of state management and requirement for international cooperation, shall take the lead to submit to the Government recommendations on the accession to multilateral international treaties.⁵

~~2. after—Before submitting the Government recommendations on the accession to international treaties, the recommending agencies shall having obtained written examining opinions from the Ministry of Foreign Affairs in accordance with the provisions of Article 8 of this Law, evaluating opinions of the Ministry of Justice in accordance with the provisions of Articles 14 – 18 of this Law and opinions of relevant agencies, as well as evaluating opinions of the Ministry of Justice in accordance with the provisions of Articles 14 – 18 of this Law.~~

3. The Ministry of Foreign Affairs shall submit to the Government for decision on the accession to multilateral international treaties, after having obtained written opinions from relevant agencies and evaluating opinions of the Ministry of Justice, in case the Ministry of Foreign Affairs is the recommending agency.

The Ministry of Foreign Affairs shall take the lead and coordinate with relevant agencies to submit to the Government recommendations on the accession to multilateral international treaties on peace, security, national boundaries and territory.

4. In case the State President submits to the National Assembly for decision on the accession to a multilateral international treaty, the Office of the State President shall coordinate with the recommending agency to submit to the evaluating agency documents in requesting for verification of the international treaty in accordance with the provisions of Articles from 31a to 31d of this Law.

Article 42. Competence to decide on accession to multilateral international treaties

1. The National Assembly decides on the accession to multilateral international treaties at the request of the State President.

~~2.~~ The State President proposes the National Assembly to make decisions on the ratification of international treaties in the following cases:

d. International treaties on peace, security, boundaries, territory, and state sovereignty;

e. The international treaties containing contrary provisions with any provisions in legal normative documents promulgated by the National Assembly or multilateral international treaties of which the implementation requires amendment, supplement, repeal or

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promulgation of legal normative documents by the National Assembly;

f. Other necessary cases.

3. The State President decides on the accession to multilateral international treaties in the name of the State, multilateral international treaties containing provisions ~~contrary to any provisions of legal documents promulgated by the National Assembly or the Standing Committee of the National Assembly and multilateral international treaties containing provisions~~ which require ratification, ~~unless except for cases where~~ it is required to ~~submit propose~~ to the National Assembly for decision on the accession as provided for in Paragraph 2 of this Article.

34. The Government decides on the accession to multilateral international treaties in the name of the Government.

45. The National Assembly, State President and Government make decisions in written form on the accession to multilateral international treaties. Such a decision contains the following contents:

- a) The title, time and place of signing of the international treaty acceded;
- b) The contents of reservation, acceptance of or objection to reservation(s) made by foreign contracting parties, declaration with respect to the multilateral international treaty (if any) and other necessary issues;
- c) Decision on ~~direct~~ application of the whole or part of the international treaty, requirement for amendment, supplement, ~~denunciation~~repeal or promulgation of legal documents of the National Assembly, the Standing Committee of the National Assembly or the Government for the implementation of the international treaty (if necessary);
- d) The responsibility of the recommending agency, Ministry of Foreign Affairs and other relevant agencies for the completion of the procedures for accession and organization of the implementation of the international treaty.

Article 43. Procedures for submitting recommendation and making decisions on accession to multilateral international treaties

1. The consulted agencies shall be responsible to send their opinions in writing in reply to the recommending agency on the accession to a multilateral international treaty within 15 days after the date of receipt of the written request for opinions as provided for in Paragraph 2 Article 41 of this Law.

2. The recommending agency shall submit to the Government on the accession to the multilateral international treaty within 15 days after the date of receipt of written opinions from relevant agencies.

3. The Government shall decide:

a) To accede to a multilateral international treaty in the name of the Government within 15 days after the date of receipt of documents submitted by the recommending agency or after the date of receipt of opinions from the Standing Committee of the National Assembly on the accession to a multilateral international treaty containing provisions contrary to any provisions of legal documents promulgated by the National Assembly and the Standing Committee of the National Assembly or international treaty the implementation of which requires amendment, supplement, ~~denunciation~~repeal or promulgation of legal documents of the National Assembly or the Standing Committee of the National Assembly;

b) To submit to the State President ~~for decision~~ on the accession to multilateral international treaties as provided for in Paragraphs 2 and 3 Article 42 of this Law within 15 days after the date of receipt of documents submitted by the recommending agency;

c) To submit to the Standing Committee of the National Assembly for giving opinion on the accession to multilateral international treaties which contain provisions contrary to any provisions of or have not been provided for in legal documents promulgated by the National Assembly and the Standing Committee of the National Assembly or international treaties the implementation of which requires amendment, supplement, ~~denunciation~~repeal or promulgation of legal documents, within 15 days after the date of receipt of documents submitted by the recommending agencies.

4. The State President shall decide:

a) To accede to multilateral international treaties as provided for in Paragraph 23 Article 42 of this Law, within 15 days after the date of receipt of documents submitted by the Government or after the date of receipt of the opinions of the Standing Committee of the National Assembly on the accession to multilateral international treaties as provided for in sub-paragraph c of Paragraph 3 of this Article. ~~containing provisions contrary to any provisions of legal documents promulgated by the National Assembly or the Standing Committee of the National Assembly or multilateral international treaties the implementation of which requires amendment, supplement, denunciation or promulgation of legal documents of the National Assembly or the Standing Committee of the National Assembly;~~

b) To submit to the National Assembly for decision on the accession to multilateral international treaties as provided for in Paragraph 2 of Article 42 within 30 days after the date of receipt of documents submitted by the Government;

5. The National Assembly shall decide on the accession to a multilateral international treaty at the nearest session of the National Assembly.

Article 43a. Procedures for giving opinions by the Standing Committee of the National Assembly on the accession of international treaties

1. The Standing Committee of the National Assembly shall give opinions on the accession of international treaties as provided for in sub-paragraph c of Paragraph 3 of Article 43 of this Law at the session of the Standing Committee of the National Assembly in accordance with the procedures as provided for in Article 10a of this Law.
2. The opinions given by the Standing Committee of the National Assembly on the international treaties as provided for in Paragraph 1 of this Article shall serve as the basis for the Government or the State President to consider to decide on the accession of international treaties or submit to the National Assembly for decisions on the accession of such international treaties.

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Article 43b. Procedures for making decisions by the National Assembly on the accession of international treaties at the National Assembly

The National Assembly shall decide on the accession of international treaties at its session in accordance with the procedures as provided for in Article 32a of this Law.

Article 44. Contents of documents of recommendations submitted by the recommending agency on accession to multilateral international treaties

A recommendation document on the accession to a multilateral international treaty shall contain the contents as provided for in Article 11 of this Law.

Article 45. Documents submitted on accession to multilateral international treaties

1. The recommendation documents submitted to the Government by the recommending agency for the accession to a multilateral international treaty shall include:

- a) A recommendation document of the recommending agency;
- b) A copy of the international treaty, a translation version in the Vietnamese language;
- c) ~~Examining~~ opinions from the Ministry of Foreign Affairs, evaluating opinions from the Ministry of Justice and opinions from relevant agencies;
- d) Relevant information of the multilateral international treaty, such as the list of parties to the international treaty, amendments, supplements to the international treaty—~~(if any)~~, reservations, acceptance of or objection to reservations, declarations made by foreign contracting parties with respect to the international treaty, legal procedures required for the accession;

®) Other necessary documents;

e) A Proposed plan for the organization of implementation of the international treaty.

2. The recommendation documents submitted by the Government to the Standing Committee of the National Assembly for giving opinions on the accession to the multilateral international treaty as provided for in sub-paragraph c of Paragraph 3 Article 43 of this Law or to the State President on the accession to a multilateral international treaty shall include:

a) A recommendation document of the Government on the accession to the multilateral international treaty, which evaluates the impacts of the international treaty with respect to the Vietnam, makes recommendations on the accession, the contents of reservation, acceptance or objection to reservation(s) made by foreign contracting parties, declaration with respect to a multilateral international treaty (~~if any~~), as well as recommendations on direct application of the whole or part of the international treaty, on amendment, supplement, ~~denunciation~~repeal or promulgation of legal documents of the National Assembly or the Standing Committee of the National Assembly for the implementation of the international treaty (~~if necessary~~);

b) A copy of the international treaty, a translation version in the Vietnamese language;

c) Relevant information of the multilateral international treaty, such as a list of parties to the international treaty, amendments, supplements to the international treaty (if any), reservations, acceptance of or objection to reservations, declarations made by foreign contracting parties with respect to the international treaty, legal procedures required for the accession;

d) Other necessary documents.

3. Recommendation documents submitted by the State President to the National Assembly on the accession to a multilateral international treaty shall include:

a) A recommendation document of the State President on the accession to the multilateral international treaty, which clearly states the reason to request the National Assembly to decide on the accession, evaluates the impacts of the international treaty with respect to the Vietnam, makes recommendations on the accession, the contents of reservation, acceptance or objection to reservation(s) made by foreign contracting parties, declaration with respect to a multilateral international treaty (~~if any~~), as well as recommendations on direct application of the whole or part of the international treaty, on amendment, supplement, ~~denunciation~~repeal or promulgation of legal documents of the National Assembly

or the Standing Committee of the National Assembly for the implementation of the international treaty ~~(if necessary)~~;

b) A copy of the international treaty, a translation version in the Vietnamese language;

c) Relevant information of the multilateral international treaty, such as: a list of parties to the international treaty, amendments, supplements to the international treaty (if any), reservations, acceptance of or objection to reservations, declarations made by foreign contracting parties with respect to the international treaty, legal procedures required for the accession;

d) Other necessary documents.

Article 46. Notification of accession to multilateral international treaties

1. The Ministry of Foreign Affairs shall notify the depository of a multilateral international treaty of the accession to the international treaty within 15 days after the date of the Order on publication of the Resolution of the National Assembly on the accession of international treaties issued by the State President or the decision made by ~~the National Assembly or~~ the State President or the Government on the accession of international treaties.

The recommending agency shall be responsible to provide the Ministry of Foreign Affairs with necessary information to ensure timely and fully implementation of diplomatic procedures for accession to the multilateral international treaty.

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

In case the Minister of Foreign Affairs is absent, the authorized Deputy Minister of Foreign Affairs shall sign instead, unless otherwise provided for by the depository.

3. The Ministry of Foreign Affairs shall notify relevant agencies of the date of entry into force of the international treaty within 15 days after the date of receipt of the notification from the depository of the date of entry into force of the multilateral international treaty with respect of the Socialist Republic of Vietnam.

CHAPTER IV

RESERVATIONS TO MULTILATERAL INTERNATIONAL TREATIES

Article 47. Reservations made by the Socialist Republic of Vietnam

1. The recommending agency, in its recommendation document submitted to the Government on the signing, ratification, approval of or accession to a multilateral international treaty to which reservations are allowed and which contain provision(s) with respect of which the Socialist Republic of Vietnam

should declare its reservation(s), shall be responsible to clearly spell out proposal to make reservation(s), the requirement of making such reservation(s), the contents of the reservation(s) and the time for making reservation, after having obtained written opinions from the Ministry of Foreign Affairs, the Ministry of Justice, and relevant agencies.

2. The recommending agency, in its recommendation document submitted to the Government on the –ratification or approval of a multilateral international treaty, shall be responsible to clearly spell out the requirement to officially reconfirm in the instrument of ratification or approval the reservation(s) made by the Socialist Republic of Vietnam at the time of signing of such treaty.

3. The authority that makes decision on the signing, ratification, approval of or accession to a multilateral international treaty is competent to decide on making reservation(s) to such international treaty.

Article 48. Notification on reservations made by the Socialist Republic of Vietnam with respect to multilateral international treaties

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

2. The Ministry of Foreign Affairs shall notify the depository of a multilateral international treaty of the reservation(s) made by the Socialist Republic of Vietnam in the instrument of ratification, approval or accession, within 15 days after the date of the decision made by competent authority on the ratification, approval of or accession to the international treaty which contains provision(s) with respect of which the Socialist Republic of Vietnam should make reservation(s) or reconfirm its reservation(s) made at the time of signing of the treaty.

The recommending agencies shall be responsible to provide the Ministry of Foreign Affairs with necessary information to ensure timely and fully implementation of diplomatic procedures of making reservation(s).

3. The Ministry of Foreign Affairs shall notify relevant agencies of the entry into force of the reservation declaration made by the Socialist Republic of Vietnam within 15 days after the date of receipt of the notification from the depository of the international treaty of the entry into force of such reservation declaration.

Article 49. Acceptance of, objection to reservations made by foreign contracting parties

1. The recommending agency, in their recommendation document submitted to the Government on the signing, ratification, approval of or accession to a multilateral –international treaty to which reservations are allowed and which

stipulates that reservations should be subject to acceptance by the contracting parties, shall be responsible to clearly spell out the requirement and the contents of the acceptance of or objection to reservations made by foreign contracting parties, the recommended time to express acceptance or objection to reservations and the legal effects of such acceptance or objection to reservations, after obtaining written opinions from the Ministry of Foreign Affairs, the Ministry of Justice and relevant agencies.

2. In case the recommending agency submits to the Government on the contents of acceptance of or objection to reservations made by foreign contracting parties with respect to a multilateral -international treaty after it submitted to the Government on the signing, ratification, approval or accession to such multilateral international treaty, the recommending agency, in their recommendation document, shall be responsible to clearly spell out the requirement, contents of acceptance of or objection to reservations and the legal effects of such acceptance of or objection to reservations, after obtaining written opinions from the Ministry of Foreign Affairs, the Ministry of Justice and relevant agencies.

3. Documents submitted on the acceptance of or objection to reservations as stipulated in Paragraph 2 of this Article shall include:

- a) A recommendation document addressed to the Government;
- b) A copy of the multilateral international treaty and a translation version in the Vietnamese language;
- c) Opinions from the Ministry of Foreign Affairs, Ministry of Justice and relevant agencies;
- d) Other necessary documents;

Article 50. Competence to decide on acceptance of or objection to reservations made by foreign contracting parties

1. The National Assembly decides on the acceptance of or objection to reservations made by foreign contracting parties with respect to multilateral international treaties over which the National Assembly made decisions on the approval or accession.

2. The State President decides on the acceptance of or objection to reservations made by foreign contracting parties with respect to multilateral international treaties over which the State President made decisions on the approval or accession.

3. The Government decides on the acceptance or objection to reservations made by foreign contracting parties with respect to multilateral international treaties over which the Government made decisions on the signing, approval or accession.

4. The National Assembly, State President and Government make decisions in written form on the acceptance of or objection to reservations.

Article 51. Procedures for submitting recommendations and making decisions on acceptance of or objection to reservations made by foreign contracting parties

1. The provisions of Article 10 of this Law on the procedures for submitting recommendations and making decisions on the signing of international treaties shall also apply to the submitting recommendations on acceptance or objection to reservations made by foreign contracting parties with respect to multilateral international treaties.

2. The National Assembly decides to accept or object to reservations made by foreign contracting parties with respect to a multilateral international treaty in making decision to ratify or accede to the multilateral international treaty at the nearest session of the National after the receipt of the recommendation documents on the acceptance of or objection to reservations.

3. The State President or the Government decides to accept or object to reservations made by foreign contracting parties with respect to a multilateral international treaty in making decision on the signing, ratification, approval or accession to the international treaty or within 30 days after the date of receipt of the recommendation documents on the acceptance of or objection to reservations.

Article 52. 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 depositories of multilateral international 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 15 days after the date of the decisions made by respective competent authorities.

2. The Ministry of Foreign Affairs, in depositing the instrument of ratification, approval of or accession, shall notify the depository of the multilateral international treaty of the acceptance of or objection to reservations made by foreign contracting parties, within 15 days after the date of the decision made by competent authorities on the acceptance of or objection to reservations.

3. The Minister of Foreign Affairs shall sign the written diplomatic notification on the acceptance or objection to reservations to be sent to the depository of the multilateral international treaty within 15 days after the date of the decision made by the competent authority as provided for in Article 50 of this Law, in case the Socialist Republic of Vietnam accepts or objects to reservations made by foreign contracting parties after it signed or instrument of ratification, approval of or accession to the multilateral international treaty.

In case the Minister of Foreign Affairs is absent, the authorized Deputy Minister of Foreign Affairs shall sign instead, unless otherwise provided for in the international treaty.

4. The Ministry of Foreign Affairs shall transmit to relevant agencies the notification by the depository of the entry into force of the acceptance of or objection to reservations, within 15 days after the date of receipt of the notification from the depository.

Article 53. Withdrawal of reservations or objection to reservations

1. The recommending agencies shall be responsible to submit to the Government on the withdrawal of reservations or objection to reservations, after obtaining written opinions from the Ministry of Foreign Affairs, the Ministry of Justice and relevant agencies.

2. The authorities that made the decisions on reservations are competent to decide on the withdrawal of such reservations.

The provisions of Article 10 of this Law on procedures for submitting recommendations and making decisions on the signing of international treaties shall also apply to the submitting recommendations on withdrawal of reservations.

3. The authorities that made the decisions on objection to reservations are competent to decide on the withdrawal of objection to reservations.

The provisions of Article 51 of this Law on procedures for submitting recommendations and making decisions on acceptance or objection to reservations made by foreign contracting parties shall also apply to the submitting recommendations on withdrawal of objection to reservations.

4. The competent authorities stipulated in Paragraphs 2 and 3 of this Article shall make decisions in written form on the withdrawal of reservations and objection to reservations.

5. Documents to be submitted for withdrawal of a reservation or withdrawal of objection to reservations shall include:

a) A recommendation document, which states the contents of reservation or objection to reservations which are proposed to be withdrawn, the requirement and legal grounds of the withdrawal of the reservation or withdrawal of objection to reservations, as well as the legal effect of the withdrawal of reservation or withdrawal of objection to reservation;

b) A copy of the multilateral international treaty and a translation version in the Vietnamese language;

c) Opinions from the Ministry of Foreign Affairs, Ministry of Justice and relevant agencies;

d) Other necessary documents.

5. The provisions of Articles 48 and 52 of this Law shall also apply respectively to the notification of withdrawal of reservations or withdrawal of objection to reservations.

CHAPTER V

ENTRY INTO FORCE, TEMPORARY APPLICATION OF INTERNATIONAL TREATIES

Article 54. Entry in to force of international treaties

An international treaty shall enter into force with respect to the Socialist Republic of Vietnam in the way and for the duration as stipulated in such international treaty or as otherwise agreed upon by the Vietnamese party and the foreign contracting parties.

Article 55. Temporary application of international treaties

An international treaty or part of an international treaty may be temporarily applied pending the completion of procedures for the entry into force of the international treaty as stipulated in the treaty or otherwise agreed upon by the Vietnamese party and the foreign contracting parties.

Article 56. Termination of temporary application of an international treaty

1. The temporary application of an international treaty or part of an international treaty shall be terminated if the Socialist Republic of Vietnam and the foreign contracting party/parties concerned notify each other of the intention of not becoming a party/parties to such treaty, unless otherwise provided for in the treaty or otherwise agreed upon by the Vietnamese party and the foreign contracting parties.

In this case, the recommending agency shall submit to the Government for decision.

2. The authority that decides on the signing of an international treaty is competent to decide on the termination of temporary application of such international treaty.

3. The provisions of Articles 10, 11 and 12 of this Law on procedures for submitting recommendations, documents of recommendation and procedures for making decisions on the signing of an international treaty shall also apply to the submitting recommendations on termination of temporary application of an international treaty.

Article 57. Notification on the termination of temporary application of an international treaty

1. The Ministry of Foreign Affairs shall notify the foreign contracting party/parties of the termination by the Vietnamese side of temporary application of

an international treaty or the reply of the Vietnamese side to the proposal by a foreign contracting party on the termination of temporary application, within 15 days after the date of the decision made by the competent authority on the termination of temporary application of the international treaty.

The recommending agency shall be responsible to provide the Ministry of Foreign Affairs with necessary information to ensure timely and full implementation of diplomatic procedures for the termination of temporary application of an international treaty.

2. The Ministry of Foreign Affairs shall notify relevant agencies of the effect of the termination of temporary application of an international treaty within 15 days after the date on which such termination enters into force.

CHAPTER VI

DEPOSIT, KEEPING IN CUSTODY, PROVIDING COPIES, PUBLICATION AND REGISTRATION OF INTERNATIONAL TREATIES

Article 58. Deposit of multilateral international treaties

The Ministry of Foreign Affairs is responsible to undertake the functions of the depository of a multilateral international treaty in case the Socialist Republic of Vietnam is designated as the depository of such multilateral international treaty.

Article 59. Functions of the depository of a multilateral international treaty

1. The functions of the depository include:

a) To keep in custody the originals of the international treaty and Full Powers sent to the depository;

b) To certify copies of originals and make other texts of the multilateral international treaty in other languages as provided for in the treaty and then send those texts to the parties to the treaty and States entitled to become parties to the treaty;

c) To receive signatures in the treaty, receive and keep in custody documents, notifications and information related to the treaty;

d) To check the due forms and legality of signatures or documents, notifications or information related to the multilateral international treaty and remind concerned contracting parties on such issues if necessary;

®) To notify parties to the multilateral international treaty and States entitled to become parties to the multilateral international treaty of the documents, notifications and information related to the treaty;

e) To notify States entitled to become parties to the treaty of the time of receipt of adequate number of signatures or deposit of adequate number of

instruments of ratification, approval, acceptance or accession as required for the entry into force of the treaty;

g) To register the multilateral international treaty at the Secretariat of the United Nations.

2. In case of any differences between a foreign contracting party and the Socialist Republic of Vietnam as the depository arising out of the exercise of the depository functions, the Ministry of Foreign Affairs shall take the lead and coordinate with relevant agencies to submit to the Government for decision.

The Government decides on the settlement of differences within 15 days after the date of receipt of documents submitted by the Ministry of Foreign Affairs.

3. The Ministry of Foreign Affairs shall notify foreign contracting parties concerned within 15 days after the date of decision by the Government.

Article 60. Keeping in custody of international treaties

1. The Ministry of Foreign Affairs shall keep in custody the originals of bilateral international treaties, originals of multilateral -international treaties in case the Socialist Republic of Vietnam is the depository of the treaties, certified copies of other multilateral ~~-international~~ treaties of which the Socialist Republic of Vietnam is a member ~~concluded or acceded to~~, instruments of ratifications, approval or accession and other related documents.

2. The recommending agencies shall be responsible to transmit to the Ministry of Foreign Affairs the original(s) or certified copies and the translation versions in the Vietnamese language of the international treaties within the period as stipulated in Article 27 of this Law.

Article 61. Making certified copies of international treaties

The Ministry of Foreign Affairs shall make certified copies of international treaties and transmit them to the National Assembly, the State President and the Government for report, transmit them to relevant agencies for implementation, to the Government's Office for publication on the Official Gazette of the Socialist Republic of Vietnam, within 15 days after the date of entry into force for a bilateral international treaty or 30 days after the date of receipt of the notification from the depository of the entry into force of a multilateral international treaty with respect to the Socialist Republic of Vietnam.

Article 62. Publication of international treaties

1. International treaties which entered into force with respect to the Socialist Republic of Vietnam shall be published on the Official Gazette of the Socialist Republic of Vietnam and the Series of International Treaties, unless otherwise agreed by the Vietnamese party and the foreign contracting parties or otherwise decided by competent authorities.

Draft Law, September 17, 200. Non-official translation

In case an international treaty is required not to be published, the recommending agency shall submit to the Government for decision, after obtaining written opinions from the Ministry of Foreign Affairs, Ministry of Justice and relevant agencies.

2. Within 15 days after the date of receipt of the certified copy of an effective international treaty which was transmitted by the Ministry of Foreign Affairs, the Government's Office shall publish such international treaty on the Official Gazette of the Socialist Republic of Vietnam.

3. The Ministry of Foreign Affairs shall annually prepare and publish Series of International Treaties in force with respect to the Socialist Republic of Vietnam.

Article 63. Registration of international treaties

The Ministry of Foreign Affairs shall register with the Secretariat of the United Nations bilateral international treaties in force with respect to the Socialist Republic of Vietnam, multilateral international treaties in force, in case the Socialist Republic of Vietnam is the depository of such treaties, ~~unless otherwise agreed by the contracting parties or otherwise decided by competent authorities.~~

CHAPTER VII

IMPLEMENTATION OF INTERNATIONAL TREATIES

SECTION 1

PLANS FOR IMPLEMENTATION OF INTERNATIONAL TREATIES

Article 64. Plans for implementation of international treaties

1. The recommending agency, on the basis of the natures and contents of an international treaty and its assigned functions and duties, shall submit to the Government for decision on the plan for implementation of the international treaty concluded or acceded to.

2. The plan for implementation of an international treaty shall contain the following contents:

a) Schedule for implementation;

b) Proposed responsibilities of relevant agencies in the organization of the implementation of the international treaty;

c) Recommendations on amendment, supplement, ~~denunciation~~repeal or promulgation of legal documents for ensuring the implementation of the international treaty ~~(if necessary)~~;

d) Measures of organization, management, financing and other necessary measures for ensuring the implementation of the international treaty;

®) Popularization, dissemination of the contents of the international treaty.

Article 65. Procedures of submitting for approval of plans of implementation of international treaties

1. The recommending agency shall send relevant agencies the draft plan of implementation of an international treaty in requesting opinions, within 15 days after the date of receipt of the notification of the entry into force of the international treaty.

2. The relevant agencies shall make written reply to the recommending agency within 15 days after the date of receipt of the request for opinions.

3. The recommending agency shall submit to the Government for decision on the plan of implementation of an international treaty within 15 days after the date of receipt of replies from relevant agencies.

4. The Prime Minister of the Government decides on the plan of implementation of an international treaty within 30 days after the date of receipt of the draft plan submitted by the recommending agency.

Article 66. Executing plans of implementation of international treaties

1. Upon the decision made by the Prime Minister of the Government on the plan of implementation of an international treaty, the recommending agency and relevant agencies, within the scope of their functions, duties and powers, shall be responsible to carry out the plan.

2. During the process of implementation of the plan, if any problems arise in relation to the interpretation, supplement, amendment, extension, termination, withdrawal, ~~denunciation~~ denunciation, suspension of the implementation of the international treaty, the recommending agency shall follow respective procedures as provided for in Articles from 67 to 89 of this Law.

SECTION 2

INTERPRETATION OF INTERNATIONAL TREATIES

Article 67. Interpretation of international treaties

International treaties ~~that need to shall~~ be interpreted in the following cases:
~~are treaties over which there are differences between the Socialist Republic of Vietnam and~~

1. There are requests for interpretation by foreign contracting parties; ~~or between different~~
2. There are requests for interpretation by domestic agencies; ~~during the process of implementation.~~
3. Other necessary cases.

Article 68. Principles and basis for interpretation of international treaties

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1. An international treaty shall be interpreted in accordance with the merit, object and purposes of the treaty and the ordinary meaning of the terms used in the treaty.

2. The basis for the interpretation of an international treaty includes:

a) The contents of the text of the international treaty, including its preamble and annexes attached thereto; ~~the text of the treaty used as the basis for the interpretation shall be the original text in the Vietnamese language, unless otherwise provided for in the treaty or otherwise agreed by contracting parties;~~

b) Any agreement relating to the treaty which was made between all the parties to the treaty in the connexion with the conclusion of the treaty;

c) Any instrument which was made by one or more parties to the treaty in the connexion with the conclusion of the treaty and accepted by the other parties as an instrument related to the treaty.

3. In addition to the basis as provided for in Paragraph 2 of this Article, in the interpretation of an international treaty, ~~the~~ competent agencies shall ~~be taken~~ into account:

a) Any subsequent agreement between the parties to the treaty regarding the interpretation of the treaty or the application of its provisions;

b) Any subsequent practice in the application of the treaty between the parties regarding the interpretation of the treaty, representing the agreement between the parties on the interpretation of the treaty;

c) Any relevant rules of international law applicable in the relations between the parties to the treaty.

4. In case all the principles stipulated in Paragraphs 1, 2 and 3 of this Article had been applied for the interpretation but the results of interpretation are still unclear or unreasonable, ~~it~~ the competent agencies shall be possible to take into account of the preparatory work of the treaty and the circumstances of the conclusion of the treaty and other basis for making clear the contents of the provision(s) that need to be interpreted.

Article 69. Competence to interpret international treaties

1. The Standing Committee of the National Assembly, on its own initiative or at the request of the State President or the Government, shall interpret international treaties in the following cases:

a. International treaties which were decided to ratify ~~ied~~ or access by the National Assembly;

b. ~~it~~ International treaties containing provisions contrary to any provisions of or have not been provided for in legal documents promulgated by the National Assembly or the Standing Committee of the National Assembly; ~~as well as~~

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c. ~~International treaties the implementation of which requires amendment, supplement, denunciation or repeal~~ or promulgation of legal documents of the National Assembly or the Standing Committee of the National Assembly; ~~and international treaties that were signed directly by the State President and the Heads of other States.~~

a.d. Other necessary cases.

2. The Government shall interpret international treaties which were signed or acceded to in the name of the State and in the name of the Government, except in cases as provided for in Paragraph 1 of this Article.

3. The Standing Committee of the National Assembly and the Government shall interpret international treaties in written. Such written interpretation 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 responsibility of the recommending agency, Ministry of Foreign Affairs and other relevant agencies.

Article 70. Procedures for submitting recommendations and making decisions on contents of interpretation of international treaties

1. In case ~~where of any differences arising between~~ the foreign contracting party ~~requests for and the Vietnamese party regarding their understanding and~~ interpretation of the contents of the treaty, the Ministry of Foreign Affairs, within 10 days after the date of receipt of a the request ~~for interpretation from a foreign contracting party,~~ shall propose or transmit such proposal to the recommending agency to propose on the contents of interpretation of international treaties to submit to the Government as provided for in Paragraph 3 of this Article.

In case a foreign contracting party transmits a request for interpretation directly to the recommending agency, the recommending agency, within 30 days after the date of receipt of such proposal, shall submit to the Government in accordance with the provisions of Paragraph 3 of this Article.

2. In case ~~where of any differences arising between relevant~~ domestic agencies ~~regarding their understanding and request for~~ interpretation of the contents of an international treaty, any among such agencies shall directly send a request for interpretation of the international treaty to the recommending agency and the Ministry of Foreign Affairs.

3. The recommending agency shall submit to the Government the contents of interpretation within 30 days after the date of receipt of the request for interpretation of an international treaty as provided for in Paragraphs 1 and 2 of

this Article, after obtaining written opinions from the Ministry of Foreign Affairs, the Ministry of Justice and relevant domestic agencies.

4. The consulted agencies shall be responsible to reply in writing to the recommending agency within 15 days after the date of receipt of the request for opinions made by the recommending agency.

5. The Government decides:

a) On the interpretation of an international treaty as provided for in Paragraph 2 of Article 69 of this Law within 30 days after the date of receipt of the documents submitted by the recommending agency;

b) To report to the State President on the interpretation of an international treaty signed in the name of the State as provided for in Paragraph 2 Article 69 of this Law, at least 15 days before making decision on the interpretation of the international treaty;

c) To submit to the Standing Committee of the National Assembly on the interpretation of the international treaty within its competence as provided for in Paragraph 1 of Article 69 of this Law, within 30 days after the date of receipt of documents submitted by the recommending agency.

~~56.~~ The State President shall submit to the Standing Committee of the National Assembly for the interpretation of an international treaty ~~within its competence~~ as provided for in Paragraph 1 of Article 69 of this Law, within 30 days after the date of receipt of documents submitted by the Government.

6. The Standing Committee of the National Assembly shall interpret an international treaty within 30 days after the date of receipt of documents submitted by the State President or the Government.

Article 71. Documents submitted for interpretation of international treaties

1. Documents submitted by a recommending agency to the Government for the interpretation of an international treaty shall include:

a) A recommendation document addressed to the Government, which clearly states the requirement, contents and basis of the interpretation of the international treaty, and recommend on the contents of interpretation of the international treaty;

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

c) The request for interpretation made by a foreign contracting party or a domestic agency;

d) Opinions from the Ministry of Foreign Affairs, the Ministry of Justice and relevant agencies;

®) Other necessary documents.

2. Documents reported by the Government to the State President for the interpretation of an international treaty shall include:

a) A report made by the Government, which clearly states the requirement, contents and basis of the interpretation of the international treaty;

b) A copy of the international treaty, a translation version in the Vietnamese language in case the international treaty was signed only in foreign language(s);

c) The request for interpretation made by a foreign contracting party or a domestic agency;

d) Other necessary documents.

3. Documents submitted by the State President or the Government to the Standing Committee of the National Assembly for the interpretation of an international treaty shall include:

a) A recommendation document made by the State President or the Government, which clearly states the requirement, contents and basis of the interpretation of the international treaty, and recommend on the contents of interpretation of the international treaty;

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

c) The request for interpretation made by a foreign contracting party or a domestic agency;

d) Other necessary documents.

Article 72. Notification of the interpretation of international treaties

1. The Ministry of Foreign Affairs shall notify foreign contracting party/parties of the contents of interpretation of the treaty by the Vietnamese party within 15 days after the date of receipt of the text of interpretation from the competent authority ~~in the case~~ as provided for in Paragraphs 5 and 7 ~~4~~ of Article ~~6970~~ of this Law.

In cases where after the Vietnamese party notify of the contents of interpretation of the international treaty, the foreign contracting parties put forth a new request for interpretation of such international treaty, the procedures for making decisions on the contents of interpretation of the international treaty shall be conducted in accordance with the provisions of Article 70 of this Law.

2. The recommending agencies shall notify the domestic agencies that requested for the interpretation within 10 days after the date of receipt of the text of

interpretation from the competent authority ~~in the case~~ as provided for in Paragraphs 5 and 7 2 of Article ~~6970~~ of this Law.

SECTION 3

AMENDMENTS, SUPPLEMENT AND EXTENSION OF INTERNATIONAL TREATIES

Article 73. Amendment, supplement and extension of international treaties

International treaties may be amended, supplemented or extended as provided for in the treaties or otherwise agreed by the Vietnamese party and the foreign contracting parties.

Article 74. Competence to decide on amendment, supplement or extension of international treaties

1. The authority that made the decision on the negotiation and signing of an international treaty is competent to decide on amendment, supplement or extension of the international treaty, ~~except the in case where the signing of international treaties does not require ratification or approval as provided for in Paragraph 2 of this Article.~~

2. The authority that made the decision on the ratification, approval of or accession to an international treaty is competent to decide on amendment, supplement or extension of the international treaty which was ratified, approved or acceded to and entered into force with respect to the Socialist Republic of Vietnam.

3. The competent authorities prescribed in Paragraphs 1 and 2 of this Article shall make decisions in written form on the amendment, supplement or extension of international treaties. 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 international treaty that is amended, supplemented or extended;
- b) The contents of amendment, supplement or the duration for which the international treaty is extended;
- c) The responsibility of the recommending agency, Ministry of Foreign Affairs and other relevant agencies.

Article 75. Procedures for submitting recommendation and making decisions on amendment, supplement or extension of international treaties

1. In case a foreign contracting party makes a proposal on amendment, supplement or extension of an international treaty, the Ministry of Foreign Affairs shall make a proposal or transmit such proposal on amendment, supplement or extension of an international treaty to the recommending agency to submit to the Government as provided for in Paragraph 3 of this Article, within 10 days after the date of receipt of the proposal on amendment, supplement or extension;

In case a foreign contracting party transmits the proposal on amendment, supplement or extension of an international treaty to the recommending agency, the recommending agency shall, within 30 days after the date of receipt of the proposal, submit to the Government in accordance with the provisions of Paragraph 3 of this Article.

2. In case a relevant domestic agency makes the proposal on amendment, supplement or extension of an international treaty, such agency shall transmit such proposal on amendment, supplement or extension of the international treaty to the recommending agency and the Ministry of Foreign Affairs for the recommending agency to make a proposal on amendment, supplement or extension of an international treaty to submit to the Government as provided for in Paragraph 3 of this Article.

3. The recommending agency shall be responsible to submit to the Government on the contents of amendment, supplement or extension of an international treaty, within ~~45~~ 30 days after the date of receipt of the proposal on amendment, supplement or extension of the international treaty as provided for in Paragraphs 1 and 2 of this Article, after obtaining written opinions from the Ministry of Foreign Affairs and relevant agencies.

Unless otherwise provided for in the international treaty or otherwise agreed upon by the Vietnamese party and the foreign contracting parties, the recommending agency shall, at least 90 days before the termination of the international treaty, submit to the Government on the extension of the international treaty.

4. The consulted agencies shall be responsible to reply the recommending agency within 15 days after the date of receipt of the request made by the recommending agency.

5. The Government decides:

a) On the amendment, supplement or extension of an international treaty in accordance with its competence within 15 days after the date of receipt of documents submitted by the recommending agency;

b) To submit to the State President ~~for decision~~ on the amendment, supplement or extension of an international treaty within 15 days after the date of receipt of documents submitted by the recommending agency;

~~e) To submit to the National Assembly for decision on the amendment, supplement or extension of an international treaty within 15 days after the date of receipt of documents submitted by the recommending agency.~~

6. The State President decides

a) On the amendment, supplement or extension of an international treaty in accordance with its competence within 30 days after the date of receipt of documents submitted by the Government.

b) To submit to the National Assembly for decision on the amendment, supplement or extension of an international treaty within 15 days after the date of receipt of documents submitted by the recommending agency.

7. The National Assembly decides on the amendment, supplement or extension of an international treaty at its nearest session.

Article 75a. Procedures for making decisions on amendment, supplement or extension of international treaties by the National Assembly at its session

The National Assembly shall make decisions on amendment, supplement or extension of international treaties by the National Assembly at its session in accordance with the procedures as provided for in Article 32a of this Law

Article 76. Documents submitted on amendment, supplement or extension of international treaties

1. Documents submitted by the recommending agency to the Government on amendment, supplement or extension of an international treaty shall include:

a) A recommendation document addressed to the Government, which clearly states the purpose, requirement, legal basis and legal effects of the amendment, supplement or extension of the international treaty;

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

c) The proposal made by a foreign contracting party or a domestic agency on amendment, supplement or extended duration of the international treaty;

d) The opinions from the Ministry of Foreign Affairs and relevant agencies;

®) Other necessary documents.

2. Documents submitted by the Government to the State President or by the State President to the National Assembly on amendment, supplement or extension of an international treaty shall include:

a) A recommendation document of the Government or a recommendation of the State President, which clearly states the purpose, requirement, legal basis and legal effects of the amendment, supplement or extension of the international treaty;

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

- c) The proposal made by a foreign contracting party or a domestic agency on amendment, supplement or extended duration of the international treaty;
- d) The opinions from the Ministry of Foreign Affairs and relevant agencies;
- ®) Other necessary documents.

Article 77. Notification on amendment, supplement or extension of international treaties

1. The Ministry of Foreign Affairs shall coordinate with the recommending agencies to notify foreign contracting party/parties on the contents of amendment, supplement or the extension of an international treaty within 15 days after the date of decision made by the competent authority as provided for in Paragraphs 5, 6 and 7 of this Law on amendment, supplement or extension of the international treaty.

2. The Ministry of Foreign Affairs shall notify the recommending agency and relevant domestic agencies of the entry into force of the amendment, supplement or extension of the international treaty within 15 days after the date of entry into force of the amendment, supplement or extension of the international treaty.

SECTION 4

TERMINATION, DENUNCIATION, WITHDRAWAL, SUSPENSION OF APPLICATION OF INTERNATIONAL TREATIES

Article 78. Grounds for termination, denunciation, withdrawal, suspension of application of international treaties.

1. The termination, denunciation, withdrawal, suspension of application of an international treaty may take place in conformity with the provisions of the treaty or by consent of the Vietnamese party and the foreign contracting parties.

2. An international treaty may be terminated or suspended in the following cases:

a) In accordance with the provisions of the treaty or by consent of the Vietnamese party and all other parties to the treaty;

b) Due to the conclusion of a later international treaty relating to the same subject matter;

c) As a consequence of a breach of the international treaty;

d) As the subject matter of the international treaty ceases to exist or is denounced;

®) Due to a fundamental change of the circumstances which existed at the time of the conclusion of or accession to the international treaty and which affects the implementation of the international treaty;

- e) As a consequence of the severance of diplomatic or consular relations;
- g) Due to the emergence of a new peremptory norm of general international law.

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

Article 79. Termination or suspension of application of an international treaty due to the conclusion of a later international treaty

1. An international treaty between the ~~Socialist Republic of~~ Vietnamese party and other party/parties shall be terminated if subsequently the ~~Socialist Republic of~~ Vietnamese party and such party/parties sign a new treaty on the same subject matter and the provisions of the later treaty contradict to the provisions of the previous treaty to the extent that it is impossible to implement both treaties at the same time.

2. The application of an international treaty which was previously signed shall be suspended if it is established that the ~~Vietnamese party and other~~ parties to the treaty have such intention.

Article 80. Termination or suspension of application of an international treaty as a consequence of its breach

1. The ~~Socialist Republic of~~ Vietnamese party shall terminate or suspend the application of the whole or part of a bilateral international treaty in case the foreign contracting party made a serious breach of the international treaty.

2. The ~~Socialist Republic of~~ Vietnamese party and other parties other than the party that made a fundamental breach of a multilateral international treaty to which the Socialist Republic of Vietnam is a party, shall be entitled to reach agreement ~~on the to~~ suspend ~~sion of the~~ application of the whole or part of the international treaty or the termination of the treaty in the relations between ~~the~~ Vietnamese party and such parties and the defaulting party or among ~~Vietnamese party and~~ such parties.

3. The ~~Socialist Republic of~~ Vietnamese party shall be entitled to suspend the application the whole or part of a multilateral international treaty in the relations between the ~~Socialist Republic of~~ Vietnamese party and the party that made a breach of the international treaty in case the Vietnamese party is specially affected by such breach of the international treaty by the defaulting party.

4. The ~~Socialist Republic of~~ Vietnamese party shall be entitled to suspend the application of the whole or part of a multilateral international treaty in the relation between the Vietnamese party and other parties other than the defaulting party in case such breach of the international treaty by the defaulting party changes fundamentally further performance of the obligations under the treaty by other parties, ~~including the Vietnamese party~~.

Article 81. Termination, withdrawal or suspension of an international treaty as its subject matters cease to exist or is denounced

1. The ~~Socialist Republic of~~ Vietnamese party shall terminate or withdraw from an international treaty in case it is impossible to further apply the treaty as its subject matter that is closely linked to the implementation of the international treaty ceases to exist or was denounced.

2. The ~~Socialist Republic of~~ Vietnamese party shall suspend the application of an international treaty in case the impossibility of application of the treaty is only temporary.

Article 82. Termination, withdrawal or suspension of application of an international treaty due to fundamental change of circumstances existing at the time of the conclusion or accession

1. The ~~Socialist Republic of~~ Vietnamese party shall be entitled to invoke a fundamental change of the circumstances existing at the time of conclusion of or accession to an international treaty as a ground for terminating or withdrawing from the treaty, if:

a) The existence of such circumstances constitutes an essential basis of the consent of the Socialist Republic of Vietnam to be bound by the treaty;

b) The effect of such change radically transforms the extent of obligations still to be performed by the ~~Socialist Republic of~~ Vietnamese party under the treaty.

2. In case the ~~Socialist Republic of~~ Vietnamese party is entitled to invoke a fundamental change of the circumstances as a ground for terminating or withdrawing from an international treaty, it is also entitled to invoke such change as a ground for suspending the application of the treaty.

3. The provisions of Paragraphs 1 and 2 of this Article shall not apply to international treaties establishing national boundaries between the Vietnamese party and other parties to such international treaties.

Article 83. Termination or suspension of application of international 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 other party/parties to an international treaty and the existence of such diplomatic relations or consular relations is indispensable for the application of the treaty, the recommending agency shall submit to the Government on the termination or suspension of application of the international treaty.

Article 84. Termination due to the conflict between an international treaty and a new peremptory norm of general international law (jus cogens)

In case a new peremptory norm of general international law emerges, any international treaties in force which conflict with such new norm shall be void and terminated.

Article 85. Suspension of application of a multilateral international treaty by agreement between certain parties to the treaties

1. The ~~Socialist Republic of~~ Vietnamese party may conclude an agreement with certain parties to a multilateral international treaty on the suspension of the application of some provisions of the treaty in the relations between the ~~Socialist Republic of~~ Vietnamese party and such parties, if:

a) The treaty contains a provision to that effect; or

b) Such suspension of application is not prohibited by the treaty, provided that such suspension does not affect the enjoyment by other parties of their rights and performance of their obligations under the treaty and does not conflict with the object and purpose of the treaty.

2. The ~~Socialist Republic of~~ Vietnamese party shall notify the other parties of the intention to conclude an agreement and the concrete provisions of the treaty that the ~~Socialist Republic of~~ Vietnamese party has the intention to suspend its application, unless otherwise provided for in the treaty.

Article 846. Competence to decide on the termination, denunciation, withdrawal, suspension of application of international treaties

1. The National Assembly decides on the termination, denunciation, withdrawal or suspension of application of international treaties which the National Assembly made decision on the ratification of or accession, international treaties which were directly signed by the State President and the Head of other States ~~and other international treaties at the request of the State President.~~

2. The State President decides on the termination, denunciation, withdrawal or suspension of application of international treaties ~~which were concluded or acceded to in the name of the State, international treaties~~ which the State President decided on the ratification or accession, ~~except in cases as provided for in Paragraph 1 of this Article.~~

3. The Government decides on the termination, denunciation, withdrawal, suspension of application of international treaties which were ~~concluded signed, approved~~ or acceded to in the name of the Government.

34. The National Assembly, State President or Government shall make decisions in written form on the termination, denunciation, withdrawal, suspension of application of international treaties. Such a decision shall contain the following contents:

a) The title, time and place of signing and the effective duration of the international treaty to be terminated, withdrawn, denounced, suspended or application.

b) The responsibility of the recommending agency, Ministry of Foreign Affairs and other relevant agencies.

Article 87. Procedures for submitting recommendation and making decisions on termination, denunciation, withdrawal and suspension of application of international treaties

1. In case a foreign contracting party makes a proposal on amendment, termination, denunciation, withdrawal, suspension of application of an international treaty, the Ministry of Foreign Affairs shall, within 10 days after the date of receipt of the proposal, make a proposal or transmit the proposal on termination, denunciation, withdrawal, suspension of application of an international treaty to the recommending agency to submit to the Government as provided for in Paragraph 3 of this Article.

In case a foreign contracting party transmits to the recommending agency a proposal on termination, denunciation, withdrawal, suspension of application of an international treaty, the recommending agency shall, within 30 days after the date of receipt of the proposal, submit to the Government in accordance with the provision of Paragraph 3 of this Article.

2. In case a relevant domestic agency makes a proposal on termination, denunciation, withdrawal, suspension of application of an international treaty, such agency shall transmit the proposal directly to the recommending agency and the Ministry of Foreign Affairs for the recommending agency to make a proposal on termination, denunciation, withdrawal, suspension of application of an international treaty to submit to the Government as provided for in Paragraph 3 of this Article.

3. The recommending agency shall be responsible to submit to the Government within 30 days after the date of receipt of a proposal on termination, denunciation, withdrawal or suspension the application of an international treaty as provided for in Paragraph 1 and 2 of this Article after obtaining written opinions from the Ministry of Foreign Affairs and relevant agencies.

4. The relevant agencies shall reply the recommending agency in writing within 15 days after the date of receipt of the written request from the recommending agency.

5. The Government decides:

a) On the termination, denunciation, withdrawal or suspension the application of the international treaties stipulated in Paragraph 3 of Article 86 of

this Law within 15 days of the date of receipt of documents submitted by the recommending agency;

b) To submit to the State President for decision on the termination, denunciation, withdrawal or suspension the application of the international treaties stipulated in Paragraph 2 of Article 86 of this Law within 15 days of the date of receipt of documents submitted by the recommending agency;

6. The State President decides:

a) On the termination, denunciation, withdrawal or suspension the application of the international treaty as provided for in Paragraph 2 of Article 86 of this Law within 15 days after the date of receipt of documents submitted by the Government.

eb) To submit to the National Assembly for decision on the termination, denunciation, withdrawal or suspension the application of the international treaties stipulated in Paragraph 1 of Article 86 of this Law within 15 days after the date of receipt of documents submitted by the ~~recommending agency~~ Government.

~~6. The State President decides on the termination, denunciation, withdrawal or suspension the application of the international treaty within 15 days after the date of receipt of documents submitted by the Government.~~

7. The National Assembly decides on the termination, denunciation, withdrawal or suspension the application of the international treaty at its nearest session.

Article 87a. Procedures for making decisions on the termination, denunciation, withdrawal, suspension the application of international treaties by the National Assembly at its session

The National Assembly shall make decisions on the termination, denunciation, withdrawal, suspension the application of international treaties at its session in accordance with the procedures as provided for in Article 32a of this Law.

Article 88. Documents submitted on the termination, denunciation, withdrawal, suspension the application of international treaties

1. Documents submitted by the recommending agency to the Government on the termination, denunciation, withdrawal or suspension the application of an international treaty shall include:

a) A recommendation document addressed to the Government, which clearly states the reasons, legal grounds and legal effects of the termination, denunciation, withdrawal or suspension the application of the international treaty;

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

c) The proposal on the termination, denunciation, withdrawal or suspension the application of the international treaty made by a foreign contracting party or a relevant domestic agency;

d) Opinions from the Ministry of Foreign Affairs and relevant agencies;

®) Other necessary documents.

2. Documents submitted by the Government to the State President or by the State President to the National Assembly on the termination, denunciation, withdrawal or suspension the application of an international treaty shall include:

a) A recommendation document of the Government or a recommendation document of the State President, which clearly states the reasons, legal grounds and legal effect of the termination, denunciation, withdrawal or suspension of the application of the international treaty;

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

c) The proposal on the termination, denunciation, withdrawal or suspension the application of the international treaty made by a foreign contracting party or a relevant domestic agency;

d) Other necessary documents.

Article 89. Notification on the termination, denunciation, withdrawal or suspension the application of international treaties

1. The recommending agencies shall coordinate with the Ministry of Foreign Affairs to implement procedures for the termination, denunciation, withdrawal or suspension the application of international treaties within 30 days after the date of the respective decisions made by competent authorities as provided for in Article 86 of this Law.

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

2. The Minister of Foreign Affairs shall sign diplomatic instruments to notify on the termination, denunciation, withdrawal or suspension the application of multilateral international treaties to be transmitted to the depositories of such multilateral international treaties.

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In case the Minister of Foreign Affairs is absent, the designated Deputy Minister of Foreign Affairs shall sign instead, unless otherwise provided for by the depositories.

3. The Ministry of Foreign Affairs shall notify relevant agencies of the entry into force of the termination, denunciation, withdrawal or suspension the application of international treaties within 15 days after the date of entry into force of the termination, denunciation, withdrawal or suspension the application of international treaties.

CHAPTER VIII

Responsibilities of agencies, organizations, and individuals in activities of conclusion, accession, and implementation of international treaties ~~IMPLEMENTATION~~ PROVISIONS

Article 90. Responsibility of agencies, organizations and individuals

Agencies, organizations and individuals are responsible to comply with international treaties to which the Socialist Republic of Vietnam is a party.

Article 91. Responsibility of the Ministry of Foreign Affairs

Within the scope of its functions, duties and powers, the Ministry of Foreign Affairs is responsible to assist the Government to perform the functions of state management over the conclusion, accession and implementation of international treaties with the following concrete duties:

1. To take the lead or coordinate to prepare draft legal documents ~~relating to~~ on the conclusion, accession, and implementation of international treaties and submit to competent authorities for promulgation;
2. To make guidance or explanation on issues relating to the law on the conclusion, accession, and implementation of international treaties if so requested;
3. To prepare and submit to the Government long term plans and annual plans on the conclusion, accession and implementation of international treaties on the basis of plans prepared by ministries and agencies;
4. To prepare and submit to the Government annual reports or at the request of the State President or the Government on the conclusion, accession and implementation of international treaties on the basis of reports prepared by ministries and agencies;
5. To complete diplomatic procedures in relation to the negotiation, signing, ratification, approval, accession, reservation, deposit, keeping in custody, making certified copies, publication, registration, amendments, supplement, termination, denunciation, withdrawal, suspension of application and implementation of the international treaties.

6. To complete required diplomatic procedures for the protection of the rights and interests of the Socialist Republic of Vietnam, in case the foreign contracting party made a breach of an international treaty;

7. To take part directly in assisting the ~~signing~~conclusion of or accession to international treaties during high-level ~~delegations visits by leaders of the State and the Government of the Socialist Republic~~ of Vietnam to foreign countries and by high-level foreign delegations to Vietnam;

8. To cooperate internationally in the field of conclusion, accession and implementation of international treaties within its competence or as assigned by the Government;

9. To organize the archive, deposit, making certified copies, publication and registration of international treaties;

10. To take the lead or coordinate in organizing the popularisation, dissemination of international treaties ~~to which in force with respect to~~ the Socialist Republic of Vietnam is a party.

11. To make statistics, check international treaties which the Socialist Republic of Vietnam concluded or acceded to.

12. To take the lead in organizing the popularisation, dissemination, guidance on the application of the law on conclusion, accession and implementation of international treaties.

Article 92. Responsibility of recommending agencies

Within the scope of their respective functions, duties and powers, the recommending agencies are responsible:

1. To prepare long term plans and annual plans of the conclusion, accession and implementation of international treaties within the scope of state management ~~of the respective ministries or agencies assigned to them respectively~~ and transmit such plans to the Ministry of Foreign Affairs for synthesizing and submitting to the Government, annual plans of the conclusion, accession and implementation of international treaties are expected to transmit to the Ministry of Foreign Affairs at least on 15 October of the previous year;

2. To take the lead in making recommendations on the accomplishment of legal procedures with respect to international treaties which contain provisions requiring ratification, approval or acceptance for the entry into force of the treaties;

3. To set up the schedules, schemes and concrete measures for the implementation of international treaties which are in force with respect to the Socialist Republic of Vietnam and which the respective ministries or agencies made recommendations on signing conclusion or accession;

4. To take the lead or coordinate in organizing the popularisation and dissemination of international treaties which were concluded or acceded to and international treaties that are in force and lie within the scope of state management of the respective ministries or agencies;

5. To make recommendation to the Government on necessary means for the protection of the rights and interests of the Socialist Republic of Vietnam in case of a breach of an international treaty made recommendations on conclusion or accession by ministries or agencies;

6. At least on 15 October annually or at the request of the State President or of the Government, to make reports to the State President and Government on the conclusion, accession and implementation of international treaties within their respective ~~scope~~ of state management and transmit at the same time to the Ministry of Foreign Affairs for coordination of their performance. Except in special cases as requested by the State President or Government, the reports of ~~ministries and recommending~~ agencies shall be made on the basis of a single format.

Article 93. Responsibilities of agencies supervising the activities of conclusion, accession, and Supervision of the implementation of international treaties

1. The National Assembly, the Standing Committee of the National Assembly, Ethnic Council, and Committees of the National Assembly, ~~Delegations of National Assembly deputies and National Assembly deputies shall be responsible to~~ supervise the activities of agencies, organizations and individuals in the conclusion, accession, and implementation of international treaties ~~to which the Socialist Republic of Vietnam is a party.~~

2. The National Assembly, the Standing Committee of the National Assembly, Ethnic Council, and Committees of the National Assembly shall be responsible to ensure that the activities of supervision are carried out in an open, objective way in accordance with their competence, procedures as provided for by the law and will not prevent ordinary activities of the agencies, organizations and individuals under the supervision.

Article 93a. Scope of supervision, programs, and procedures for performing supervision and competence of considering supervising results by the National Assembly and bodies of the National Assembly

1. Scope of supervision on the activities of conclusion, accession, and implementation of international treaties includes:

- a) To supervise the implementation of the provisions on procedures for making proposals, competence to make decisions on negotiation, conclusion, accession, and implementation of international treaties in the name of the State and in the name of the Government, in

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accordance with the provisions of the Constitution, this Law, and other relevant legal normative documents (hereinafter referred to as supervision of legal normative documents on international treaties);

b) To supervise the implementation of international treaties.

2. Programs of supervision on the conclusion, accession, and implementation of international treaties fall within the annual programs of supervision of the National Assembly. The preparation and making decisions on programs is conducted in accordance with the provisions of the Law on Supervision Activities of the National Assembly dated on 17 June 2003 and other relevant legal documents.

Article 93b. Activities of supervisions by the National Assembly and bodies of the National Assembly

1. The National Assembly supervises through the following activities:

a) To consider reports on the conclusion, accession, and implementation of international treaties recommended or decided to conclude and accede by the State President or the Government;

b) To consider reports by the Standing Committee of the National Assembly on the provision of opinions on the negotiation, signing of international treaties containing contrary provisions or provisions which have not been provided for in legal normative documents promulgated by the National Assembly or the Standing Committee of the National Assembly, international treaties the implementation of which requires amendment, supplement, repeal or promulgation of legal normative documents by the National Assembly or the Standing Committee of the National Assembly;

c) To consider the international treaties which are in force and were decided to conclude, accede to and appear to be contrary to the Constitution;

d) To consider the response to questions by the State President, Government Prime Minister, Ministers and other members of the Government, Chief Judge of the Supreme People's Court, the General Director of the Supreme People's Procuracy on the recommendation or decision on the conclusion and accession;

2. The Standing Committee of the National Assembly supervises through the following activities:

a. To consider reports on the conclusion, accession, and implementation of international treaties by the Government;

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- b. To consider submissions by the Government on the negotiation, signing of international treaties containing contrary provisions or provisions which have not been provided for in legal normative documents promulgated by the National Assembly or the Standing Committee of the National Assembly, international treaties the implementation of which requires amendment, supplement, repeal or promulgation of legal normative documents by the National Assembly or the Standing Committee of the National Assembly;
- c. To consider the international treaties which are in force and were decided to conclude, accede to and appear to be contrary to the Constitution;
- d. To consider the response to questions by the State President, Government Prime Minister, Ministers and other members of the Government, Chief Judge of the Supreme People's Court, the General Director of the Supreme People's Procuracy on the recommendation or decision on the conclusion and accession during the period between the two sessions of the National Assembly.

3. Ethnic Council, Committees of the National Assembly supervise through the following activities:

- a) To verify reports on the conclusion, accession, and implementation of international treaties by the Government within respective fields in charge of the Council, Committees or in accordance with the assignment by the Standing Committee of the National Assembly;
- b) To consider the international treaties which are in force and were decided to conclude, accede to and appear to be contrary to the Constitution;
- c) Where necessary, to request the Government, Ministries, Ministerial-level agencies, the Supreme People's Court, the Supreme People's Procuracy report on the issues relating to the activities of conclusion, accession, and implementation of international treaties of the Council's and Committee's concern.

Article 93c. Competence to consider results of supervision by the National Assembly and bodies of the National Assembly

1. Upon the results of supervision, the National Assembly shall:

- a. To request the Standing Committee of the National Assembly, the Government, the Government Prime Minister, the Supreme People's

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Court, the Supreme People's Procuracy promulgate documents guiding the implementation of international treaties;

- b. To request the Government make decisions or submit to the State President for decisions on the amendment, termination, denunciation, withdrawal, and suspension of application of the whole or part of international treaties which appear to be contrary to the Constitution; in cases where such decisions fall within the competence of the National Assembly, the State President shall submit to the National Assembly for decisions;
- c. To issue resolutions on the response to questions and responsibilities of the persons being questioned where necessary.

2. Upon the results of supervision, the Standing Committee of the National Assembly shall:

- a) To request the Government make decisions or submit to the State President for decisions on the amendment, termination, denunciation, withdrawal, and suspension of application of the whole or part of international treaties which appear to be contrary to the Constitution; in cases where such decisions fall within the competence of the National Assembly, the State President shall submit to the National Assembly for decisions;
- b) To request competent agencies, organizations, individuals in application of measures to timely terminate acts of violation of international treaties in Vietnam; request the Government make decisions or submit to the State President for decisions on the amendment, termination, denunciation, withdrawal, and suspension of application of the international treaties in cases it is discovered that the acts of violation of international treaties by the foreign contracting party cause damages to national interests, legal rights and benefits of organizations, individual; in cases where such decisions fall within the competence of the National Assembly, the State President shall submit to the National Assembly for decisions;
- c) To issue resolutions on the response to questions and responsibilities of the persons being questioned where necessary.

3. Upon the results of supervision, the Ethic Council and Committees of the National Assembly shall:

- a) To recommend, request the Government, competent agencies make proposals or decisions on the amendment, termination, denunciation, withdrawal, and suspension of application of the whole or part of international treaties which are decided to conclude or accede to by the Government and appear to be contrary to the Constitution;

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b) To request competent agencies, organizations, individuals in application of measures to timely terminate acts of violation of international treaties in Vietnam and request the Government make decisions or submit to the State President for decisions on the termination, denunciation, withdrawal, and suspension of application of the international treaties in cases it is discovered that the acts of violation of international treaties by the foreign contracting party cause damages to national interests, legal rights and benefits of organizations, individual;

In cases where the decisions on the termination, denunciation, withdrawal, and suspension of application of the whole or part of the international treaties fall within the competence of the National Assembly, the State President shall submit to the National Assembly for decision.

Article 93d. Responsibilities of agencies, organizations, individuals under the supervision

Agencies, organizations, individuals under the supervision shall have the rights and responsibilities in accordance with the provisions of this Law and relevant provisions in the Law on Supervision Activities by the National Assembly dated on 17 June 2003.

~~The supervising competence of the National Assembly, bodies of the National Assembly, Delegations of the National Assembly deputies and the National Assembly deputies are specified as follows:~~

~~— a) The National Assembly carries out activities to supervise the activities of the Government, the Prime Minister, Ministers and other members of the Government, the Supreme People's Court, the Supreme People's Procuracy in the implementation of international treaties;~~

~~— b) The Standing Committee of the National Assembly carries out activities to supervise the activities of the Government, the Prime Minister, Ministers and other members of the Government, the Supreme People's Court, the Supreme People's Procuracy and the People's Councils of provinces and cities directly under Central authorities in the implementation of international treaties;~~

~~— c) The Ethnic Council, Committees of the National Assembly, within the scope of their duties and rights, carries out activities to supervise activities of the Government, the Prime Minister, Ministers and other members of the Government, the Supreme People's Court, the Supreme People's Procuracy;~~

~~d) Delegations of the National Assembly deputies organize activities of supervision of the delegations or of the National Assembly deputies within respective delegations in the implementation of international treaties;~~

~~©) Delegations of National Assembly deputies carry out activities of supervision through questioning the State President, the Chairman of the National Assembly, the Prime Minister, Ministers and other members of the Government, the Chief Judge of the Supreme People's Court and the General Director of the Supreme People's Procuracy on matters under their responsibility in the implementation of international treaties.~~

~~3. The National Assembly, bodies of the National Assembly, Delegations of National Assembly deputies and National Assembly deputies shall be responsible to ensure that the activities of supervision are carried out in an open, objective way in accordance with their competence, procedures as provided for by the law and will not prevent ordinary activities of the agencies, organizations and individuals under the supervision.~~

~~**Article 94. International agreements concluded by the Supreme People's Court, the Supreme People's Procuracy, ministries, ministerial-level agencies and agencies attached to the Government, provinces and cities and organisations**~~

~~1. International agreements concluded in the names of the Supreme People's Court, the Supreme People's Procuracy, ministries, ministerial-level agencies and agencies attached to the Government, provinces and cities directly under Central authorities, political organisations, socio political organisations, social organisations and socio-professional organisations at the Central level (hereinafter referred to as agencies, provinces, cities and organisations) shall be in compliance with the Constitution and legal documents, in conformity with international treaties in the same fields, to which the Socialist Republic of Vietnam is a party, in conformity with the functions, duties and powers of respective agencies, provinces, cities and organisations.~~

~~2. International agreements concluded in the names of agencies, provinces, cities and organisations have the binding effects only on the respective agencies, provinces, cities and organisations and do not constitute international treaties.~~

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~~3. The Standing Committee of the National Assembly shall promulgate regulations on the conclusion and implementation of international agreements of agencies, provinces, cities and organisations.~~

Chapter ix

IMPLEMENTATION PROVISIONS

Article 95. Budgets for the conclusion, accession and implementation of international treaties

The budgets for the conclusion, accession to and implementation of international treaties in the name of the State or in the name of the Government are ensured by the State budget and other financial resources.

Article 96. Transitional Clause

1. International treaties concluded in the names of the Supreme People's Court, the Supreme People's Procuracy, ministries, ministerial-level agencies and agencies attached to the Government prior to the date on which this Law takes effect shall be further implemented until the termination of such treaties.

2. Upon the date on which this Law takes effect, agencies stipulated in Paragraph 1 of this Article shall:

a) Be responsible to conduct negotiation with foreign contracting parties for the completion of procedures for termination of the treaties stipulated in Paragraph 1 of this Article within one (01) year period after the date on which this Law takes effect;

b) In case it is so required, conduct negotiation and sign international treaties with foreign parties with an aim to continuing to regulate the cooperation relation between such agencies and the respective foreign agencies.

Article 97. Effect

~~*Option 1: This Law shall take effect from 23 May 2006.*~~

~~*Option 2: This Law shall take effect from 1 January 2006.*~~

The Ordinance on the Conclusion and Implementation of International treaties of the Socialist Republic of Vietnam of 20 August 1998 shall be terminated after the date on which this Law takes effect.

This Law was adopted by the Eleventh National Assembly of the Socialist Republic of Vietnam, the ... session on 2005.

**THE CHAIRMAN OF THE NATIONAL ASSEMBLY
NGUYEN VAN AN**

**DRAFT LAW
ON THE CONCLUSION, ACCESSION AND IMPLEMENTATION OF
INTERNATIONAL TREATIES**

CHAPTER I. GENERAL PROVISIONS

Article 1. Scope of application

Article 2. Explanation of terms

Article 3. Principles of conclusion, accession and implementation of international treaties

Article 4. International treaties and provisions of domestic law

Article 5. Classification of international treaties

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