AGREEMENT

BETWEEN

THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM

AND

THE GOVERNMENT OF JAPAN

ON CO-OPERATION IN SCIENCE AND TECHNOLOGY

The Government of the Socialist Republic of Vietnam and the Government of Japan (hereinafter referred to as "the Parties");

Desirous of strengthening the friendly relationship between their countries and of promoting the development of co-operation in the field of science and technology;

Recognizing the importance of science and technology in the national economies of both countries; and

Affirming their commitment to further strengthen co-operation in science and technology;

Hereby agree as follows:

Article 1

The Parties shall promote, in accordance with the existing laws and regulations of their respective countries, the co-operative activities in such areas of science and technology as may be mutually agreed upon for peaceful purposes on the basis of equality and mutual benefit.

Article 2

The co-operative activities under this Agreement may include the following forms:

(a) meeting of various forms, such as those of experts, to discuss and exchange information on scientific and technological aspects of general or specific subjects and to identify research and development projects and programs that may be usefully undertaken on a co-operative basis;

(b) exchange of information, knowledge and experience concerning science and technology;

(c) exchange of scientists and technical experts for the study, observation, research and training in scientific and technological field;

(d) implementation of agreed co-operative research and development projects and programs; and

(e) other forms of co-operative activities in science and technology as may be mutually agreed upon.

Article 3

With a view to facilitating co-operative activities in science and technology, implementing arrangements setting forth the details and procedures of the specific co-operative activities under this Agreement may be made between the Parties or their agencies, whichever is appropriate.

Article 4

With regard to the co-operative activities under this Agreement, the Parties may allow the participation of researchers and research organizations in both public and private sectors.

Article 5

1. Implementation of this Agreement shall be subject to the availability of appropriated funds and to the applicable laws and regulations of each country.

2. Costs to be incurred in respect of each project or program undertaken under this Agreement shall be borne as may be mutually agreed upon.

3. In deciding whether to bear the costs as mentioned in the previous paragraph, the Parties should take into full consideration the objectives and the spirit of this Agreement, including to promote the development of co-operation in the field of science and technology.

Article 6

1. The Parties shall give due consideration to the protection and the distribution of intellectual property rights or other rights of a proprietary nature resulting from the co-operative activities under this Agreement and shall consult with each other for this purpose as necessary.

2. Scientific and technological information of a non-proprietary nature derived from the co-operative activities under this Agreement may be made available to the public by either Party through customary channels and in accordance with the normal procedures of the participating agencies.

Article 7

1. For the purpose of effective implementation of this Agreement, the Parties shall establish a Joint Committee on Science and Technology.

2. The functions of the Joint Committee on Science and Technology shall be to:

(a) review periodically the progress in co-operative activities under this Agreement;

(b) define new areas of co-operative activities under this Agreement; and

(c) discuss any other matters related to this Agreement.

3. The Joint Committee on Science and Technology shall meet in principle once a year alternately in Japan and the Socialist Republic of Vietnam on mutually agreed dates.

4. The Joint Committee on Science and Technology will be co-chaired by the Ministry of Foreign Affairs of Japan and the Ministry of Science and Technology of the Socialist Republic of Vietnam.

Article 8

This Agreement shall not affect the validity or execution of any obligations arising from other international treaties or agreements concluded by either Party.

Article 9

Any dispute between the Parties concerning the interpretation or implementation of this Agreement shall be resolved amicably through consultation or negotiation between the Parties.

Article 10

Amendments to this Agreement may be made by mutual consent of the Parties through diplomatic notes exchanged between them. Such amendment shall constitute an integral part of this Agreement and shall enter into force on the date of exchange of diplomatic notes.

Article 11

1. This Agreement shall enter into force on the date of signature thereof.

2. This Agreement shall remain in force for a period of five years and continue in force thereafter for successive periods of five years each unless either Party notifies in writing the other its intention to terminate this Agreement at least six months before the expiry of any one period.

3. The termination of this Agreement in accordance with the provision 2 of this Article shall not affect the carrying out of any project or program undertaken under this Agreement and not fully executed at the time of the termination of this Agreement.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE at Hanoi, this twenty-first day of August, 2006, in duplicate in the English language.

FOR THE GOVERNMENT
OF THE SOCIALIST REPUBLIC
OF VIETNAM

Hoang Van Phong.

Minister of Science
and Technology

FOR THE GOVERNMENT
OF JAPAN

松田岩夫

Minister of State for Science
and Technology Policy.
Iwao Matsuda

服部則夫

Ambassador Extraordinary
and Plenipotentiary of
Japan to Vietnam.
Norio Hattori