16 July 2023

The Rt Hon Kemi Badenoch MP
Secretary of State for Business and Trade
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

Dear Secretary Badenoch,

In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following agreement reached between the Government of the Socialist Republic of Viet Nam (Viet Nam) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of the negotiations on the Protocol with regard to the relationship between Chapter 19 (Labour) and Chapter 28 (Dispute Settlement) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP) (the TPP as incorporated into the CPTPP):

"1. From the date of entry into force of the CPTPP for Viet Nam, Viet Nam shall fully implement the obligations of Chapter 19 (Labour) of the TPP as incorporated into the CPTPP.

2. If the United Kingdom seeks recourse to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP with respect to any measure that is inconsistent with the obligations of paragraph 1(a) of Article 19.3 (Labour Rights) of Chapter 19 (Labour) of the TPP as incorporated into the CPTPP, the United Kingdom shall refrain from seeking to suspend benefits stipulated in Article 28.20 (Non-Implementation – Compensation and Suspension of Benefits) of Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP for a period of five years after the date of entry into force of the CPTPP for Viet Nam.

3. Pursuant to paragraph 2 of Article 19.12 (Labour Council) of Chapter 19 (Labour) of the TPP as incorporated into the CPTPP, after the fifth anniversary and before the seventh anniversary of the date of entry into force of the CPTPP for Viet Nam, any issues arising from paragraph 2 shall be reviewed in accordance with Article 19.12 (Labour Council) of Chapter 19 (Labour) of the TPP as incorporated into the CPTPP. This is without prejudice to the rights and obligations of both Parties under the CPTPP."

I have the further honour to propose that this letter and your letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date on which the Protocol enters into force for both Viet Nam and the United Kingdom.

Yours sincerely,

Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam

SECRETARY OF STATE
AND PRESIDENT OF THE BOARD OF TRADE

Department for
Business & Trade

The Rt Hon Kemi Badenoch MP
Secretary of State for Business & Trade
President of the Board of Trade
Minister for Women & Equalities
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

His Excellency
Mr. Nguyen Hong Dien
Minister of Industry and Trade
Socialist Republic of Viet Nam

16 July 2023

Your Excellency,

I have the honour to acknowledge the receipt of your letter of today's date, which reads as follows:

"In connection with the signing on this date of the *Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (Protocol), I have the honour to confirm the following agreement reached between the Government of the Socialist Republic of Viet Nam (Viet Nam) and the Government of the United Kingdom of Great Britain and Northern Ireland (United Kingdom) during the course of the negotiations on the Protocol with regard to the relationship between Chapter 19 (Labour) and Chapter 28 (Dispute Settlement) of the Trans-Pacific Partnership Agreement (TPP) as incorporated into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (CPTPP) (the TPP as incorporated into the CPTPP):

"1. From the date of entry into force of the CPTPP for Viet Nam, Viet Nam shall fully implement the obligations of Chapter 19 (Labour) of the TPP as incorporated into the CPTPP.

2. If the United Kingdom seeks recourse to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP with respect to any measure that is inconsistent with the obligations of paragraph 1(a) of Article 19.3 (Labour Rights) of Chapter 19 (Labour) of the TPP as incorporated into the CPTPP, the United Kingdom shall refrain from seeking to suspend benefits stipulated in Article 28.20 (Non-Implementation – Compensation and Suspension of Benefits) of Chapter 28 (Dispute Settlement) of the TPP as incorporated into the CPTPP for a period of five years after the date of entry into force of the CPTPP for Viet Nam.

3. Pursuant to paragraph 2 of Article 19.12 (Labour Council) of Chapter 19 (Labour) of the TPP as incorporated into the CPTPP, after the fifth anniversary and before the seventh anniversary of the date of entry into force of the CPTPP for Viet Nam, any issues arising from paragraph 2 shall be reviewed in accordance with Article 19.12 (Labour Council) of Chapter 19 (Labour) of the TPP as incorporated into the CPTPP.

This is without prejudice to the rights and obligations of both Parties under the CPTPP."

I have the further honour to propose that this letter and your letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date on which the Protocol enters into force for both Viet Nam and the United Kingdom."

I have the further honour to confirm that your letter reflects the agreement reached between our two Governments during the course of the negotiations on the Protocol, and that your letter and this letter in reply shall constitute an agreement between the Government of the United Kingdom and the Government of Viet Nam, which shall enter into force on the date on which the Protocol enters into force for both the United Kingdom and Viet Nam.

Yours sincerely,

THE RT HON KEMI BADENOCH MP
Secretary of State for Business & Trade and President of the Board of Trade
Minister for Women & Equalities