8 March 2018

His Excellency
Mr. Toshimitsu Motegi
Minister in charge
of Economic Revitalization
of Japan

Excellency,

In connection with the signing on this date of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the Agreement), I have the honour to confirm that the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Japan share understanding on electronic commerce as follows:

1. Both countries shall continue consultation on the cooperation for the implementation of the Cyber Security Law of Viet Nam or related legislation concerning cyber security with a view to ensuring consistency with the Agreement.

2. Notwithstanding paragraph 2 of Article 14.18 (Dispute Settlement), Japan shall refrain from seeking recourse to Chapter 28 (Dispute Settlement) with respect to measures adopted or maintained based on the Cyber Security Law of Viet Nam or related legislation concerning cyber security as the violation of the obligation based on Article 14.11 (Cross-Border Transfer of Information by Electronic Means) and Article 14.13 (Location of Computing Facilities) for a period of five years after the date of entry into force of the Agreement for Viet Nam.

I have further the honour to confirm, on behalf of the Government of Viet Nam, that my Government shares this understanding, and this letter and Your Excellency's letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Agreement with respect to Viet Nam and Japan.

Yours sincerely,



Tran Tuan Anh
Minister of Industry and Trade
Socialist Republic of Viet Nam

Santiago, March 8, 2018

His Excellency
Mr. Tran Tuan Anh
Minister of Industry and Trade
Socialist Republic of Viet Nam

Excellency,

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

"In connection with the signing on this date of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the Agreement), I have the honour to confirm that the Government of the Socialist Republic of Viet Nam ("Viet Nam") and the Government of Japan share understanding on electronic commerce as follows:

1. Both countries shall continue consultation on the cooperation for the implementation of the Cyber Security Law of Viet Nam or related legislation concerning cyber security with a view to ensuring consistency with the Agreement.

2. Notwithstanding paragraph 2 of Article 14.18 (Dispute Settlement), Japan shall refrain from seeking recourse to Chapter 28 (Dispute Settlement) with respect to measures adopted or maintained based on the Cyber Security Law of Viet Nam or related legislation concerning cyber security as the violation of the obligation based on Article 14.11 (Cross-Border Transfer of Information by Electronic Means) and Article 14.13 (Location of Computing Facilities) for a period of five years after the date of entry into force of the Agreement for Viet Nam.

I have further the honour to confirm, on behalf of the Government of Viet Nam, that my Government shares this understanding, and this letter and Your Excellency's letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Agreement with respect to Viet Nam and Japan."

I have further the honour to confirm that my Government shares this understanding and that Your Excellency's letter and this letter in reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership with respect to Japan and the Socialist Republic of Viet Nam.

Toshimitsu Motegi
Minister in charge of
Economic Revitalization of Japan