

# 1540 COMMITTEE MATRIX OF VIET NAM

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

## OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

**State:**

**VIET NAM**

**Date of Report:**

**26 October 2004**

**Date of First Addendum:**

**17 December 2005**

**Date of Second Addendum:**

**7 March 2008**

**Date of Committee Approval:**

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 14 June 1982	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty on the Southeast Asia Nuclear Weapon-Free Zone (Bangkok Treaty) Deposit 26 November 1996	
3	Convention for the Suppression of Acts of Nuclear Terrorism			
4	Convention on Physical Protection of Nuclear	X	Deposit 4 October 2012	

	Material (CPPNM)			
5	2005 Amendment to the CPPNM	X	Deposit 3 November 2012	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 10 March 2006	
7	Chemical Weapons Convention (CWC)	X	Deposit 30 September 1998	
8	Biological Weapons Convention (BWC)	X	Deposit 20 June 1980	
9	Geneva Protocol of 1925	X	Deposit 15 December 1980	
10	Other Conventions/Treaties	X	A party to 12 of 19 universal legal Instruments against terrorism including the following relevant to resolution 1540: The 1999 International Convention for the Suppression of the Financing of Terrorism (Deposit 25 September 2002) The 1997 International Convention for the Suppression of Terrorist Bombing (Deposit 1 September 2014)	
11	International Atomic Energy Agency (IAEA)	X	Since 24 September 1957	
12	Hague Code of Conduct (HCOC)			
13	Other Arrangements	X	Global Initiative to Combat Nuclear Terrorism (GICNT)	
14	General statement on non-possession of WMD	X	State reports that it does not possess WMD and their means of delivery	
15	General statement on commitment to disarmament and non-proliferation	X	State reports that it reaffirms its consistent position to strongly support disarmament and non-proliferation, non-production, non-development and non-use of weapons of mass destruction of any type and their means of delivery.	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it strongly commits to refrain from providing any form of support to non-state actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.	
17	Other <sup>1</sup>	X	Member of the: World Customs Organisation and its Framework of Standards to Secure and Facilitate Global Trade (SAFE) Programme INTERPOL World Health Organization (WHO) Organisation for Animal Health (OIE)	

			International Maritime Organization (IMO) The ASEAN Regional Forum (ARF) Asia-Pacific Economic Cooperation (APEC) Asia/Pacific Group on Money Laundering (APG)	
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1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

## OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document of national implementation law	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture/produce	X	X	X	<b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Article 12 Penal Code 1999, Articles 230 and 155  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 3  <b>BW:</b> Penal Code 1999, Articles 230, 238 (toxins only), 239 and 155	X	X	X	<b>NW:</b> Penal Code 1999, Articles 230 and 155  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 25  <b>BW:</b> Penal Code 1999, Articles 230, 238, 239 and 155	
2	acquire	X	X	?	<b>NW:</b> Penal Code 1999, Articles 230, 236 and 155 Law on Atomic Energy (Law No. 18/2008/QH 12), Article 12  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 3  <b>BW:</b> Penal Code 1999, Articles 230 , 238 (toxins only), 239 and 155	X	X	?	<b>NW:</b> Penal Code 1999, Articles 230, 236, 237 and 155  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 25  <b>BW:</b> Penal Code 1999, Articles 230 , 238 (toxins only), 239 and 155	
3	possess	X	X	?	<b>NW:</b> Penal Code 1999, Articles 230, 236, 237 (appropriating) and 155	X	X	?	<b>NW:</b> Penal Code 1999, Articles 230, 236, 237 and 155	

					<p>Law on Atomic Energy (Law No. 18/2008/QH 12), Article 12</p> <p><b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation Penal Code 1999, Articles 230 and 155</p> <p><b>BW:</b> Penal Code 1999, Articles 230, 238 (toxins only), 239 and 155</p>				<p><b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation Penal Code 1999, Articles 230 and 155</p> <p><b>BW:</b> Penal Code 1999, Articles 230, 238 (toxins only), 239 and 155</p>	
4	stockpile/store	X	X	X	<p><b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Article 12 Penal Code 1999, Articles 230, 236, 237 and 155</p> <p><b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 3</p> <p><b>BW:</b> Penal Code 1999, Articles 230, 238 (toxins only), 239 and 155</p>	X	X	X	<p><b>NW:</b> Penal Code 1999, Articles 230, 236, 237 and 155</p> <p><b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 25</p> <p><b>BW:</b> Penal Code 1999, Articles 230, 238, 239 and 155</p>	
5	develop	X	X		<p><b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Article 12, prohibited research and develop</p> <p><b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 3</p>		X		<p><b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 25</p>	
6	transport	X		X	<p><b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Article 12 Penal Code 1999, Articles 230 and 155</p> <p><b>BW:</b> Penal Code 1999, Articles 230, 238 (toxins only), 239 and 155</p>	X		X	<p><b>NW:</b> Penal Code 1999, Articles 230 and 155</p> <p><b>BW:</b> Penal Code 1999, Articles 230, 238, 239 and 155</p>	

7	transfer	X	X	X	<b>NW/CW/BW:</b> Penal Code 1999, Articles 230 (trade in ) and 155  <b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Article 12 Penal Code 1999, Articles 236, 237  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 3  <b>BW:</b> Penal Code 1999, Articles 238(toxins only), 239	X	X	X	<b>NW/CW/BW:</b> Penal Code 1999, Articles 230 (trade in) and 155  <b>NW:</b> Penal Code 1999, Articles 236, 237  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 3  <b>BW:</b> Penal Code 1999, Articles 238, 239	
8	use	X	X	X	<b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Article 12  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 3  <b>BW:</b> Penal Code 1999, Articles 186, 187 and 230	X	X	X	<b>NW:</b> Penal Code 1999, Articles 230  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 25  <b>BW:</b> Penal Code 1999, Articles 186, 187, 238 and 230	
9	participate as an accomplice in abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Penal Code 1999, Articles 20 and 53  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 3	X	X	X	<b>NW/CW/BW:</b> Penal Code 1999, Articles 20 and 53  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 3	
10	assist in abovementioned activities	X	X	X	<b>NW/BW:</b> Penal Code 1999, Articles 20 and 53  <b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Article 12, abet  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC	X	X	X	<b>NW/CW/BW:</b> Penal Code 1999, Articles 20 and 53  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC	

					implementation, article 3				implementation, article 25	
11	finance abovementioned activities	?	?	?	<b>NW/CW/BW:</b> Decree No.74/2005/ND-CP on Prevention and Combat of Money-laundering	?	?	?	<b>NW/CW/BW:</b> Decree No.74/2005/ND-CP on Prevention and Combat of Money-laundering The Anti-Money Laundering Information Centre (AMLIC), Vietnam's Financial Intelligence Unit (FIU), is based within the State Bank of Vietnam (SBV)	
12	abovementioned activities related to means of delivery <sup>2</sup>	X	X	?	<b>NW/CW/BW:</b> Penal Code 1999, Articles 230 and 155 (military weapons and technical means)  <b>NW:</b> Penal Code 1999, Articles 236, 237  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 3	X	X	?	<b>NW/CW/BW:</b> Penal Code 1999, Articles 230 and 155 (weapons and technical means)  <b>NW:</b> Penal Code 1999, Articles 236, 237  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, article 3	
13	involvement of non- State actors in abovementioned activities									
14	Other									

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

**OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials<sup>3</sup>**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X	X	X	<b>NW:</b> INFCIRC/376 Additional Protocol in force 17 September 2012 Law on Atomic Energy (Law No. 18/2008/QH 12), Article 22  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Chapter II  <b>BW:</b> Penal Code, Article 239 (management of toxins only)	X	X	X	<b>NW:</b> Penal Code, Article 237  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Chapter V, Section 2: administrative penalties  <b>BW:</b> Penal Code, Article 239 (management of toxins only)	
2	Measures to account for use	X	X	X	<b>NW:</b> INFCIRC/376 Additional Protocol in force 17 September 2012 Law on Atomic Energy (Law No. 18/2008/QH 12), Article 22 Ministry of Science and Technology Directive 13/2006/CT-BKHCN 07/06/2006, on the Enhancement of State management of safety and security of radioactive sources  <b>CW:</b>	X	X	X	<b>NW:</b> Penal Code, Article 237  <b>CW:</b>	

				Decree No. 100/2005/ND-CP on CWC implementation, Chapter II  <b>BW:</b> Penal Code, Article 239 (management of toxins only)			Decree No. 100/2005/ND-CP on CWC implementation, Chapter V, Section 2: administrative penalties  <b>BW:</b> Penal Code, Article 239 (management of toxins only)	
3	Measures to account for storage	X	X	X <b>NW:</b> INFCIRC/376 Additional Protocol in force 17 September 2012 Law on Atomic Energy (Law No. 18/2008/QH 12), Article 22 Ministry of Science and Technology Directive 13/2006/CT-BKHCN 07/06/2006, on the Enhancement of State management of safety and security of radioactive sources  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Chapter II  <b>BW:</b> Penal Code, Article 239 (management of toxins only)	X	X	X <b>NW:</b> Penal Code, Article 237  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Chapter V, Section 2: administrative penalties  <b>BW:</b> Penal Code, Article 239 (management of toxins only)	
4	Measures to account for transport	X		<b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Article 60-63	X		<b>NW:</b> Penal Code, Article 237	
5	Other measures for accounting							
6	Measures to secure production	X	X	X <b>NW:</b> Ordinance on Radiation Safety and Control Order of the President No. 50-L/CTN of 3 July 1996 to implement the Ordinance  <b>CW:</b>	X	X	X <b>NW:</b> Decree on administrative punishment of violations of the radiation safety and control Penal Code of 1999, Articles 236 and 237 Ordinance on radiation safety and control, Chapter VII Penal Code, Article 237  <b>CW:</b>	

				Decree No. 100/2005/ND-CP on CWC implementation, Chapter II  <b>BW:</b> Penal Code, Article 239 (management of toxins only)			Decree No. 100/2005/ND-CP on CWC implementation, Chapter V, Section 2: administrative penalties  <b>BW:</b> Penal Code, Article 239 (management of toxins only)	
7	Measures to secure use	X	X	X <b>NW:</b> Ordinance on Radiation Safety and Control 1996 Order of the President No. 50-L/CTN of 3 July 1996 to implement the Ordinance Law on Atomic Energy (Law No. 18/2008/QH 12), Article 22 Ministry of Science and Technology Decision NO. 17/2007/QD-BKHCN on the promulgation of the Regulation on categorizing radioactive sources for security requirements  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Chapter II  <b>BW:</b> Penal Code, Article 239 (management of toxins only)	X	X	X <b>NW:</b> Decree on administrative punishment of violations of the radiation safety and control Penal Code of 1999, Articles 236 and 237 Ordinance on radiation safety and control, Chapter VII Penal Code, Article 237  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Chapter V, Section 2: administrative penalties  <b>BW:</b> Penal Code, Article 239 (management of toxins only)	
8	Measures to secure storage	X	X	X <b>NW:</b> Ordinance on Radiation Safety and Control 1996 Order of the President No. 50-L/CTN of 3 July 1996 to implement the Ordinance Law on Atomic Energy (Law No. 18/2008/QH 12), Article 22  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Chapter II  <b>BW:</b> Penal Code, Article 239 (management of toxins only)	X	X	X <b>NW:</b> Decree on administrative punishment of violations of the radiation safety and control Penal Code of 1999, Articles 236 and 237 Ordinance on radiation safety and control, Chapter VII Penal Code, Article 237  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Chapter V, Section 2: administrative penalties  <b>BW:</b> Penal Code, Article 239 (management of toxins only)	

					only)				only)	
9	Measures to secure transport	X			<b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Article 62 Ordinance on Radiation Safety and Control Order of the President No. 50-L/CTN of 3 July 1996 to implement the Ordinance	X			<b>NW:</b> Decree on administrative punishment of violations of the radiation safety and control Penal Code of 1999, Articles 236 and 237 Ordinance on radiation safety and control, Chapter VII Penal Code, Article 237	
10	Other measures for securing	X	X	X	<b>NW:</b> Directive 13/2006/CT-BKHCN of 7 June 2006 on the enhancement of State management of safety and security of radioactive sources Decision No 17/2007/QD-BKHCN of 31 August 2007 on the promulgation of the Regulations on categorizing radioactive sources for security requirements  <b>CW/BW:</b> Decision No. 158/2003/QD-TTG of 31 July 2003 Promulgating the Provisional Regulation on the Handling of Cases Involving Mail as well as Postal Articles and Parcels Containing Strange Substances and/or Objects Doubtful to be Related to Biological or Chemical Weapons	X	X	X	<b>NW:</b> Action Plan for National Nuclear Safety and Control by the Nuclear Safety and Control Department  <b>CW/BW:</b> Decision No. 158/2003/QD-TTG of 31 July 2003 Promulgating the Provisional Regulation on the Handling of Cases Involving Mails as well as Postal Articles and Parcels Containing Strange Substances and/or Objects Doubtful to be Related to Biological or Chemical Weapons	
11	Regulations for physical protection of facilities/materials/ transports	X			<b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Chapter V, Articles 37- 40					
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X	X		<b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Chapter V, Articles 37- 40 Ordinance on Radiation Safety and Control Ministry of Science and Technology Circular 05/2006 TT-BKHCN of 11 January 2006  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Chapter II	X			<b>NW:</b> Permission required from Minister of Science and Technology	

13	Reliability check of personnel	?			<b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Article 16					
14	Measures to account for/secure/ physically protect means of delivery									

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

\* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument) )

**OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority	X	Law on Atomic Energy (Law No. 18/2008/QH 12), Article 7	X	Viet Nam Atomic Energy Agency	
2	IAEA Safeguards Agreements	X	INFCIRC/376 in force 23 February 1990 Additional Protocol in force 17 September 2012	X	INFCIRC/376 in force 23 February 1990 Additional Protocol in force 17 September 2012	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Expressed support.	X	Expressed support.	
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	X	Expressed support.	X	Expressed support.	
5	IAEA Incident and Trafficking Database	X	Participates.	X	Participates.	
6	Other Agreements related to IAEA	X	State Party to: Convention on Early Notification of a Nuclear Accident (Deposit 29 September 1987) Convention on the Assistance in case of a Nuclear Accident or Radioactive Emergency (Deposit 29 September 1987) Convention on Nuclear Safety (Deposit 16 April 2010)	X	State Party to: Convention on Early Notification of a Nuclear Accident (Deposit 29 September 1987) Convention on the Assistance in case of a Nuclear Accident or Radioactive Emergency (Deposit 29 September 1987) Convention on Nuclear Safety (Deposit 16 April 2010)	

7	Additional national legislation/regulations related to nuclear materials including CPPNM					
8	Other	X	<p>Law on Environmental Protection (No: 52/2005/QH11), Article 89, Nuclear and Radiation safety</p> <p>Prime Minister Decision No. 115/2007/QD-TTg on the regulation on ensuring the security of radioactive sources and Decision No. 146/2007/QD-TTg on the promulgation of regulations on the recovery and handling of orphan radioactive sources</p> <p>Guiding the Implementation of Medical Radiation Safety</p> <p>Decision 114/2007/QD-TTg23/07/2007</p> <p>Approving the master plan for implementation of the Strategy on Peaceful utilization of atomic energy up to 2020</p> <p>Approved INSSP in May 2012</p>	X	<p>Law on Environmental Protection (No: 52/2005/QH11), Article 89, Nuclear and Radiation safety</p> <p>Prime Minister Decision No. 115/2007/QD-TTg on the regulation on ensuring the security of radioactive sources and Decision No. 146/2007/QD-TTg on the promulgation of regulations on the recovery and handling of orphan radioactive sources</p> <p>Guiding the Implementation of Medical Radiation Safety</p> <p>Decision 114/2007/QD-TTg23/07/2007</p> <p>Approving the master plan for implementation of the Strategy on Peaceful utilization of atomic energy up to 2020</p> <p>Approved INSSP in May 2012</p>	

**OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	Decree No. 100/2005/ND-CP on CWC implementation, article 2	X	Conventions and International Cooperation Division, Viet Nam Chemicals Agency (Vinachemia)	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Decree No. 100/2005/ND-CP on CWC implementation, Chapter II	X	Submitted Initial declaration.	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials	X	Ministry of Industry Circular No: 12/2006/TT-BCN Guiding the implementation of the Government's Decree No. 68/2005/ND-CP of May 20, 2005, on chemical safety Ministry of Agriculture and Rural Development Decision No.10/2006/QD-BNN Providing registration procedures for production, import and circulation of veterinary drugs, veterinary drug materials, medical biologicals, microorganisms, and chemicals for veterinary use. Ministry of Agriculture and Rural Development Decision No.45/2006/QD-BNN promulgating the additional list of vaccines, biologicals, microorganisms, and chemicals for veterinary use. Which are permitted for circulation in Viet Nam in 2006	X	Ministry of Industry Circular No: 12/2006/TT-BCN Guiding the implementation of the Government's Decree No. 68/2005/ND-CP of May 20, 2005, on chemical safety Ministry of Agriculture and Rural Development Decision No.10/2006/QD-BNN Providing registration procedures for production, import and circulation of veterinary drugs, veterinary drug materials, medical biologicals, microorganisms, and chemicals for veterinary use. Ministry of Agriculture and Rural Development Decision No.45/2006/QD-BNN promulgating the additional list of vaccines, biologicals, microorganisms, and chemicals for veterinary use. Which are permitted for circulation in Viet Nam in 2006	

5	Other	X	Law on Environmental Protection (No: 52/2005/QH11), Article 88, Chemical safety	X	Law on Environmental Protection (No: 52/2005/QH11), Article 88, Chemical safety	
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**OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work	?	Prime Minister's Decision 212/2005/QD-TTg of 26 August 2005 on Regulation for Biosafety Control of Genetic Modified Organs	X	The Minister of Natural Resources and Environment	
2	Other legislation/ regulations related to safety and security of biological materials	X	<p>Ministry of Agriculture and Rural Development Decision No.10/2006/QD-BNN Providing registration procedures for production, import and circulation of veterinary drugs, veterinary drug materials, medical biologicals, microorganisms, and chemicals for veterinary use.</p> <p>Ministry of Agriculture and Rural Development Decision No.45/2006/QD-BNN promulgating the additional list of vaccines, biologicals, microorganisms, and chemicals for veterinary use. Which are permitted for circulation in Viet Nam in 2006</p> <p>Ministry of Agriculture and Rural Development Decision No. 23/2007/QD-BNN Promulgating the list of Plant Protection Drugs Permitted for Use, Restricted from use or banned from use in Viet Nam.</p> <p>Ministry of Agriculture and Rural Development Decision No. 60/2007/QD-BNN amending the contents related to Plant Protection Drugs on the list of those permitted for Use promulgated together with Decision No. 23/2007/QD-BNN and making exceptional</p>	X	<p>Ministry of Agriculture and Rural Development Decision No.10/2006/QD-BNN Providing registration procedures for production, import and circulation of veterinary drugs, veterinary drug materials, medical biologicals, microorganisms, and chemicals for veterinary use.</p> <p>Ministry of Agriculture and Rural Development Decision No.45/2006/QD-BNN promulgating the additional list of vaccines, biologicals, microorganisms, and chemicals for veterinary use. Which are permitted for circulation in Viet Nam in 2006</p> <p>Ministry of Agriculture and Rural Development Decision No. 23/2007/QD-BNN Promulgating the list of Plant Protection Drugs Permitted for Use, Restricted from use or banned from use in Viet Nam.</p> <p>Ministry of Agriculture and Rural Development Decision No. 60/2007/QD-BNN amending the contents related to Plant Protection Drugs on the list of those permitted for Use promulgated together with Decision No. 23/2007/QD-BNN and making exceptional registration of drugs of</p>	

			registration of drugs of biological origin on the list of plant protection drugs permitted for use in Viet Nam.		biological origin on the list of plant protection drugs permitted for use in Viet Nam.	
3	Other	X	Law on Environmental Protection (No: 52/2005/QH11), Article 87, Biological safety	X	Law on Environmental Protection (No: 52/2005/QH11), Article 87, Biological safety	

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials**

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials ? Can violators be penalized ?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	Border control	X	X	X	<b>NW/CW/BW:</b> Customs Law of 29 June 2001, Art. 11 Decree No. 154/2005/NĐ-CP on Customs procedures, Customs control and Supervision Circular No. 79/2009/TT-BTC Decree No. 101/2001/ND-CP of December 31, 2001 detailing the implementation of a number of Articles of the Customs Law regarding customs procedures, customs inspection and supervision regime	X	X	X	<b>NW/CW/BW:</b> Customs Law of 29 June 2001, Art.13 Inter-agency mechanism, including the Ministry of Agriculture and Rural Development (Sanitary Quarantine), Ministry of Transport, Ministry of Defense (Border Guard, Maritime Police), Department of Immigration Decree No. 101/2001/ND-CP of December 31, 2001 detailing the implementation of a number of articles of the Customs Law regarding customs procedures, customs inspection and supervision regime, Art. 52	
2	Technical support of border control measures	?	?	?	<b>NW/CW/BW:</b> Further provide modern equipment such as container scanners, cameras, mini-radiation detectors, etc. at land border-gates, international ports and airports	X	?	?	<b>NW/CW/BW:</b> Further provide modern equipment such as container scanners, cameras, mini-radiation detectors, etc. at land border-gates, international ports and airports Megaports Initiative	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology									
4	Enforcement agencies/authorities	X	X	X	<b>NW/CW/BW:</b> Customs Law of 29 June 2001, Art.11	X	X	X	<b>NW/CW/BW:</b> General Department of Customs	

								<b>NW:</b> Ministry of Science and Technology  <b>CW:</b> Ministry of Industry  <b>BW:</b> Inter-agency mechanism, including the Ministry of Agriculture and Rural Development (Sanitary Quarantine), Ministry of Transport, Ministry of Defense (Border Guard, Maritime Police), Department of Immigration	
5	Export control legislation in place	X	X		<b>NW:</b> Ordinance on Radiation Safety and Control 1996 Law on Atomic Energy (Law No. 18/2008/QH 12), Chapter VII, section 2  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Articles 5 and 9 Ministry of Industry Circular No: 01/2006/TT-BCN Guiding the management of the import and export of toxic chemicals and products containing toxic chemicals, pre-substances of narcotics and chemicals subject to specialized management by the Industry Ministry	X	X	<b>NW:</b> The Government Decree No. 50/1998/ND-CP Of July 16, 1998 Detailing the Implementation of the Ordinance on Radiation Safety and Control The Government Decree No.19/2001/ND-CP of 11 May 2001 on administrative penalties for activities violating regulations on radioactive safety and control  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Chapter V, Section 2: administrative penalties	
6	Licensing provisions	X	X	?	<b>NW:</b> Ministry of Science and Technology Circular 05/2006 TT-BKHCHN on the procedures of notification, registration and licence issuance to radiation-related activities Law on Atomic Energy (Law No. 18/2008/QH 12), Article 65(Control of import and export of radioactive material and nuclear equipment)  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC	?	X	<b>NW:</b> Penal Code, Article 237  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC	

					implementation, Articles 5 and 9  <b>BW:</b> Penal Code, Article 239				implementation, Chapter V, Section 2: administrative penalties  <b>BW:</b> Penal Code, Article 239	
7	Individual licensing		X		<b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Articles 5 and 9		X		<b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Chapter V, Section 2: administrative penalties	
8	General licensing									
9	Exceptions from licensing									
10	Licensing of deemed export/visa									
11	National licensing authority	X	X		<b>NW:</b> Ministry of Science and Technology updated the database on domestic radioactive sources using E-RAIS software Law on Atomic Energy (Law No. 18/2008/QH 12), Article 65 (Control of import and export of radioactive material and nuclear equipment) The Government Decree No. 50/1998/ND-CP Of July 16, 1998 Detailing the Implementation of the Ordinance on Radiation Safety and Control  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Articles 5 and 9	X	X		<b>NW:</b> Ministry of Science, Technology and Environment  <b>CW:</b> Ministry of Industry	
12	Interagency review for licenses									
13	Control lists	?	X	?	<b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Article 3  <b>CW:</b> List of Prohibited Toxic Chemicals for Export and Import issued by Ministry of Industry Circular 08/2001/TT-BCN of 14 September	?	X	?	<b>NW:</b> Law on Atomic Energy (Law No. 18/2008/QH 12), Article 3  <b>CW:</b> List of Prohibited Toxic Chemicals for Export and Import issued by Ministry of Industry Circular 08/2001/TT-BCN of 14 September	

				2001  <b>BW:</b> Ministry of Agriculture and Rural Development Decision No.10/2006/QD-BNN Providing registration procedures for production, import and circulation of veterinary drugs, veterinary drug materials, medical biologicals, microorganisms, and chemicals for veterinary use. Decision 45/2006/QD-BNN of 6 June 2006 promulgating the additional list of vaccines, biological, micro-organisms and chemicals for veterinary use, which are permitted for circulation			2001  <b>BW:</b> Ministry of Agriculture and Rural Development Decision No.10/2006/QD-BNN Providing registration procedures for production, import and circulation of veterinary drugs, veterinary drug materials, medical biologicals, microorganisms, and chemicals for veterinary use. Decision 45/2006/QD-BNN of 6 June 2006 promulgating the additional list of vaccines, biological, micro-organisms and chemicals for veterinary use, which are permitted for circulation	
14	Updating of lists			? <b>BW:</b> Ministry of Agriculture and Rural Development Decision No.10/2006/QD-BNN Providing registration procedures for production, import and circulation of veterinary drugs, veterinary drug materials, medical biologicals, microorganisms, and chemicals for veterinary use. Decision 45/2006/QD-BNN of 6 June 2006 promulgating the additional list of vaccines, biological, micro-organisms and chemicals for veterinary use, which are permitted for circulation			? <b>BW:</b> Ministry of Agriculture and Rural Development Decision No.10/2006/QD-BNN Providing registration procedures for production, import and circulation of veterinary drugs, veterinary drug materials, medical biologicals, microorganisms, and chemicals for veterinary use. Decision 45/2006/QD-BNN of 6 June 2006 promulgating the additional list of vaccines, biological, micro-organisms and chemicals for veterinary use, which are permitted for circulation	
15	Inclusion of technologies							
16	Inclusion of means of delivery							
17	End-user controls							
18	Catch all clause							
19	Intangible transfers							
20	Transit control	X	X	X	<b>NW/CW/BW:</b> Customs Law of 29 June 2001, Art. 11 Decree No. 101/2001/ND-CP of December 31,	X	X	<b>NW/CW:</b> License from Ministry of Trade required

					2001 detailing the implementation of a number of articles of the Customs Law regarding customs procedures, customs inspection and supervision regime.					
21	Trans-shipment control		X		<b>CW:</b> Ministry of Industry Circular 08/2001/TT-BCN of 14 September 2012. Decision No. 815/2001/QD-BTM issued on 1 August 2001 by the Ministry of Trade on the pilot implementation of container transshipment services at Ben Nghe Port, Ho Chi Minh City prohibits transshipments consist of weapons, ammunition, explosives, military technical equipment, toxic chemicals enclosed in the list of prohibited toxic chemicals for import and export.	X			<b>CW:</b> Ministry of Industry Circular 08/2001/TT-BCN of 14 September 2001 Decision No. 815/2001/QD-BTM issued on 1 August 2001 by the Ministry of Trade on the pilot implementation of container transshipment services at Ben Nghe Port, Ho Chi Minh City prohibits transshipments consist of weapons, ammunition, explosives, military technical equipment, toxic chemicals enclosed in the list of prohibited toxic chemicals for import and export.	
22	Re-export control	?	?	?	<b>NW/CW/BW:</b> Customs Law of 29 June 2001, Art.33					
23	Control of providing funds	?	?	?	<b>NW/CW/BW:</b> Decree No.74/2005/ND-CP on Prevention and Combat of Money-laundering	?	?	?	<b>NW/CW/BW:</b> Decree No.74/2005/ND-CP on Prevention and Combat of Money-laundering The Anti-Money Laundering Information Centre (AMLIC), Vietnam's Financial Intelligence Unit (FIU), is based within the State Bank of Vietnam (SBV)	
24	Control of providing transport services									
25	Control of importation	X	X	X	<b>NW:</b> Ordinance on Radiation Safety and Control: permission by Ministry of Science and Technology  <b>CW:</b> Ministry of Industry Circular 08/2001/TT-BCN of 14 September 2001 Decree No. 100/2005/ND-CP on CWC implementation, Article 5 and 9 Ministry of Health's Circular 08/2006/TT-BYT of 13 June 2006 and Circular 09/2006TT-BYT of 11	X	X	X	<b>NW:</b> Permission by Ministry of Trade required  <b>CW:</b> Decree No. 100/2005/ND-CP on CWC implementation, Section 2 - administrative penalties	

				<p>July 2006 replacing Ministry of Health Circular 09/2001/TT-BYT of 21 May 2001 on guiding the import of vaccines, medical biologicals, chemicals, insecticidal or germicidal preparations for domestic and medical use; and medical equipment</p> <p><b>BW:</b>  Penal Code 186 and 187  Ministry of Health's Circular 08/2006/TT-BYT of 13 June 2006 and Circular 09/2006TT-BYT of 11 July 2006 replacing Ministry of Health Circular 09/2001/TT-BYT of 21 May 2001 on guiding the import of vaccines, medical biologicals, chemicals, insecticidal or germicidal preparations for domestic and medical use; and medical equipment</p>				<p><b>BW:</b>  Permission by Ministry of Trade required  Penal Code, articles 186 and 187</p>	
26	Extraterritorial applicability								
27	Other								

## OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)	X	Ministry of Industry Circular 08/2001/TT-BCN of 14 September 2001, Annex 1/SD - Chemicals	
2	Control lists - other			
3	Assistance offered			
4	Assistance requested	X	<p>Date of Request: 7 March 2008</p> <p>Customs-related assistance, as follows:</p> <p>Database system / information technology system for compliance management, risk management and exchange of electronic data as well as to track transactions and persons;</p> <p>Information exchange on non-proliferation and terrorism prevention in general, and on illicit trafficking of goods in particular;</p> <p>Participation in international conferences to allow the exchange of experiences with international counterparts on non-proliferation;</p> <p>Detection and monitoring equipment;</p> <p>Training to detect, identify and control WMD and their related materials.</p>	
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)	X	WCO Columbus assistance programme	
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact			
10	Other <sup>4</sup>			

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.