

No. 21795

**FRANCE
and
VIET NAM**

**Protocol of Agreement concerning the French Institute of
Ho Chi Minh City (with statutes of the Institute).
Signed at Hanoi on 12 July 1982**

Authentic texts: French and Vietnamese.

Registered by France on 30 March 1983.

**FRANCE
et
VIET NAM**

**Protocole d'accord concernant l'Institut français de Ho Chi
Minh-Ville (avec statuts de l'Institut). Signé à Hanoi le
12 juillet 1982**

Textes authentiques : français et vietnamien.

Enregistré par la France le 30 mars 1983.

[TRANSLATION — TRADUCTION]

PROTOCOL OF AGREEMENT¹ CONCERNING THE FRENCH INSTITUTE OF HO CHI MINH CITY

PREAMBLE

Desiring to develop bilateral relations in the cultural, scientific and technical fields, and in the spirit of the Agreement on cultural, scientific and technical co-operation, signed at Paris on 27 April 1977,² the Government of the French Republic and the Government of the Socialist Republic of Viet Nam have agreed as follows:

Article 1. The Government of the French Republic shall transfer to the Government of the Socialist Republic of Viet Nam all its rights vesting in the French Institute of Ho Chi Minh City, and in the facilities and equipment thereof, a list of which is annexed to this Agreement.

Address of the Institute: 31 rue Don Dat, Ho Chi Minh City.

Article 2. The Government of the Socialist Republic of Viet Nam shall use the building referred to in article 1 of this Agreement exclusively for the operation of a new institute entitled the "Institute for Cultural Exchanges with France". This Institute shall implement the programme of Franco-Vietnamese bilateral co-operation agreed upon jointly by the two Governments on the basis of the guidelines drawn up at meetings of the Franco-Vietnamese joint committee established under article 7 of the Co-operation Agreement of 1977.

The Statutes of the Institute for Cultural Exchanges with France are set out in an annex to this Agreement.

Article 3. The Director of the Institute and the staff required for its operation shall be appointed by the Government of the Socialist Republic of Viet Nam.

Article 4. The Institute shall develop the following activities:

- On-site consultations and the lending of books, periodicals, newspapers, films, photographs, records, cassettes and videocassettes;
- Screening films;
- Organizing exhibitions, lectures, symposia, seminars and artistic events;
- Reproducing and disseminating scientific and technical documentation;
- Organizing both French language courses and tutoring for the teaching of French;
- Induction programmes for fellowship-holders.

Article 5. The programme of activities of the Institute shall be discussed and set by the Joint Programme Committee. This Committee shall consist of:

- For the French side: The Ambassador of France or his representative (co-chairman), the Cultural Adviser and the Cultural Attaché in residence at Ho Chi Minh City.

¹ Came into force on 12 July 1982 by signature, in accordance with article 11.

² United Nations, *Treaty Series*, vol. 1081, p. 25.

—For the Vietnamese side: The Director of the Department of Cultural Relations of the Ministry of Foreign Affairs or his representative (co-chairman), the Director of the Institute and one expert from the Department of Cultural Relations of the Ministry of Foreign Affairs.

Article 6. The Joint Programme Committee shall promote implementation and execution of the programmes in collaboration with the Director of the Institute and the Cultural Attaché.

The Director of the Institute and the Cultural Attaché shall confer together as required in order to facilitate programme execution.

Article 7. The Joint Programme Committee shall meet in plenary session in the premises of the Institute at Ho Chi Minh City twice a year (in June and December). At plenary meetings, the Joint Programme Committee shall consider the semi-annual and annual reports, activity projects submitted by the Director of the Institute and prepared jointly with the Cultural Attaché; review programme execution; revise programmes, if necessary; and draw up the programme for the following year (at the December session).

The Committee may hold extraordinary meetings at the request of either of the two Parties within ten days from notification of such a request.

The agenda of the Committee's sessions shall be determined by agreement of the two Parties, each Party being entitled to submit proposals. Decisions shall be taken by consensus.

Article 8. The Government of the French Republic and the Government of the Socialist Republic of Viet Nam shall make their contributions in furtherance of the activities of the Institute in the interest of the two Governments.

Article 9. The Government of the Socialist Republic of Viet Nam shall recruit and remunerate the Vietnamese staff required for operating the Institute. It shall be responsible for maintaining the premises, facilities and equipment of the Institute.

Article 10. The Government of the French Republic shall share in the financing of the programmes drawn up by the Joint Programme Committee. Specifically, it shall provide the documents, books, periodicals, newspapers, films, photographs, records, cassettes and videocassettes required for carrying out the programmes. Under the provisions of the 1977 Agreement on Cultural, Scientific and Technical Co-operation, the Government of the French Republic shall also assume responsibility for the French experts assigned to the Institute.

The Government of the Socialist Republic of Viet Nam shall facilitate the work and the residence of French experts involved in the programmes. The equipment, supplies and documents provided by the French Party in connection with the activity programmes shall be exempt from all import duties and taxes and shall be imported by the Government of the Socialist Republic of Viet Nam.

Article 11. This Protocol of Agreement shall enter into force on the date of its signature and may be amended by common accord of the two Governments.

Article 12. The two Governments agree to settle in a separate document any issues that may arise in the transitional period until the first meeting of the Joint Programme Committee.

DONE at Hanoi, on 12 July 1982, in two original copies, in the French and Vietnamese languages, each copy being equally authentic.

For the Government
of the French Republic:

[Signed]

IVAN BASTOUIL
Ambassador Extraordinary and Plenipotentiary in the Socialist Republic of Viet Nam

For the Government
of the Socialist Republic
of Viet Nam:

[Signed]

HA VAN LAU
Vice-Minister
for Foreign Affairs

STATUTES OF THE INSTITUTE FOR CULTURAL EXCHANGES WITH FRANCE

CHAPTER I

Article 1. The Institute for Cultural Exchanges with France is an establishment under the direct control of the Foreign Relations Service of Ho Chi Minh City. It shall operate in the premises of the former French Institute at Ho Chi Minh City, 31 rue Don Dat.

Article 2. The purposes of the Institute for Cultural Exchanges with France shall be:

- (a) To promote the consolidation and development of bilateral co-operation between France and Viet Nam in the cultural, scientific and technical fields, in accordance with the annual programme agreed by the two Parties;
- (b) To contribute towards strengthening the friendship between the French and Vietnamese peoples and to furthering relations between the two countries.

Article 3. In order to achieve the objectives set out in article 2, the Institute for Cultural Exchanges with France shall develop the following activities, *inter alia*:

- On-site consultations and the lending of books, periodicals, newspapers, films, photographs, records, cassettes and videocassettes;
- Screening films;
- Organizing exhibitions, lectures, symposia, seminars and artistic events;
- Reproducing and disseminating scientific and technical documentation;
- Organizing both French language courses and tutoring for the teaching of French;
- Induction programmes for fellowship-holders.

Article 4. The content of the activities of the Institute must conform to the laws and regulations in force and to the policies of the Socialist Republic of Viet Nam. Such activities must not jeopardize the friendship existing between the French people and the Vietnamese people or other peoples.

Article 5. The only cultural or propaganda items that may be imported, kept and circulated shall be those which promote cultural development and education and serve to edify the new society in Viet Nam.

CHAPTER II

Article 6. The Institute is intended primarily for students, researchers, teachers and supervisors in the fields of culture, education, higher education, science and technology.

Any person wishing to participate in the activities of the Institute must meet the requirements laid down by the Institute in its rules of procedure.

Cards and other documents issued prior to the date of publication of this Statute are no longer valid.

Article 7. French experts on assignment to the Institute under the annual programmes agreed on by the two Parties shall abide by the rules of procedure of the Institute and, like any other foreigners, comply with the decrees and regulations promulgated by the authorities of Ho Chi Minh City.

Article 8. Requests for the loan of books, periodicals, newspapers, films, photographs, records, cassettes and videocassettes must be signed by the head of the organization (service, enterprise, school, etc.) to which the person so requesting belongs and must conform to the rules laid down by the Institute.

Article 9. The Institute shall be open every day except Monday, from 8.30 A.M. to 11.30 A.M. and from 2 P.M. to 4.30 P.M. Should activities be scheduled outside these hours, a notice to that effect shall be posted.

CHAPTER III

Article 10. The Institute shall be headed by a Director, assisted by one or two Deputy Directors.

The Director shall be responsible for the management of the Institute and shall direct its operations.

The Vietnamese Party shall recruit and remunerate the Vietnamese staff required for operating the Institute, in accordance with the laws in force.

Article 11. A Joint Programme Committee shall be established, in accordance with articles 5, 6 and 7 of the Protocol of Agreement concerning the French Institute of Ho Chi Minh City, signed at Hanoi on 12 July 1982.

Article 12. The Foreign Relations Service of Ho Chi Minh City and the Department of Cultural Relations of the Ministry of Foreign Affairs shall assist the Ministry of Foreign Affairs in preparing guidelines relevant to the Institute.

CHAPTER IV

Article 13. The costs of the Institute shall be covered by the budget of the Foreign Relations Service of Ho Chi Minh City.

Article 14. In conformity with article 10 of the Protocol of Agreement concerning the French Institute of Ho Chi Minh City, signed at Hanoi on 12 July 1982, the French Party shall be responsible for part of the financing of programmes drawn up by the Joint Programme Committee.

Article 15. The French Party shall assume responsibility, as provided in the 1977 Agreement on Cultural, Scientific and Technical Co-operation, for the French experts assigned to the Institute.

Article 16. This Statute shall enter into force at the time of signature of the Protocol of Agreement concerning the French Institute of Ho Chi Minh City on 12 July 1982.