

No. 30459

FRANCE
and
VIET NAM

Protocol of Agreement on the establishment of the representation of the French school of the Far East in Hanoi. Signed at Hanoi on 10 February 1993

Authentic texts: French and Vietnamese.

Registered by France on 1 November 1993.

FRANCE
et
VIET NAM

Protocole d'accord sur l'établissement de la représentation de l'école française d'Extrême-Orient à Hanoi. Signé à Hanoi le 10 février 1993

Textes authentiques : français et vietnamien.

Enregistré par la France le 1^{er} novembre 1993.

[TRANSLATION — TRADUCTION]

PROTOCOL¹ OF AGREEMENT BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIET NAM ON THE ESTABLISHMENT OF THE REPRESENTATION OF THE FRENCH SCHOOL OF THE FAR EAST IN HANOI

The Government of the French Republic and the Government of the Socialist Republic of Viet Nam,

Against the background of cultural, scientific and technical cooperation and in order to broaden cultural relations, develop cooperation in research into Vietnamese studies and strengthen scientific exchanges in Far Eastern studies between the two countries,

Have agreed as follows:

Article 1

1.1. A representation of the French School of the Far East (hereafter referred to as the EFEO representation) shall be established in Hanoi.

1.2. The main functions of the EFEO representation shall be to:

A. Develop research and scientific exchanges in Vietnamese and Far Eastern studies.

B. Help promote and broaden cultural relations between the two countries.

1.3. The location of the EFEO representation headquarters shall be decided by mutual agreement between the two Parties.

1.4. The head of the EFEO representation shall be of French nationality. The size of its staff shall be decided by mutual agreement between the two Parties according to its activities.

Article 2

The Government of the Socialist Republic of Viet Nam undertakes to:

2.1. Assist the EFEO representation to establish its headquarters in Hanoi together with the premises needed for its activities and to recruit such suitably qualified Vietnamese staff as are required.

2.2. Authorize the EFEO representation to recruit or bring in French or foreign experts to carry out research and promote scientific exchanges with the Vietnamese Party.

2.3. Facilitate both the issuing of entry visas to French staff of the EFEO representation and their families, and their travel within Vietnamese territory, in accordance with the regulations in force in the Socialist Republic of Viet Nam.

¹ Came into force on 10 February 1993 by signature, in accordance with article 4, paragraph 4.4.

2.4. Authorize the Representative and French Staff of the EFEO representation to open foreign currency accounts and dong accounts fed by foreign currency in the State Bank of Viet Nam.

2.5. Grant the Representative and French Staff of the EFEO representation exemption from the payment of income tax.

2.6. Grant the Representative and French staff of the EFEO representation, in accordance with the Vietnamese customs regulations applicable to foreigners, exemption from the payment of duties on the temporary import and re-export of the following categories of goods and equipment:

A. Supplies, equipment, vehicles and other goods necessary for the operation of the EFEO representation, execution of research programmes and scientific exchanges, in accordance with this Protocol of Agreement.

B. Vehicles and personal effects necessary for the use of the Representative and French staff of the EFEO representation (in the 12 months following their initial arrival).

2.7. Should the Representative or French staff of the EFEO representation hold offices in other foreign institutions in Viet Nam, they shall enjoy exemption from the payment of income tax and duty only in their capacity as Representative or staff of the EFEO representation, as laid out in article 2, paragraphs 2.5 and 2.6.

2.8. The sale or transfer of property belonging to the EFEO representation covered in paragraph 2.6 A, and of personal effects covered in paragraph 2.6 B of article 2, must be carried out in accordance with the regulations in force in the Socialist Republic of Viet Nam.

Article 3

3.1. The Representative of EFEO shall manage the activities of the EFEO representation, which shall be conducted within the limits of the School's objectives and in accordance with the provisions of this Protocol of Agreement.

3.2. Officials of the EFEO representation shall ensure that they engage in no paid activity which is incompatible with the duties of the EFEO representation defined in article 1, paragraph 1.2.

3.3. The EFEO representation shall defray all its operating expenses and pay the salaries of its officials from its budget.

3.4. The Representative and staff of the EFEO representation, their families and French and foreign experts brought in or recruited by the EFEO representation in accordance with article 2, paragraph 2.2, shall be duty-bound to respect Vietnamese laws.

Article 4

4.1. The Government of the Socialist Republic of Viet Nam designates the National Centre for Social Sciences as its representative in its dealings with the EFEO representation in all matters relating to the operation of the present Protocol of Agreement.

4.2. The EFEO Representative shall discuss the details of the implementation of this Protocol of Agreement with the National Centre for Social Sciences annually.

4.3. This Protocol of Agreement may be amended or terminated by mutual consent of the two Parties, provided that written notice is given six months in advance.

4.4. This Protocol of Agreement is concluded for a period of three years and shall enter into force on the date of signature. It shall be tacitly extended for successive three-year terms unless either Contracting Party denounces it at least six months before the expiry of the current three-year term.

4.5. The Embassy of France shall guarantee the fulfillment by the EFEO representation of its commitments. In the event of differences of opinion over the interpretation or execution of this Protocol of Agreement, the two Parties shall attempt by negotiation so as to resolve them to reach an amicable solution.

4.6. In the event of civil litigation or failure to honour the obligation laid down in article 3, paragraph 3.4, Vietnamese law shall apply.

DONE at Hanoi on 10 February 1993, in duplicate in the French and Vietnamese languages, both texts being equally authentic.

For the Government
of the French Republic:

CATHERINE TASCA
Secretary of State for Relations
with French-speaking Countries
and for Foreign Cultural Relations

For the Government
of the Socialist Republic
of Viet Nam:

NGUYEN DY NIEN
Deputy Minister
for Foreign Affairs
