

UPDATE APRIL 2003

U.S.-Vietnam Bilateral Trade Agreement Joint Committee Meetings, March 3 – 7, 2003

The U.S. and Vietnam held the second annual joint committee meeting in Hanoi to discuss progress relating to BTA implementation and other bilateral trade issues. The meetings were chaired by Deputy USTR Jon Huntsman and Vice Minister of Trade Luong Van Tu. This will be Ambassador Huntsman last visit in his official capacity as he is leaving USTR to return to the private sector. His invaluable contribution to U.S.-Vietnam relations will be missed.

U.S.-Vietnam Bilateral Textile Negotiations

The U.S. and Vietnam are conducting another round of bilateral talks on textiles in Washington, DC 9 - 11 April 2003. A letter signed by 23 members of the House of Representatives was sent to U.S. Trade Representative Robert B. Zoellick on April 5 in opposition to the imposition of quotas on Vietnamese apparel imports. Senator Lugar also sent a letter in support of a fair outcome. To facilitate more effective production planning by textile companies, the two sides are hoping to conclude negotiations during this round.

Suspension Agreement on Catfish Discussed

The U.S. and Vietnam have entered into discussions on the possibility of a suspension agreement on the ongoing catfish anti-dumping case. In a preliminary ruling in January, the DOC recommended import duties ranging from 38% to 64% on catfish imported from Vietnam though citing miscalculations, DOC later lower some import tariffs by one quarter to one half. The anti-dumping suit or the suspension agreement should become final by summer 2003.

Vietnam Human Rights Act

On April 3, Rep. Christopher H. Smith (R-N.J.) introduced the Viet Nam Human Rights Act of 2003, a bill similar to the bill passed by the House last session, but not by the Senate. H.R. 1587 contains sanctions language that would prohibit any increase

UPCOMING HIGHLIGHTS

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- ★ Vietnam WTO Working Party Meeting & Bilateral Market Access Talks, 12 - 22 May 2003, USVTC Technical Assistance session with Sidley Austin Brown & Wood LLP.
- ★ Demetrios Marantis to guest-lecture at Ho Chi Minh City Law School, April 16
- ★ Study Mission on Sanitary & Phytosanitary Measures (SPS), May 2003
- ★ Business Hotline: "Vietnam's Insurance Market", broadcast scheduled for last week of April 2003
- ★ Catalog of Legal Updates - monthly
- ★ **NEW HANOI OFFICE ADDRESS!**

in U.S. non-humanitarian aid to Vietnam, including from the U.S. Agency for International Development and the Overseas Private Investment Corporation (OPIC) until Vietnam has made "significant progress toward releasing political and religious prisoners and respecting the human rights of ethnic minorities."

TECHNICAL ASSISTANCE UPDATES

US-AID State Bank of Vietnam Study Mission, 22 February – 1 March 2003

The U.S.-Vietnam Trade Council's Education Forum was pleased to organize a study mission led by Vice Governor Phung Khac Ke of the State Bank of Vietnam to Washington, DC & New York City February 22- March 1. The mission provided oppor-

tunities for the delegation to consult on and study the legal and regulatory aspects of Banking Services as they relate to provisions in the U.S.-Vietnam Bilateral Trade Agreement (BTA). Delegation members had consultations with U.S. Government agencies including the U.S. Treasury, Office of the U.S. Trade Representative, the Federal Reserve, the Federal Deposit Insurance Corporation, the World Bank, IMF, Financial Services Volunteer Corps, Citibank, and legal practitioners from Sidley Austin Brown & Wood LLP. This mission was funded pursuant to a grant from the U.S. Agency for International Development (USAID).

US-AID Intellectual Property Rights Study Mission, 25 March – 2 April 2003

The Education Forum was also pleased to conduct a study mission on Intellectual Property Rights for a delegation led by Vice Minister of Culture & Information Tran Chien Thang and representatives from the Copyright Office of Vietnam, Ministry of Science & Technology and the National Office of Industrial Property, Vietnam General Department of Customs, Supreme Court of Vietnam, Ministry of Justice, Hanoi People's Committee, and the Office of the Government. This mission was conducted in support of BTA implementation and focused on the importance and urgency of timely and effective enforcement of intellectual property rights. Members of the delegation consulted intensively with representatives from the U.S. Patent & Trademark Office, U.S. Copyright Office, USTR, U.S. Department of Commerce, think-tanks, trade associations and U.S. Companies including Microsoft, America Online, Nike, Procter & Gamble, and Unocal. This mission was funded pursuant to a grant from USAID.

Next Steps for Vietnam's WTO Accession

The Education Forum prepared a memorandum for persons involved in Vietnam's WTO accession listing key policy decisions ahead. The memo supplements a comparative chart compiled by the Education Forum highlighting WTO commitments made by recently acceded countries in key areas of discipline including tariffs, TRIMs, TRIPs, Customs Valuation, Subsidies, SPS, services etc. which is available on our website. Due to travel restrictions from the SARS outbreak, the visit to Hanoi of Councilor to the Accessions Division in the WTO Secretariat, Cato Adrian, has been postponed. Mr. Adrian was to assist in preparations for Vietnam's next WTO working party meeting scheduled for May. We hope to reschedule this visit soon.

Demetrios Marantis Addresses APEC TEL 27 in Kuala Lumpur on WTO issues, 24 March 2003

USVTC Chief Legal Advisor, Demetrios Marantis, gave an address on WTO telecom rules to APEC's semiannual meeting of telecom officials (APEC TEL). His speech focused on the independent regulatory practices and the experience the U.S. government has had in enforcing the WTO's important telecom obligations. Speakers also included officials from the WTO, Singapore, Korea, and Malaysia.

WTO Legal Curriculum

The U.S.-Vietnam Trade Council Education Forum is pleased to be working in cooperation with the Hanoi Law School on the development of a WTO legal curriculum. Currently, we are preparing a joint needs-assessment survey among various tertiary institutions in Vietnam. Education Forum staff is also currently developing the core syllabus and course materials in preparation for teaching programs to commencement for the academic year in September, to include possible programs in New Zealand.

Ho Chi Minh Economics University's "Business Hotline" Program

Demetrios Marantis addressed the annual meeting of HEU's Business Hotline program on February 28. He spoke about the importance of public understanding and acceptance of the benefits of trade liberalization and global economic integration. USVTC provides support to the Business Hotline program, which broadcasts on radio and television analysis and discussion of key international issues facing Vietnam today.

UPCOMING HIGHLIGHTS

Vietnam WTO Working Party Meeting & Bilateral Talks, May 12 – 22, 2003

Vietnam's next WTO Working Party Meeting is currently scheduled for 12 May 2003 in Geneva. Following this, bilateral talks with individual Working Party Members will take place. To assist in Vietnam's WTO Accession process, the Trade Council's Education Forum and legal practitioners from the law offices of Sidley Austin Brown & Wood LLP's will conduct technical sessions and consultations in Geneva with key members of Vietnam's WTO team.

Ho Chi Minh City Law School, 16 April 2003

As part of the Education Forum's project to develop a WTO Curriculum for law schools in Vietnam, USVTC Chief Legal Advisor Demetrios Marantis and Legal Expert Pham Minh Tri will be making presentations to faculty and students at the Ho Chi Minh City Law School on various WTO and international trade law topics.

US-AID BTA Implementation: Study Mission on Sanitary & Phytosanitary (SPS) Measures, May 2003

In support of BTA implementation, the Education Forum looks forward to conducting a study mission on SPS Measures for an inter-ministerial delegation to Washington, DC. The delegation will study technical, policy and practical issues related to SPS including the conducting of scientifically-based risk assessments, and the development of legislation and policies for Vietnam's SPS regime. This program is being funded by USAID.

“Business Hotline” – Vietnam’s Insurance Market

The Education Forum is currently sponsoring the “Business Hotline” – a TV and Radio Program produced by the Economics University of Ho Chi Minh City. The “Business Hotline” airs weekly in north and south parts of Vietnam with expansion plans of nationwide. The programs broadcast discussion on issues relating to Vietnam's international economic integration. The first of the series was recorded on 6 March 2003 focusing on the Insurance Market in Vietnam. Participants included Mr. Pham Khac Dung – Vice Director, Division of Insurance Management, Ministry of Finance; Leslie Forrest, Director, AIA Vietnam; and representatives from the HCMC Economics University among others. This program is expected to be aired on VTV and HTV during the last week of April 2003. The Trade Council would like to thank AIA for its generous time and we look forward to the participation of other corporate members over the course of the year.

“Catalog of Legal Updates” - Monthly

As a follow on to the Education Forum's Road Map of BTA Commitments funded by USAID, we have since July 2000 and on a monthly basis compiled the Catalogue of Legal Updates identifying laws and regulations promulgated by Vietnam as they relate to obligations under the BTA. The Catalogue is done in cooperation with Phillips Fox Lawyers and is available on our website.

Website <http://www.usvtc.org>

In order to promote public awareness and outreach on issues relating to the BTA, the U.S.-Vietnam Trade Council continues to update our website offering access to information on U.S. import regulations, American and Vietnamese business practices, a Summary of the BTA, and materials developed under our technical assistance program. In addition, the website archives news clippings, relevant links, research materials, and provides a mechanism for research assistance for questions relating to the BTA.

HANOI OFFICE: NEW LOCATION !!!!!

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