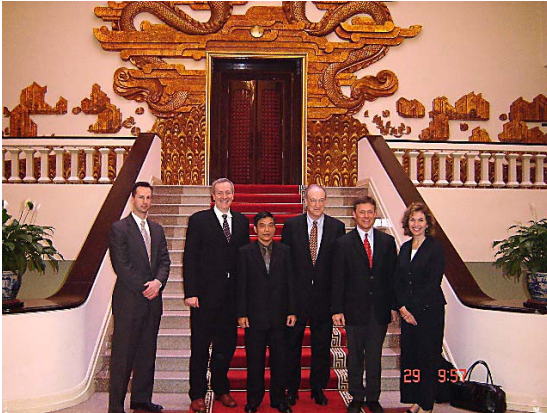


UPDATE
April 2005



Congressional Staff Delegation at the Office of the Government during their visit to Vietnam. From left: Isaac Edward - Legislative Director to Senator Murkowski, Bob Holste – Chief of Staff to Rep. English, Vice Chairman Nguyen Quoc Huy of the Office of the Government, Jon Sheiner – Legislative Director to Rep. Rangel, Jim Stowers – Legislative Director to Senator Lincoln, and Virginia Foote – President of the U.S. – Vietnam Trade Council and Executive Vice President of the U.S. – ASEAN Business Council.

Congressional Staff Delegation Visit to Vietnam – March 26 – April 3, 2005

The U.S. – Vietnam Trade Council organized a Congressional staff delegation visit to Vietnam again this year. The delegation traveled to Hanoi, Ho Chi Minh City, the Mekong Delta and the Central Highlands region of Vietnam. The trip focused on examining a range of bilateral and multilateral issues. In the past, these visits have been important to furthering U.S. relations with Vietnam and improving Congressional understanding of the bilateral relationship and senior Congressional staff members participated in the delegation, including Bob Holste - Chief of

UPCOMING HIGHLIGHTS

(See Page 5&6 for further details)

- A possible visit by the Vietnam Prime Minister to the U.S.
- The tenth anniversary of normalization – exhibit at the Smithsonian, July 2005
- U.S. Federal Register visiting internship for the Vietnam Official Gazette – June 2005
- USVTC Trading and Distribution Rights seminar in Hanoi - June 2005
- USVTC Omnibus Bill Study Mission to Washington, DC and New York – June 2005
- USVTC Legal Reform and the WTO workshops – June 2005

Staff to Rep. English (R-PA); Jim Stowers - Legislative Director to Senator Lincoln (D-AR); Isaac Edwards - Legislative Director to Senator Murkowski (R-AK); and Jon Sheiner – Legislative Director to Rep. Rangel (D-NY). During the course of the week, the delegation members met with key officials including Mr. Vu Xuan Hong, Member of the National Assembly, Chairman of the U.S. – Vietnam Caucus, and President of the Vietnam Union of Friendship Organization; US Ambassador Michael Marine; Major Andrew Rutter of the U.S. Joint Task Force POW/MIA Full Accounting; Deputy Minister of Foreign

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Affairs Nguyen Phu Binh; Vice Minister of Finance Le Thi Bang Tam; Vice Chairman of the Office of the Government Nguyen Quoc Huy; Vice Minister of Trade Luong Van Tu; Deputy Director of the External Relations Department of the National Assembly Ton Nu Thi Ninh; Vice Chairman of the Ho Chi Minh People's Committee Nguyen Thien Nhan; and the ordained Cardinal Honorable Pham Minh Man. *Our special thanks to ACE Insurance, AIG, Boeing, Citigroup, Liberty Mutual, and New York Life International for making the trip possible. We also would like to extend our sincere thanks to the U.S. Embassy and Consulate General in Ho Chi Minh City for their tremendous support on this very important visit. Report available*

International Relations Committee Passes H.R. 228 – April 28, 2005

In recognition of the 30th anniversary of the end of the Vietnam War on April 30, 1975, the House International Relations Committee passed Resolution H.R. 228 honoring the contributions of Vietnamese immigrants to American society and recognizing the sacrifice of American and South Vietnamese soldiers during the Vietnam War. The resolution also encourages Americans to work for “freedom, democracy and equality” for Vietnam.

Trade Council Members Meeting with the National Security Council – April 21, 2005

Trade Council member companies met with Michael Green, Asia Director of the National Security Council, to discuss current bilateral and multilateral issues with Vietnam including the tentative visit for Vietnamese Prime Minister Phan Van Khai in June of this year, Vietnam's bid to accede to the World Trade Organization this year, and CPC designation.

Trade Council Members Meeting with Vietnamese Municipal Government Officials – April 19, 2005

Under the auspices of the State Department's International Visitor Leadership Program, a delegation of eighteen municipal government officials and business leaders from Hanoi toured the United States from April 16 – 23. While visiting Washington, DC, the delegation met with

representatives of USVTC and the USABC member companies New York Life and Oracle.

USVTC Customs Study Mission to Singapore – January 18 – 21, 2005 and Washington, DC, New York, Seattle -- December 3- 13, 2004

Through a grant from the Bureau of Educational and Cultural Affairs (BECA), U.S. Department of State, the Council Education Forum organized a public-private partnership Customs study mission for customs officers and other government officials who are involved in the Customs Valuation Agreement (CVA), which entered into force on December 10, 2003 for all U.S. imports under the BTA. The focus of the trip was the study of effective implementation of the GATT/WTO Customs Valuation Agreement, management of customs valuation, post-entry audit, pre-shipment inspection, and risk management strategies for trade facilitation. *Special thanks to American President Lines (APL) for their assistance in organizing both trips.*

USVTC and U.S. – ASEAN Business Council Members Luncheon with Former Ambassador to the US and Foreign Affairs Vice Minister H.E. Le Bang – March 31, 2005

The U.S. – Vietnam Trade Council and U.S. - ASEAN Business Council hosted a luncheon in honor of Vietnam Foreign Affairs Vice Minister H.E. Le Bang and Former Ambassador to the U.S. The purpose of the luncheon was to give the private sector an update on the recent highlights of the U.S.-Vietnam relations, the upcoming visit of Prime Minister Phan Van Khai, and accession to the WTO. Companies also had the opportunity to discuss public-private partnership programs conducted under the AID/STAR and State Department/ECA programs. *Special thanks to the event sponsors: ACE Insurance, AIG, Boeing, GE, Liberty Mutual, New York Life International, Oracle, PhRMA and Unocal.*

CPC designation on Vietnam

On September 15th, 2004, Vietnam was designated a Country of Particular Concern (CPC) under the Religious Freedom Act. The Senate was asked to decide whether sanctions will be applied within 180 days; however, on March 15, 2005, the Bush Administration asked

Congress for “a few more weeks” to pursue talks with Vietnam, Eritrea and Saudi Arabia on improving their record on respect for religious freedom. The US and Vietnam are working on plans for bilateral agreement.

Trade Council Members Briefing with USTR in Washington, DC – February 18, 2005

Elena Bryan, Deputy Assistant USTR for Southeast Asia and Pacific Affairs, briefed representatives of USVTC and U.S. – ASEAN Business Council member companies on her recent visit to Vietnam and discussed issues relating to BTA implementation and WTO accession. During her short visit, Ms. Bryan met with a number of government representatives including: Ministry of Foreign Affairs, Ministry of Justice, National Assembly, Economic Police (MPS), National Office of Intellectual Property, and Ministry of Planning Investment. She also met with the US business community in Hanoi and Ho Chi Minh City.

Former USTR Ambassador Charlene Barshefsky in Vietnam – January 18, 2005

USVTC was pleased to assist the visit of former USTR Ambassador Charlene Barshefsky to Vietnam. In addition to putting together key issues, a briefing book, and scheduling appointments, the Trade Council is also working with the Vietnam Chamber of Commerce & Industry (VCCI) to organize a session on Vietnam’s WTO accession with a keynote speech by Ambassador Barshefsky.

Renewal of the U.S. – Vietnam Bilateral Trade Agreement (BTA)

On December 10, 2004, President Bush renewed the Bilateral Trade Agreement between the U.S. and Vietnam which had been in effect for three years. The Presidential determination concluded that reductions in tariffs and trade barriers were satisfactorily reciprocated by Vietnam, and that a satisfactory balance of concessions had been maintained under the Agreement.

U.S. – Vietnam Trade Council Joins Forces with U.S. – ASEAN Business Council

On November 23, 2004, U.S. – Vietnam Trade Council President Virginia Foote took on the role of Executive Vice President for the U.S. –

ASEAN Business Council. Both the U.S. – Vietnam Trade Council and U.S. – ASEAN Business Council have been at the forefront of advancing economic and diplomatic ties with Southeast Asia. We are pleased to be working to join forces in affiliation with the U.S. – ASEAN Business Council and look forward to working with member companies in their ventures in Southeast Asia.

USVTC Steering Committee Study Mission to Washington, DC – November 14 - 20, 2004

As part of the U.S. – Vietnam Bilateral Trade Agreement (BTA) implementation technical assistance program, the U.S. – Vietnam Trade Council was pleased to organize a Steering Committee study mission for Vietnamese officials to bring together the USAID funded inter-ministerial BTA implementation programs to further develop common understanding and increase transparency in the implementation and coordination process in the ongoing technical assistance program. The primary purpose of the trip was to work with U.S. government and private sector counterparts to assess BTA implementation efforts, to study policy, regulatory and practical issues relating to on-going implementation of the BTA and Vietnam’s pending accession to the WTO, and to identify areas for further focus. This study mission is made possible pursuant to a grant to USVTC from the U.S. Agency for International Development (USAID) in cooperation with the Steering Committee under a three-year program for implementation of the BTA.

TECHNICAL ASSISTANCE UPDATES

Deputy Prime Minister Directive on Legal Reforms Necessity for WTO Accession

USVTC is working to assist government counterparts to meet the goals outlined in Official Letter 231-TTg-QHQT, issued by Deputy Prime Minister Vu Khoan on March 8, 2005, on the legislative program for Vietnam’s WTO accession to speed up the legal drafting processes and to improve the quality of draft laws and ordinances due for National Assembly passage in 2005, while working on completing draft regulations

required for Vietnam's WTO accession. The National Assembly (NA) Standing Committee agreed to re-adjust the 2005 legal program to meet Vietnam's goal of acceding to the WTO before the year end included 26 laws such as: the Unified Enterprise Law, the Common Investment Law, amendments to the Laws on Value Added Tax and Special Consumption Tax, the revised Law of Appeals and Denouncement, Law on Lawyers, Law on Personal Income Tax Law on Securities, Ordinance of Standardization, and Ordinance on Foreign Exchange in 2005 and Customs amendments.

USVTC Business Hotline Program on WTO Accession – February 28, 2005

The HCMC University of Economics interviewed Virginia Foote for a radio/TV program on "The Status of Vietnam's WTO Accession". The program also featured Mr. Phi, head of the International Relations Department. The program was made possible through the generous support from the Atlantic Philanthropies.

Workshop on the "Translation & Reproduction of Copyrighted Literary Works" – February 24, 2005

The U.S. Commercial Service in HCMC, the U.S.-Vietnam Trade Council and the General Sciences Library co-organized one day workshop on the Translation and Reproduction of Copyrighted Literary Works in Ho Chi Minh City on Feb. 24, 2005. The workshop was designed to support Vietnam's efforts to comply with the commitments in the US-Vietnam BTA and the Berne Convention. It also helped U.S. publishers learn issues related to Vietnam publishing industry so as to increase their sales and licenses of American books in the market. Vietnamese participants including more than 120 publishing houses, university libraries, government officials and concerned organizations and addressed laws pertaining to copyrighted literary works and how to obtain permission to translate and reproduce copyrighted works in Vietnam. The workshop was supported by six members of the Association of American Publishers (AAP), namely Cambridge University Press, Elsevier,

John Wiley & Sons, McGraw-Hill, Pearson, and Thomson Learning.

USVTC 5th IPR Seminar: "Protecting Patents in the U.S. & Vietnam" – February 23, 2005

In support of Vietnam's efforts to comply with commitments in the US-Vietnam BTA and to address the needs and concerns of local and foreign businesses in Vietnam, Senior Counsel Peter N. Fowler in the Office of Enforcement, United States Patent and Trademark Office, conducted two seminars on patent protection and enforcement organized by the U.S. - Vietnam Trade Council in cooperation with the HCMC University of Law and the HCMC Bar Association. The first seminar was held at the HCMC University of Law with approximately fifty trainees in the HCMUL/NOIP joint IPR certification course along with ten law faculty members. The second seminar was held at the HCMC Bar Association with 100 legal professionals, including members of the Bar Association, paralegals, judges and local government officials. The program was made possible through the generous support from the Atlantic Philanthropies.

USVTC Business Hotline Program on "Copyright Protection & Enforcement" – February 7 - 11, 2004

HCMC Economics University radio/TV program on "Copyright Protection & Enforcement" was broadcast throughout the Tet holiday in Vietnam. The program featured keynote speakers from the 4th IPR Seminar at the HCMC General Sciences Library including Mr. Dang The Duc - Vision & Associates Law Firm, Mr. Tarun Sawney - Business Software Alliance and Mr. Trung Can - Vietnam Center for the Protection of Music Copyright. The program was made possible through the generous support from the Atlantic Philanthropies.

USVTC 4th IPR Seminar on "Copyright Protection in Vietnam" – December 21, 2004

The U.S. – Vietnam Trade Council and the General Sciences Library organized the final installment of our 2004 IPR Seminars Series for more than 130 participants, primarily lawyers, government officials, company representatives and library staff. The presentations focused on

Vietnam's international IPR commitments, legal basis for copyright protection in Vietnam, and raising awareness about software use and sharing. The seminar was supported, in part, by the Business Software Alliance.

“Catalog of Legal Updates: Vietnam Trade Policy Regime” - Monthly

Since 2000 and on a cumulative monthly basis, USVTC has compiled the *Catalog of Legal Updates* identifying laws and regulations promulgated by Vietnam as they relate to obligations under the BTA and in WTO accession. The “*Vietnam Trade Policy Regime: Catalog of Legal Updates*”, focuses on legal developments with a view towards what Vietnam has undertaken or will undertake for its WTO accession. The Catalog includes a new section on WTO accession and ratification. The Catalog is prepared with the assistance of Phillips Fox and is available on our website.

Newly Designed USVTC Website at

www.usvtc.org

The USVTC website promotes public awareness and outreach at the Trade Council and on issues relating to U.S. - Vietnam relations, the BTA, Vietnam's WTO accession and other bilateral and business issues. It provides materials developed under technical assistance programs, news clippings, relevant links, and research materials. All contents from our previous website continue to be available and the website address remains unchanged. Special thanks to Putri Alam at USABC for her work.

UPCOMING HIGHLIGHTS

A possible visit by the Vietnam Prime Minister to Washington, DC on the tenth anniversary of normalization - June 2005

On the special occasion of the tenth anniversary of the U.S. – Vietnam relations normalization, the Vietnam Prime Minister Phan Van Khai plans to pay a visit to the Washington, DC and other cities in the United States in June of this year.

USVTC Trading and Distribution Rights Seminar in Hanoi - June 2005

Through a grant from U.S. Agency for International Development (USAID), the U.S.-

Vietnam Trade Council Education Forum is organizing a seminar in Hanoi for Vietnamese officials on implementation of BTA commitments in the areas of trading and distribution rights. The seminar will focus on legal and practical aspects of administering import and export regimes relating to distribution and trading rights.

USVTC Omnibus Bill Study Mission to Washington, DC and New York – June 2005

To assist Vietnam in drafting and enacting an omnibus law in compliance with its WTO commitments, the Trade Council is working with the Vietnamese Ministry of Justice, National Assembly and the Office of the Government to organize an Omnibus Bill Study Mission for Vietnamese officials. The primary focus of the trip will be to study the U.S. experience in implementing international commitments, the role of the Congress and its committees, and most importantly to learn how an omnibus law is drafted, examined, approved and implemented thereafter. This study mission is organized through a grant from USAID.

USVTC U.S. Federal Register visiting internship for the Vietnam Official Gazette – June 2005

The U.S. - Vietnam Trade Council Education Forum is pleased to be working with the U.S. Federal Register to organize a two-week internship for the Vietnamese officials at the office of the U.S. Federal Register in Washington, DC in June of this year. The purpose of this internship is to support the Official Gazette in its efforts to ensure greater transparency in accordance with Chapter VI of the U.S.-Vietnam Bilateral Trade Agreement (BTA). This study mission is organized through a grant from USAID, in cooperation with the Steering Committee under a three-year program for implementation of the BTA.

USVTC Legal Reform and the WTO workshops – June 2005

Under the funding of New Zealand's International Aid & Development Agency (NZAID), USVTC is pleased to be working with the University of Victoria, School of Law to organize workshops in Hanoi and Ho Chi Minh City for Vietnamese officials on legal reform and the WTO.