Preamble

Japan and the Socialist Republic of Viet Nam (hereinafter referred to in this Agreement as "Viet Nam"),

Recognizing that a dynamic and rapidly changing global environment brought about by globalization and technological progress presents various economic and strategic challenges and opportunities to the Parties;

Conscious of their longstanding friendship and strong economic and political ties that have developed through many years of fruitful and mutually beneficial cooperation between the Parties;

Believing that such a bilateral relationship will be enhanced by forging a mutually beneficial economic partnership through trade liberalization, trade facilitation, and cooperation;

Recognizing the development gap between the Parties;

Reaffirming that the economic partnership will provide a useful framework for enhanced cooperation and serve the common interests of the Parties in various fields as agreed in this Agreement and lead to the improvement of economic efficiency and the development of trade, investment, and human resources;

Recognizing that such a partnership will create a larger and new market, and enhance the attractiveness and vibrancy of their markets;

Recalling Article XXIV of the General Agreement on Tariffs and Trade 1994 and Article V of the General Agreement on Trade in Services in Annex 1A and Annex 1B, respectively, to the Marrakesh Agreement Establishing the World Trade Organization, done at Marrakesh, April 15, 1994;

Convinced that this Agreement would open a new era for the relationship between the Parties; and

Determined to establish a legal framework for an economic partnership between the Parties;

HAVE AGREED as follows:

Chapter 1
General Provisions

Article 1
Objectives

The objectives of this Agreement are to:

(a) liberalize and facilitate trade in goods and services between the Parties;

(b) ensure protection of intellectual property and promote cooperation in the field thereof;

(c) promote cooperation and coordination for the effective enforcement of competition laws in each Party;

(d) facilitate the movement of natural persons between the Parties;

(e) improve business environment in each Party;

(f) establish a framework to enhance closer cooperation in the fields agreed in this Agreement; and

(g) create effective procedures for the implementation of this Agreement and for the settlement of disputes.

Article 2
General Definitions

For the purposes of this Agreement, the term:

(a) "Area" means with respect to a Party, (i) the territory of the Party, including its territorial sea; and (ii) the exclusive economic zone and the continental shelf with respect to which the Party exercises sovereign rights or jurisdiction in accordance with international law;

Note: Nothing in this subparagraph shall affect the rights and obligations of the Parties under international law, including those under the United Nations Convention on the Law of the Sea.

(b) "customs authority" means the competent authority that is responsible for the administration and enforcement of customs laws and regulations;

(c) "GATS" means the General Agreement on Trade in Services in Annex 1B to the WTO Agreement;

(d) "GATT 1994" means the General Agreement on Tariffs and Trade 1994 in Annex 1A to the WTO Agreement. For the purposes of this Agreement, references to articles in the GATT 1994 include the interpretative notes;