（右条約の英文）

TREATY BETWEEN JAPAN AND THE SOCIALIST REPUBLIC OF VIET NAM ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

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

Desiring to establish more effective cooperation between both countries in the area of mutual legal assistance in criminal matters,

Have agreed as follows:

Article 1
Object, purpose and scope of assistance

1. Each Party shall, upon request by the other Party, provide mutual legal assistance (hereinafter referred to as "assistance") in connection with investigations, prosecutions and other proceedings in criminal matters in accordance with the provisions of this Treaty.

2. Assistance shall include the following:

(1) taking testimony or statements;

(2) obtaining items, including through the execution of search and seizure;

(3) examining persons, items or places;

(4) locating or identifying persons, items or places;

(5) providing items in the possession of the public authorities;

(6) presenting an invitation to a person whose appearance in the requesting Party is sought;

(7) temporary transfer of a person in custody for testimony or other purposes;

(8) serving documents related to criminal proceedings;

(9) assisting in proceedings related to confiscation and immobilization of proceeds or instrumentalities of criminal offenses; and

(10) any other assistance permitted under the laws of the requested Party and agreed upon between the Central Authorities of the Parties.

The term "items" as used in this Treaty means documents, records and articles of evidence.

3. This Treaty is intended solely for assistance between the Parties. The provisions of this Treaty neither create a new right nor affect a pre-existing right on the part of a private person to impede the execution of a request or to suppress or exclude any evidence.

Article 2
Central Authorities

1. Each Party shall designate the Central Authority that is to perform the functions provided for in this Treaty. For Japan, the Central Authority shall be the Minister of Justice or the National Public Safety Commission or persons designated by them. For the Socialist Republic of Viet Nam, the Central Authority shall be the Supreme People's Procuracy.

2. Requests for assistance under this Treaty shall be made by the Central Authority of the requesting Party to the Central Authority of the requested Party.

3. The Central Authorities of the Parties shall communicate directly with one another for the purposes of this Treaty.

Article 3
Grounds for refusal of assistance

1. The Central Authority of the requested Party may refuse assistance if the requested Party considers that:

(1) the request relates to an offense of a political nature;

(2) the execution of the request would impair its sovereignty, security or other essential interests;

(3) the request does not conform to the requirements of this Treaty;