



**The Supreme People's Procuracy
of the Socialist Republic of Viet Nam**



**The National Prosecuting
Authority of the Republic
of South Africa**

MEMORANDUM OF UNDERSTANDING

on cooperation in combating Crime

between

Supreme People's Procuracy of the Socialist Republic of Viet Nam

and

National Prosecuting Authority of the Republic of South Africa

The Supreme People's Procuracy of the Socialist Republic of Viet Nam and the National Prosecuting Authority of the Republic of South Africa (hereinafter referred to as "the Parties");

Desiring to establish and strengthen cooperation in the field of prosecution and in the fight against organized transnational crime, contributing to enhance understanding, friendship and comprehensive cooperation between the Socialist Republic of Viet Nam and the Republic of South Africa;

Have agreed as follows:

Article 1

Principles of cooperation

The Parties shall cooperate within their respective jurisdictions and competencies, subject to their relevant national legislation and international obligations.

Article 2

Scope and forms of Cooperation

For the purpose of implementing this Memorandum, the Parties shall cooperate in the following areas:

1. Cooperating in prevention and fighting against crime through the implementation of quick and effective mechanisms regarding mutual legal assistance in criminal matters;
2. Exchanging official working visits to maintain and strengthen the friendship and mutual understanding, as well as exchange of experiences and discussions on prosecutorial issues; to the extent where possible, capacity building training relating to witness protection;
3. Cooperating in training aiming at improving prosecutorial skills of prosecutors by organizing conferences, seminars and short-term training intervention;
4. Exchanging legal documents, information on law-systems of each State and best practices in law enforcement;
5. Other forms of cooperation on the basis of common interests and mutual agreement.

Article 3

Expenses for operation

Each Party shall be responsible for their own financial expenses and shall cover the expenses arising in their respective territories, except as otherwise agreed by the Parties.

Article 4

Language

Information and documents relating to the implementation of this Memorandum shall be accompanied by a translation in English.

Article 5
Confidentiality

Under the framework of the implementation of this Memorandum, the Parties shall ensure the confidentiality of information and documents exchanged between them.

Article 6
Settlement of Dispute

Any dispute arising from the interpretation or application of this Memorandum shall be resolved amicably by negotiation or consultation between the Parties, based on good faith, common understanding and mutual respect.

Article 7
Amendment

This Memorandum may be amended by the mutual written consent of the Parties. The amendments and supplements shall be done in a separate text and considered as an integral part of this Agreement. Such amendment shall be of force and effect on the date of signature by the Parties.

Article 8
Relationship with International Obligations

1. This Memorandum is not legally binding and does not affect any rights and obligations of the States of the Parties.

2. Neither this Memorandum, nor any of its provisions shall affect the rights and liabilities of the Parties resulting from international treaties and obligations to which any of the States is a signatory Party.

Article 9
Coordinating Authority

Each Party shall designate a Coordinating Authority for the purpose of the implementation of this Memorandum. The Parties designated the following Coordinating Authorities.

The Supreme People's Procuracy of the Socialist Republic of Viet Nam:

Department for the International Cooperation and Mutual Legal Assistance
in Criminal Matters

Address: No 09 Pham Van Bach Str, Yen Hoa ward, Cau Giay district, Ha
Noi city, Viet Nam

Tel: 0084 024 8255058, ext 810011 or 8100150

Fax: 0084 024 39361531

Email:

The National Prosecuting Authority of the Republic of South Africa:

Office of the National Director of Public Prosecutions

Address: VGM Building, 123 Westlake Avenue

Weavind Park, Pretoria

Private Bag X752, Pretoria, 0001

Tel: +27 12 845 6758 Fax: +27 12 845 7030

Email: imgiba@npa.gov.za

2. The Parties shall promptly inform each the other of any changes to their Coordinating Authorities.

3. Coordinating Authorities shall directly communicate with each other to implement this Memorandum. When necessary, Coordinating Authorities may communicate through the diplomatic channel.

Article 10

Entry into force

1. This Memorandum will become effective from the date of its signature for an infinite term.

2. Each Party may terminate this Memorandum at any time by giving written notice of termination to the other Party. This Memorandum shall be terminated on the thirtieth day following the date of receipt of the said notice.

3. Where being terminated, this Memorandum shall nevertheless take effect to the on-going activities made prior to the day of termination.

Done in JOHANNESBURG on the date of 11 SEPTEMBER 2018, in duplicates, each in Vietnamese and English; all texts are equally authentic.

IN WITNESS THEREOF, the representatives of the Parties have signed this Memorandum.

**ON BEHALF OF
THE SUPREME PEOPLE'S PROCURACY
OF THE SOCIALIST REPUBLIC OF VIET NAM**



MR. LE MINH TRI
PROSECUTOR GENERAL

**ON BEHALF OF
THE NATIONAL PROSECUTING AUTHORITY
OF THE REPUBLIC OF SOUTH AFRICA**



DR. M. SILAS RAMAITE, SC
ACTING NATIONAL DIRECTOR OF
PUBLIC PROSECUTIONS