

HIỆP ĐỊNH
GIỮA CHÍNH PHỦ NƯỚC CỘNG HÒA XÃ HỘI
CHỦ NGHĨA VIỆT NAM
VÀ
CHÍNH PHỦ NƯỚC CỘNG HÒA LIÊN BANG MI-AN-MA
VỀ

MIỄN THỊ THỰC CHO NGƯỜI MANG HỘ CHIẾU PHỐ THÔNG

Chính phủ nước Cộng hòa xã hội chủ nghĩa Việt Nam và Chính phủ nước Cộng hòa Liên bang Mi-an-ma, sau đây gọi chung là “ Các Bên ký kết”;

Với mong muốn tăng cường quan hệ hữu nghị trong mọi lĩnh vực giữa hai nước;

Mong muốn đơn giản hóa thủ tục và tạo điều kiện thuận lợi cho việc đi lại của công dân Bên ký kết này trên lãnh thổ của Bên ký kết kia;

Phù hợp với pháp luật và quy định hiện hành của các Bên ký kết,

Đã thỏa thuận như sau:

Điều 1

Công dân mỗi Bên ký kết mang hộ chiếu phổ thông, còn giá trị ít nhất sáu (06) tháng, được miễn thị thực nhập cảnh, xuất cảnh và quá cảnh lãnh thổ Bên ký kết kia theo quy định tại Hiệp định này.

Điều 2

1. Công dân mỗi bên ký kết được miễn thị thực nhập cảnh, xuất cảnh, quá cảnh quy định tại Điều 1 của Hiệp định này, được tạm trú trên lãnh thổ Bên ký kết kia trong thời gian không quá mười bốn (14) ngày kể từ ngày nhập cảnh, đảm bảo rằng, việc tạm trú này không ngoài mục đích thăm viếng. Trong

trường hợp gặp trở ngại ngoài ý muốn, cơ quan có thẩm quyền Bên ký kết kia sẽ gia hạn tạm trú khi có yêu cầu bằng văn bản của Cơ quan đại diện ngoại giao hoặc Cơ quan Lãnh sự của nước mà người có yêu cầu là công dân.

2. Công dân một Bên ký kết muốn nhập cảnh vào lãnh thổ của Bên ký kết kia với mục đích tạm trú quá mười bốn (14) ngày phải có thị thực được cấp bởi cơ quan có thẩm quyền của Bên ký kết kia.

Điều 3

Hiệp định này không miễn cho những người mang hộ chiếu phổ thông kề trên nghĩa vụ tôn trọng pháp luật, các quy định hiện hành và phong tục, tập quán trong thời gian lưu trú trên lãnh thổ nước sở tại.

Điều 4

Công dân một Bên ký kết mang hộ chiếu phổ thông có thể nhập cảnh, xuất cảnh và quá cảnh lãnh thổ của Bên ký kết kia qua các cửa khẩu quốc tế.

Điều 5

1. Cơ quan chức năng của các Bên ký kết sẽ chuyển cho nhau mẫu hộ chiếu phổ thông và giấy tờ đi lại hiện hành cho Bên ký kết kia thông qua đường ngoại giao trong thời hạn ba mươi (30) ngày trước ngày Hiệp định có hiệu lực.

2. Cơ quan chức năng của các Bên ký kết sẽ thông báo cho Bên ký kết kia về bất cứ thay đổi nào đối với các loại hộ chiếu phổ thông và giấy tờ đi lại hiện hành và chuyển cho nhau những mẫu mới các loại giấy tờ này ít nhất ba mươi (30) ngày trước khi đưa vào sử dụng.

Điều 6

Khi công dân của một Bên ký kết bị mất hộ chiếu trên lãnh thổ của Bên ký kết kia, người này phải thông báo cho Cơ quan đại diện ngoại giao, hoặc Cơ quan Lãnh sự của Bên ký kết mà người đó là công dân và cơ quan liên quan

nước sở tại về việc mất hộ chiếu. Cơ quan Đại diện ngoại giao hoặc Cơ quan Lãnh sự của Bên ký kết mà người mất hộ chiếu là công dân, phù hợp với pháp luật nước mình, sẽ cấp hộ chiếu hoặc giấy tờ đi lại mới cho người đó và thông báo cho cơ quan có thẩm quyền nước sở tại về cấp hộ chiếu mới hoặc giấy tờ đi lại và việc hủy hộ chiếu bị mất.

Điều 7

Mỗi Bên ký kết có quyền từ chối hoặc rút ngắn thời hạn đã được lưu trú đối với công dân của Bên ký kết kia khi các cơ quan chức năng này tin rằng đó là người không được hoan nghênh.

Điều 8

1. Mọi vấn đề nảy sinh trong quá trình giải thích và thực hiện Hiệp định này sẽ được giải quyết hữu nghị qua đường ngoại giao.

2. Hiệp định này có thể được sửa đổi hoặc bổ sung theo thỏa thuận bằng văn bản của các Bên ký kết.

3. Mỗi Bên ký kết có thể hủy bỏ Hiệp định này vào bất kỳ lúc nào bằng việc thông báo bằng văn bản cho Bên ký kết kia qua đường ngoại giao và Hiệp định sẽ hết hiệu lực sau ba (03) tháng kể từ ngày Bên ký kết kia nhận được thông báo về việc hủy bỏ này.

Điều 9

1. Mỗi Bên ký kết có quyền tạm đình chỉ toàn bộ hoặc một phần việc thực hiện Hiệp định này vì các lý do an ninh quốc phòng, trật tự xã hội và y tế.

2. Việc tạm đình chỉ hoặc chấm dứt việc tạm đình chỉ này phải được thông báo ngay cho Bên ký kết kia qua đường ngoại giao.

3. Hiệp định này sẽ có hiệu lực sau 30 ngày kể từ ngày ký.

ĐỀ LÀM BẰNG, những người ký tên dưới đây, được Chính phủ nước mình ủy quyền, đã ký Hiệp định này.

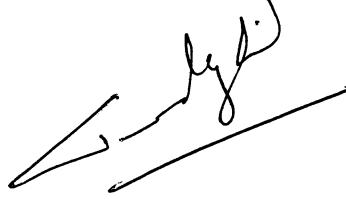
Làm tại Nǔu Ućc ngày 26 tháng 9 năm 2013 thành hai (02) bản chính, mỗi bản gồm ba (03) loại ngôn ngữ (một bản tiếng Việt, một bản tiếng Mi-an-ma và một bản tiếng Anh); các văn bản đều có giá trị như nhau; trong trường hợp có sự giải thích khác nhau, văn bản tiếng Anh được dùng làm cơ sở.

THAY MẶT
CHÍNH PHỦ NƯỚC CỘNG HÒA
XÃ HỘI CHỦ NGHĨA VIỆT NAM



PHẠM BÌNH MINH
BỘ TRƯỞNG NGOẠI GIAO

THAY MẶT
CHÍNH PHỦ NƯỚC CỘNG HÒA
LIÊN BANG MI-AN-MA



WUNNA MAUNG LWIN
BỘ TRƯỞNG NGOẠI GIAO

**AGREEMENT
BETWEEN
THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF
VIET NAM
AND
THE GOVERNMENT OF THE REPUBLIC OF THE UNION
OF MYANMAR
ON
VISA EXEMPTION FOR HOLDERS OF ORDINARY
PASSPORTS**

The Government of the Socialist Republic of Viet Nam and the Government of the Republic of the Union of Myanmar, hereinafter referred to as "Contracting Parties";

INSPIRED by the desire to strengthen the existing friendly relations in all fields between the two countries;

DESIRING to simplify the procedures and facilitate the traveling of citizens of the Contracting Parties to the territory of the other Contracting Party;

PURSUANT to the prevailing laws and regulations of the respective countries;

Have agreed as follows:

Article 1

Citizens of either Contracting Party to this Agreement traveling with ordinary passports with at least six months validity will be exempted from any visa requirements to enter or depart from and transit through the territory of the other Party as provided under this Agreement.

Article 2

Citizens of either Contracting Party exempted from entry and transit visa requirements under Article 1 of this Agreement shall be entitled to stay in the territory of the other Contracting Party for no more than fourteen (14) days from the date of entry, provided that such stay shall not be used for purposes other than of visiting. In case of casual obstacles, an extension of stay may be

requested in written form from the competent authorities of the later Contracting Party by the diplomatic or consular post of the former Contracting Party. Citizens of either Contracting Party intending to enter the territory of the other Party for a stay exceeding fourteen (14) days will require visas issued by the competent offices of that Contracting Party.

Article 3

This Agreement shall not exempt the above ordinary passport holders, during their stay in the other Contracting Party's territory, from their obligation to observe the laws, regulations and current customs in force in the territory of the host country.

Article 4

Citizens of either Contracting Party traveling with ordinary passports may enter, depart from and transit through the territory of the other Contracting Party through check points open for international passengers.

Article 5

1. The competent authorities of the Contracting Parties shall exchange, through diplomatic channels, specimens of their valid ordinary passports and travel documents within thirty (30) days before the date of entry into force of on which this Agreement.

2. The competent authorities of the Contracting Parties shall, through diplomatic channels, notify each other of any changes in specimens of their valid ordinary passports and travel documents and shall exchange the new specimens, at least thirty (30) days prior to its introduction.

Article 6

In the case of a citizen of one Contracting Party losing his/her passport in the territory of the other Contracting Party, he/she shall inform the diplomatic mission or consular post of his/her country and the relevant authorities of the host country about the loss of his/her passport. The diplomatic mission or the consular post concerned shall, in accordance with the laws and regulations of its country, issue a new passport or a travel document to him/her and inform the competent authorities of the host country on the issuance of the new passport or travel document and the cancellation of the lost passport or travel document.

Article 7

Either Contracting Party shall reserve the right to deny admission or shorten the authorized duration of stay for citizens of the other Contracting Party if the competent authorities believe that they are undesirable.

Article 8

1. Any dispute arising from the interpretation and implementation of this Agreement shall be amicably resolved through consultations through diplomatic channels.

2. This Agreement may be amended or supplemented by mutual consent in written form of the Contracting Parties.

3. Either of Contracting Parties may terminate the Agreement at anytime by giving the other Contracting Party notice in writing of its intention to terminate the Agreement through the diplomatic channels, and the Agreement will expire upon the lapse of a three (3) months period as one Contracting Party receives the relevant notice from the other.

Article 9

1. Either Contracting Party shall reserve the right to temporarily suspend the implementation of this Agreement either in full or in part for reasons of national security and defense, social orderliness and public health reasons.

2. Any temporary suspension or termination of such a temporary suspension shall be immediately notified to the other Contracting Party through diplomatic channels.

3. This Agreement shall enter into force thirty (30) days after the signing of this Agreement.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed the present Agreement.

DONE at New York on this 26th day of September 2013, in two originals each of which comprises (3) duplicates in Vietnamese, Myanmar and English languages; all texts being equally authentic. In case of divergence in the interpretation of this Agreement, the English text shall prevail.

FOR
THE GOVERNMENT OF THE
SOCIALIST REPUBLIC
OF VIET NAM



PHAM BINH MINH
MINISTER OF FOREIGN
AFFAIRS

FOR
THE GOVERNMENT OF THE
REPUBLIC OF THE UNION
OF MYANMAR



WUNNA MAUNG LWIN
UNION MINISTER FOR
FOREIGN AFFAIRS

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်အဖိုးရ^{နှင့်}
ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်အဖိုးရ

တို့အကြား

သာမဏ်နိုင်ငံကူးလက်မှတ်ကိုင်ဆောင်သူများအား ပီဘက်င်းလွတ်ခွင့်ပြုရေးဆိုင်ရာ
သဘောတူစာချုပ်

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်အဖိုးရ နှင့် ပြည်ထောင်စုသမ္မတ မြန်မာနိုင်ငံတော်အဖိုးရ (ဤမှနောင်တွင် စာချုပ်ဝင်နိုင်ငံဟု ရည်ညွှန်းမည်)တို့သည် နှစ်နိုင်ငံဆက်ဆံရေး၊ ချစ်ကြည်ရေးတို့မြင့်စေရေးနှင့် နှစ်နိုင်ငံ၏ နိုင်ငံသားများအား ခရီးသွားလာရေး လွယ်ကူ ချောမွေ့စေရန် ဆန္ဒရှိသည်ဖြစ်၍လည်းကောင်း၊ နှစ်နိုင်ငံ ပြည်သူများ အပြန်အလှန် ခရီးသွားရာတွင် လွယ်ကူစေရန် ဆန္ဒရှိသည်ဖြစ်၍လည်းကောင်း အောက်ပါ အတိုင်း သဘောတူညီ ကြသည်-

အပိုဒ်(၁)

စာချုပ်ဝင် တစ်ဖက်စီနိုင်ငံသားများ၏ သာမဏ်နိုင်ငံကူးလက်မှတ် အနည်းဆုံး သက်တမ်း (၆)လ ရှိသော နိုင်ငံကူးလက်မှတ်များဖြင့် ခရီးသွားရာတွင် တစ်ဖက်စာချုပ်ဝင် နိုင်ငံသို့ ဝင်ခွင့် (သို့မဟုတ်) ထွက်ခွင့်နှင့် နယ်မြေအတွင်း ဖြတ်သန်း သွားလာခွင့်တို့နှင့် ပတ်သက်၍ ပီဘက်င်းလွတ်ခွင့်ပြုမည်ဖြစ်ပါသည်။

အပိုဒ်(၂)

သဘောတူညီချက် စာချုပ်အပိုဒ်တစ်အရ ပီဘက်င်းလွတ်ခွင့်နှင့် နေထိုင်ခွင့်ကို စတင် ဝင်ရောက်သည့်နေ့မ (၁၄)ရက် ထက်မပိုသော ကာလအထိခွင့်ပြုကြောင်း၊ တစ်စုံ တစ်ခုသော အခက်အခဲကြောင့် နေထိုင်ခွင့်ကို တိုးမြှင့်လိုပါက တစ်ဖက်စာချုပ်ဝင်နိုင်ငံ၏ အခွင့်အာကာပိုင်များထံ လျှောက်ထားရမည်ဖြစ်ပါသည်။

အပိုဒ်(၃)

တစ်ဖက်နိုင်ငံသားတို့သည် စာချုပ်ဝင်တစ်ဖက်နိုင်ငံ၏အတွင်း နေထိုင်စဉ်ကာလ၌ ထိုနိုင်ငံ၏ ဥပဒေနှင့်စည်းမျဉ်းများကိုလိုက်နာရမည်ဖြစ်ပါသည်။

အပိုဒ်(၄)

စာချုပ်ဝင်တစ်ဖက်ဖက်၏ နိုင်ငံသားများသည် သာမဏ်နိုင်ငံကူးလက်မှတ်ဖြင့် ခရီးသွားရာရာတွင် တစ်ဖက်နိုင်ငံသို့ အပြည်ပြည်ဆိုင်ရာ (သို့မဟုတ်) ဒေသတွင်း နယ်ခြားဖြတ်ကျော်သည် နေရာများမှ သွားလာခွင့်ရှိရမည်ဖြစ်ပါသည်။

အပိုဒ်(၅)

စာချုပ်အားလက်မှတ်ရေးထိုးပြီး ရက်ပေါင်း(၃၀)အတွင်း သံတမန်လမ်းကြောင်းက တစ်ဆင့် အသုံးပြုလျက်ရှိသည့် သာမဏ်နိုင်ငံကူးလက်မှတ်နှင့် ခရီးသွားလာခွင့် အထောက် အထား စာရွက်စာတမ်းများအား အပြန်အလျှော်ပေးပို့ အကြောင်းကြားရပါမည်။ လက်ရှိ အသုံးပြုနေသော သာမဏ်နိုင်ငံကူးလက်မှတ်များအား ပြင်ဆင်ပြောင်းလဲခြင်း အသစ် ပြုလုပ်ခြင်းများ ပြုလုပ်ပါက ဤစာချုပ် အာကာအသက်မဝင်မီ ရက်ပေါင်း(၃၀) ကြိုတင် ၍ သံတမန် လမ်းကြောင်းကတစ်ဆင့် စာဖြင့်ရေးသား၏ အပြန်အလျှော် အကြောင်းကြား ရမည်။

အပိုဒ်(၆)

စာချုပ်ဝင်တစ်ဖက်စီ နိုင်ငံသားများသည် စာချုပ်ဝင်တစ်ဖက်နိုင်ငံ၌ ငှင့်တို့၏ သာမဏ် နိုင်ငံကူးလက်မှတ် ပျက်စီးခြင်း၊ ပျောက်ဆုံးခြင်းများဖြစ်ပါက မိမိနိုင်ငံ၏သံရုံးများ (သို့မဟုတ်) ကောင်စစ်ဝန်ချုပ်ရုံးများမှ တစ်ဆင့် သက်ဆိုင်ရာတစ်ဖက်နိုင်ငံ၏ အာကာပိုင် များထံသို့ ချက်ခြင်းအကြောင်းကြားရမည်။ အဆိုပါပုဂ္ဂိုလ်အား မိမိနိုင်ငံသို့ ပြန်လည် ထွက်ခွာနိုင်ရေးအတွက် ယင်းနိုင်ငံသံရုံး (သို့မဟုတ်) ကောင်စစ်ဝန်ချုပ် ရုံးများမှ နိုင်ငံကူးလက်မှတ်အသစ် (သို့မဟုတ်) ခရီးသွားလာခွင့်ထောက်ခံစာ ထုတ်ပေးရမည်ဖြစ်ပါး တစ်ဖက်နိုင်ငံသို့ ပျက်စီး၊ ပျောက်ဆုံးသွားသည့် နိုင်ငံကူးလက်မှတ်နှင့် ခရီးသွားလာခွင့် အထောက်အထား စာရွက်စာတမ်းများအား ပယ်ဖျက်ပေးရန်နှင့် အသစ်ထုတ် ပေးခဲ့ခြင်း အား အကြောင်းကြား ရပါမည်။

အပိုဒ်(၇)

စာချုပ်ဝင် တစ်ဖက်ဖက်သည် သင့်လျော်သည်ဟုတင်မြင်လျှင် တစ်ဖက်စာချုပ်ဝင် နိုင်ငံသား၏ပြည့်ဝင်ခွင့် ငြင်းပယ်ခြင်း(သို့မဟုတ်) နေထိုင်ခွင့်ကာလကို လျှော့ချုခြင်းပြုနိုင် မည်ဖြစ်ပါသည်။

အပိုဒ်(၈)

၁။ ဤစာချုပ်အား အဓိပါယ်ဖွင့်ဆိုခြင်း (သို့မဟုတ်) အကောင်အထည်ဖော်ဆောင်ခြင်း တို့က တစ်ဆင့်ပေါ်ပေါက်လာသည့် မည်သည့် အငြင်းပွားမှုကိုမဆို စာချုပ်ဝင်နိုင်ငံများ အကြား ချစ်ကြည်ရင်းနှီးစွာဖြင့် ညီနှင့်တိုင်ပင်ခြင်း(သို့မဟုတ်)စွဲစပ်ဆွေးနွေးခြင်းဖြင့် ဖြေရှင်းရမည်။

၂။ ဤစာချုပ်အား ပြန်လည်ပြင်ဆင်ရန် လိုအပ်သည်ဟု ယူဆပါက စာချုပ်ဝင်နိုင်ငံ အသီးသီး၏ နှစ်ဦးနှစ်ဖက် သဘောတူသိမှုဖြင့် သံတမန်လမ်းကြောင်းက တစ်ဆင့် အကြောင်းကြားရမည်။

၃။ စာချုပ်ဝင်တစ်ဖက်မှ အခြားတစ်ဖက်အား သံတမန်လမ်းကြောင်းမှ စာရေးသား အကြောင်းကြားခြင်းဖြင့် စာချုပ်ကို ရပ်ဆိုင်နိုင်ပြီး ယင်းသို့ အကြောင်းကြားသည့် အချိန်မှ (၃)လ အတွင်း စာချုပ်သည် ရပ်ဆိုင်းကာ အကျိုးသက် ရောက်မှုရှိမည်ဖြစ်ပါသည်။

အပိုဒ်(၉)

၁။ စာချုပ်ဝင်နိုင်ငံအသီးသီးသည် မိမိနိုင်ငံ၏ အမျိုးသားလုံးခြုံရေး၊ ကာကွယ်ရေး၊ လူမှု ဘဝအဆင်ပြေစေရေးနှင့် ပြည်သူ့ကျန်းမာရေးဆိုင်ရာ အကြောင်းအချက်များအပေါ် အခြေပြု၍ ဤစာချုပ် (သို့မဟုတ်) စာချုပ်၏ တစ်စီတ်တစ်ပိုင်းအား အကောင်အထည်ဖော်ခြင်းမှ ခေတ္တရပ်ဆိုင်းလုံးပါက ရပ်ဆိုင်းနှင့်သည်။

၂။ ခေတ္တရပ်ဆိုင်းခြင်း(သို့မဟုတ်) ရပ်ဆိုင်းခြင်းအတွက်ကြိုတင်၍ စာချုပ်ဝင်နိုင်ငံ၏ သံတမန်လမ်းကြောင်းကတစ်ဆင့် ချက်ခြင်းအကြောင်းကြားရမည်။

၃။ ဤစာချုပ်သည် သက်ဆိုင်ရာ နှစ်နိုင်ငံအစိုးရမှ အာဏာအပ်နှင်းထားသည့် ပုဂ္ဂိုလ်(၂၂)ခြိုး လက်မှတ်ရေးထိုးသည် နေ့ရက်မှစတင်၍ ရက်ပေါင်း(၃၀)အကြောတွင် စတင် အကျိုးသက်ရောက်မှု ရှိစေရမည်။

၂၀၁၃ခုနှစ်၊ စက်တင်ဘာလ ၂၆ ရက်နေ့တွင် အမေရိကန်နိုင်ငံ၊ နယ်းယောက်မြို့၏ မီယက်နမ်၊ မြန်မာ နှင့် အင်လိပ်ဘာသာ အသီးသီး တို့ဖြင့် မူးရင်းသုံးစုစိဖြင့် ပြုလုပ်ကြပြီး ယင်းစာများလုံးသည် ညီတညို့မျှ အစစ်အမှန်ဖြစ်သည်။ အကယ်၍ အနက်အဓိပါယ် ဖွင့်ဆိုခြင်းတွင် ကွဲလွှာမှုရှိပါက အင်လိပ်စာများကသာ အတည် ဖြစ်စေရမည်။

သက်ဆိုင်ရာမိမိတို့နိုင်ငံ အစိုးရများမှ နည်းလမ်းတကျ အခွင့်အာဏာ အပ်နှင်းခြင်း ခံရသော အောက်ပါပုဂ္ဂိုလ်များသည် အသီးသက်သေများ ရွှေ့မှောက်တွင် ဤသဘောတူ စာချုပ်ကို လက်မှတ်ရေးထိုးကြသည်။

မီယက်နမ်ဆိုရှယ်လစ်သမ္မတနိုင်ငံ
အစိုးရအတွက်

(ဖန်ဘင်းမင်း)
ဝန်ကြီး
နိုင်ငံခြားရေးဝန်ကြီးဌာန

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်
အစိုးရအတွက်

(ဝန္တမောင်လွင်)
ပြည်ထောင်စုဝန်ကြီး
နိုင်ငံခြားရေးဝန်ကြီးဌာန

