

**AGREEMENT  
BETWEEN  
THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIET NAM  
AND  
THE GOVERNMENT OF THE REPUBLIC OF FINLAND  
ON  
THE PERFORMANCE OF GAINFUL OCCUPATION  
BY DEPENDENTS OF MEMBERS OF DIPLOMATIC MISSIONS,  
CONSULAR POSTS OR PERMANENT MISSIONS TO  
AN INTERNATIONAL ORGANIZATION**

The Socialist Republic of Viet Nam, represented by its Government, and the Republic of Finland, represented by its Government, hereinafter referred to as "the Parties";

With the aim of improving the living conditions of the members of each other's diplomatic missions, consular posts and members of permanent missions to an international organization through granting access to the national labour markets for the dependents of these members, on the basis of reciprocity;

Have agreed as follows:

**ARTICLE 1  
Definitions**

For the purposes of this Agreement

i) "Member of the Mission" means a person from the sending State who is not a national of or a permanent resident in the receiving State and is assigned to an official duty as a member of a diplomatic mission or a consular post or a permanent mission to an international organization (hereinafter referred to as "the Mission") in the receiving State.

ii) "Dependents" means

spouses, in accordance with the legislation of both Parties;  
unmarried dependent children under 18 years of age.

## ARTICLE 2

### **Authorization to engage in gainful occupation**

Dependents forming part of the household of a Member of the Mission shall be authorized to engage in gainful occupation in the receiving State in accordance with the national legislation of the receiving State and this Agreement on the basis of reciprocity.

This Agreement does not imply recognition of diplomas and degrees or studies between the two States.

Dependents who are authorized to undertake gainful occupation in accordance with this Article shall be subject to the relevant internal regulations of the receiving State for obtaining a work permit.

## ARTICLE 3

### **Procedures**

Before a Dependent may engage in gainful occupation in the receiving State, the Mission concerned of the sending State shall make an official notification to that effect in writing to the Protocol Department of the Ministry of Foreign Affairs of the receiving State. The notification will include information proving that the person in question is a Dependent and set out a brief description of the nature of the occupation that the Dependent seeks authorization to engage in. After receiving the notification and upon verification of the absence of legal impediments, the Ministry of Foreign Affairs shall promptly and officially inform in writing the Mission concerned of the sending State if the Dependent is authorized to undertake such gainful occupation, subject to the applicable regulations of the receiving State.

## ARTICLE 4

### **Termination of the authorization**

An authorization for a Dependent to engage in gainful occupation under this Agreement shall terminate when:

1. the beneficiary of such authorization ceases to have the status of a Dependent within the definition of this Agreement;

2. the assignment of the Member of the Mission, whose Dependent engages in gainful occupation on the basis of such authorization, is terminated;
3. the beneficiary of such authorization ceases to reside in the receiving State; or
4. either of the Parties to this Agreement terminates the Agreement.

Gainful occupation engaged in in accordance with this Agreement shall not entitle the Dependent to continue to reside in the receiving State, nor shall it entitle the said Dependent to remain in such gainful occupation or to enter into other gainful occupation in the receiving State after the authorization has terminated.

## ARTICLE 5

### **Privileges and immunities from civil and administrative jurisdiction**

In accordance with the Vienna Convention on Diplomatic Relations of 1961, the Vienna Convention on Consular Relations of 1963 or any other applicable international instrument, immunity from civil and administrative jurisdiction or the execution of a possible judgment shall not apply in respect of any act carried out in the course of gainful occupation under this Agreement and falling within the civil or administrative law of the receiving State.

## ARTICLE 6

### **Privileges and immunities from criminal jurisdiction**

In the case of a Dependent who enjoys immunity from criminal jurisdiction of the receiving State in accordance with the Vienna Convention on Diplomatic Relations of 1961, the Vienna Convention on Consular Relations of 1963 or any other applicable international instrument, the provisions establishing such immunity shall be applied with respect to any action or omission originated in the performance of the gainful occupation by the Dependent. However, the sending State shall carefully consider any request submitted by the receiving State to waive the immunity from criminal jurisdiction. In the event that immunity is not waived and the matter is a serious one in the view of the receiving State, the receiving State may request the withdrawal of the Dependent from its territory.

Such a waiver of immunity from criminal jurisdiction shall not be construed as extending to immunity from the execution of sentences, for which a separate waiver will be required. The sending State shall give serious consideration to any request to that effect by the receiving State.

## ARTICLE 7

### Fiscal and social security regimes

A Dependent who undertakes gainful occupation in the receiving State shall be subject to the fiscal and social security regimes of the receiving State for matters connected with the gainful occupation, unless otherwise regulated by any other applicable international instrument.

## ARTICLE 8

### Dispute settlement

Any disputes between the Parties concerning the interpretation or application of this Agreement shall be settled through diplomatic channels.

## ARTICLE 9

### Duration and termination of the Agreement

1. This Agreement shall enter into force 30 (thirty) days after the date of receipt, through diplomatic channels, of the later notification in which the Parties notify each other about the completion of their internal legal procedures required for the entry into force of this Agreement.

2. Amendments to this Agreement may be made by mutual consent of the Parties by exchange of notes. The amendment will enter into force in conformity with the procedure established in paragraph 1 of this Article.

3. This Agreement shall remain in force for an indefinite period. Either Party may terminate this Agreement at any time by notifying the other in writing through diplomatic channels. In that event, this Agreement shall cease to have effect six (6) months from the date of receipt of such a notification.

DONE at Ha Noi, on 20 November 2015 in duplicate, each in the Vietnamese, Finnish and English languages, all texts being equally authentic. In case of divergence in interpretation of this Agreement, the English text shall prevail.

FOR THE GOVERNMENT OF  
THE SOCIALIST REPUBLIC  
OF VIETNAM



VU HONG NAM  
Vice Minister of Foreign Affairs

FOR THE GOVERNMENT OF  
THE REPUBLIC OF FINLAND



PIRKKO HAMALAINEN  
Vice Minister of Foreign Affairs