

THE ATTACHED DOCUMENT

I. COOPERATION BETWEEN JICA AND THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM

1. The Government of the Socialist Republic of Vietnam will implement the Project in cooperation with JICA.
2. The Project will be implemented in accordance with the Master Plan which is given in Annex I.

II. MEASURES TO BE TAKEN BY JICA

In accordance with the laws and regulations in force in Japan and the provisions of Article III of the Agreement, JICA, as the executing agency for technical cooperation by the Government of Japan, will take, at its own expense, the following measures according to the normal procedures of its technical cooperation scheme.

1. DISPATCH OF JAPANESE EXPERTS

JICA will provide the services of the Japanese experts as listed in Annex II. The provision of Article VI of the Agreement will be applied to the above-mentioned experts.

2. PROVISION OF MACHINERY AND EQUIPMENT

JICA will provide such machinery, equipment and other materials (hereinafter referred to as "the Equipment") necessary for the implementation of the Project as listed in Annex III. The provision of Article VIII of the Agreement will be applied to the Equipment.

3. TRAINING OF VIETNAMESE PERSONNEL IN JAPAN

JICA will receive the Vietnamese personnel connected with the Project for technical training in Japan.

III. MEASURES TO BE TAKEN BY THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM

1. The Government of the Socialist republic of Vietnam will take necessary measures to ensure that the self-reliant operation of the Project will be sustained during and after the period of Japanese technical cooperation, through full and active involvement in the Project by all



related authorities, beneficiary groups and institutions.

2. The Government of the Socialist Republic of Vietnam will ensure that the technologies and knowledge acquired by the Vietnamese nationals as a result of the Japanese technical cooperation will contribute to the economic and social development of the Socialist Republic of Vietnam.
3. In accordance with the provisions of Article VI of the Agreement, the Government of the Socialist Republic of Vietnam will grant, in the Socialist Republic of Vietnam, privileges, exemptions and benefits to the Japanese experts referred to in II-1 above and their families.
4. In accordance with the provisions of Article VIII of the Agreement, the Government of the Socialist Republic of Vietnam will take the measures necessary to receive and use the Equipment provided by JICA under II-2 above and equipment, machinery and materials carried in by the Japanese experts referred to in II-1 above.
5. The Government of the Socialist Republic of Vietnam will take necessary measures to ensure that the knowledge and experience acquired by the Vietnamese personnel from technical training in Japan will be utilized effectively in the implementation of the Project.
6. In accordance with the provision of Article V-(b) of the Agreement, the Government of the Socialist Republic of Vietnam will provide the services of Vietnamese counterpart personnel and administrative personnel as listed in Annex IV.
7. In accordance with the provision of Article V-(a) of the Agreement, the Government of the Socialist Republic of Vietnam will provide the buildings and facilities as listed in Annex V.
8. In accordance with the laws and regulations in force in the Socialist Republic of Vietnam, the Government of the Socialist Republic of Vietnam will take necessary measures to supply or replace at its own expense machinery, equipment, instruments, vehicles, tools, spare parts and any other materials necessary for the implementation of the Project other than the Equipment provided by JICA under II-2 above.
9. In accordance with the laws and regulations in force in the Socialist Republic of Vietnam, the Government of the Socialist Republic of Vietnam will take necessary measures to meet the running expenses necessary for the implementation of the Project.

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IV. ADMINISTRATION OF THE PROJECT

1. Director General, as the Project Director, will bear overall responsibility for the administration and implementation of the Project.
2. Director of XXX Division, as the Project Manager, will be responsible for the managerial and technical matters of the Project.
3. The Japanese expert will provide necessary recommendations and advice to the Project Director and the Project Manager on any matters pertaining to the implementation of the Project.
4. The Japanese experts will give necessary technical guidance and advice to Vietnamese counterpart personnel on technical matters pertaining to the implementation of the Project.
5. For the effective and successful implementation of technical cooperation for the Project, a Joint Coordinating Committee will be established whose functions and composition are described in Annex VI.

V. JOINT EVALUATION

Evaluation of the Project will be conducted jointly by JICA and the Vietnamese authorities concerned during the last six months of the cooperation term in order to examine the level of achievement.

VI. CLAIMS AGAINST JAPANESE EXPERTS

In accordance with the provision of Article VII of the Agreement, the Government of the Socialist Republic of Vietnam undertakes to bear claims, if any arises, against the Japanese experts engaged in technical cooperation for the Project resulting from, occurring in the course of, or otherwise connected with the discharge of their official functions in the Socialist Republic of Vietnam except when the relevant authorities of the two Governments agree that such claims arise from the willful misconduct or gross negligence of the Japanese experts.



VII. MUTUAL CONSULTATION

There will be mutual consultation between JICA and the Government of the Socialist Republic of Vietnam on any major issues arising from, or in connection with this Attached Document.

VIII. MEASURES TO PROMOTE UNDERSTANDING OF AND SUPPORT FOR THE PROJECT

For the purpose of promoting support for the Project among the people of the Socialist Republic of Vietnam, the Government of the Socialist Republic of Vietnam will take appropriate measures to make the Project widely known to the people of the Socialist Republic of Vietnam.

IX. TERM OF COOPERATION

The technical cooperation for the Project under this Attached Document will commence at the arrival of the Japanese expert and will end at the end of June 2010.

- ANNEX I MASTER PLAN
- ANNEX II LIST OF JAPANESE EXPERTS
- ANNEX III LIST OF MACHINERY AND EQUIPMENT
- ANNEX IV LIST OF VIETNAMESE COUNTERPART AND ADMINISTRATIVE PERSONNEL
- ANNEX V LIST OF BUILDINGS AND FACILITIES
- ANNEX VI JOINT COORDINATING COMMITTEE



ANNEX I:

MASTER PLAN

Overall Goal:

Fair competition is promoted in the Vietnam market.

Project Purpose:

The framework of VCAD is established for effective enforcement of the Competition Law and policy.

Outputs:

- 1 The function of investigation of VCAD is enhanced.
- 2 The knowledge regarding the Competition Law and policy is promoted and disseminated among governments, enterprises, consumers and academics.

Activities:

- 1-1 Analyze the present situation of investigation activities and identify the issues to take up in the activities.
- 1-2 Upgrade the investigation skill through investigation activities with advice.
- 1-3 Make necessary guidelines, manuals for investigators.
- 1-4 Improve the skills to define the relevant market.
- 1-5 Implement the market survey in the targeted market to find out the issues in competition.
- 1-6 Based on the above activities 1-1 through 1-5, prepare and implement the training program for the training center for investigators.
- 1-7 Build the capacity of CCID from the viewpoint of investigation through the established working group and conduct activities in accordance with necessity and availability.
- 1-8 Develop the draft concept for the establishment of the Training Center.
- 2-1 Organize working group(s) in charge of advocacy activities.
- 2-2 Review and discuss methods of effective advocacy.
- 2-3 Conduct advocacy activities based on the activity 2-2(e.g. seminars, workshops, leaflets, etc).

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ANNEX II:

LIST OF JAPANESE EXPERTS

1. Expert
2. Short term experts when necessity arises

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ANNEX III:

LIST OF MACHINERY AND EQUIPMENT

1. Equipment necessary for the implementation of the Project, if any.

Notes:

The contents, specifications and quantity of the above mentioned equipment will be decided through mutual consultation within the allocated budget during the project period.

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ANNEX IV:

LIST OF VIETNAMESE COUNTERPART AND ADMINISTRATIVE PERSONNEL

1. Counterpart Personnel

(1) Project Director

(2) Project Manager

(3) Technical Counterparts

2. Administrative Personnel

(1) Administrative Assistant

(2) Supporting Staff

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ANNEX V:

LIST OF BUILDINGS AND FACILITIES

1. Office spaces and facilities necessary for the Japanese experts

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ANNEX VI:

JOINT COORDINATING COMMITTEE

1. Functions:

The Joint Coordinating Committee (JCC) will be established and convened at least once a year and whenever necessity arises in order to fulfill the following functions:

- (1) advise on the relevance of an annual work plan of the Project based on the Plan of Operations within the framework of the R/D.
- (2) participate in the monitoring and evaluation exercises on the progress of the Project and provide advice on the results of the annual work plan, and
- (3) discuss and advise on major issues that arise during the implementation period of the Project.

2. Compositions

The Joint Coordinating Committee shall be composed of:

1. Chairperson:

2. Members:

1. Vietnamese side:

- (1) Project Director
- (2) Project Manager
- (3) Representative (s) of Ministry of XXX
- (4) Other personnel concerned with the Project decided by the Vietnamese side, if necessary

2. Japanese side

- (1) Project Expert(s)
- (2) Representative (s) of JICA Vietnam Office
- (3) Official (s) of Embassy of Japan, if necessary
- (4) Other personnel concerned to be decided and/or dispatched by JICA, if necessary



Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Important Assumptions
<p>Overall Goal Fair competition is promoted in the Vietnam market.</p>	<ul style="list-style-type: none"> - Number of sanction (number of enterprise, total amount of fines) - Number of new entry of domestic and foreign enterprises - The level of awareness in the society 		
<p>Project Purpose The framework of VCAD is established for effective enforcement of Competition Law and policy.</p>	<ul style="list-style-type: none"> - Number of lodgement of complaints and detection - Number of investigation - Number of consultation - The trend of budget and number of staff in VCAD 	VCAD internal references	<ul style="list-style-type: none"> - The public supports the activities of Competition Law and policy. - The independence of VCAD and VCC are maintained.
<p>Outputs 1 The function of investigation of VCAD is enhanced. 2 The knowledge regarding Competition Law and policy is promoted and disseminated among governments, enterprises, consumers and academics.</p>	<ul style="list-style-type: none"> - Number of investigation conducted in accordance with manuals and/or advice - Number of guidelines and manuals made/revised - Number of market surveys - Training programs designed - Questionnaires - Manuals for trainers - Number of training courses (number of participants and training days) - Advocacy activities conducted 	VCAD internal references	<ul style="list-style-type: none"> - Sufficient budget is allocated for VCAD to enforce the Competition Law. - The independence of VCAD and VCC are maintained. - The trained counterparts do not leave the office.
<p>Activities 1-1 Analyze the present situation of investigation activities and identify the issues to take up in the activities. 1-2 Upgrade the investigation skill through investigation activities with advice. 1-3 Make necessary guidelines, manuals for investigators. 1-4 Improve the skills to define the relevant market. 1-5 Implement the market survey in the targeted market to find out the issues in competition. 1-6 Based on the above activities 1-1 through 1-5, prepare and implement the training program for the training center for investigators. 1-7 Build the capacity of CCID from the viewpoint of investigation through the established working group and conduct activities in accordance with necessity and availability. 1-8 Develop the draft concept for the establishment of the Training Center. 2-1 Organize working group(s) in charge of advocacy activities. 2-2 Review and discuss methods of effective advocacy. 2-3 Conduct advocacy activities based on the activity 2-2 (e.g. seminars, workshops, leaflets, etc).</p>	<p>Input <u>Vietnamese side</u></p> <ul style="list-style-type: none"> - Allocation of counterpart: - Project Director - Project Manager - Technical Counterpart - Office space for Japanese expert(s) - Travel fee for VCAD staff and other necessary expense <p><u>Japanese side</u></p> <ul style="list-style-type: none"> - Expert(s): - Long-term: Capacity building for the enforcement of the Competition Law - Short-term: when necessity arises - Equipment: as required - Training in Japan: about 2 times - Project expense: necessary costs to implement the project 		<p>Preconditions</p> <ul style="list-style-type: none"> - The direction of competition policy does not change. - The organization of VCAD is not reformed/rearranged that may affect the project activities.

Tentative Plan of Operation

Activities of the Project/Time Line	1st. year												2nd. year												
	2008						2009						2010												
	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9
1-1 Analyze the present situation of investigation activities and identify the issues to take up in the activities.																									
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