



# Compliance Risks Arising from Specialized Management of Goods for Imports and Exports in Rules-Based Trade System: A Case Study of Vietnam

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## Abstract

*As non-tariff barriers, specialized management on goods for imports and exports is taking much time and costs for Vietnamese business firms to comply with all the regulations and legal requirements, from frequently updating laws, technical regulations, legal documents and carrying out administrative procedures. This study aims to describe and investigate the current phenomenon of specialized management on goods as the compliance risks of the Vietnamese exporters and importers in customs clearance through in-depth interviews with customs and trade experts, directors of business associations and business firms in Vietnam. The study generalizes the actual attitude, reviews and proposals from expert opinions to tackle with compliance risks, also deliver some suggestions for the better performance to Vietnamese exporters and importers.*

**Keywords:** Compliance risks, Customs, Exports, Imports, Specialized management, Vietnam.

## Introduction

The moving flows of goods must comply to several standards, *e.g.*, food safety and sustainability, transportation safety and security standards, and so on, as defined by national and international laws (Meemken *et al.*, 2021). When the goods are moved cross-border, then import/export regulations apply, consisting of compliance to tax and duties payments and different restrictions depending on the type and quantities of goods transported, pharmaceuticals, animals, plants, tobacco, alcohol, narcotic pre-cursors and weapons, *etc.* (Jafari Sadeghi *et al.*, 2017, Meemken *et al.*, 2021).

Compliance with regulatory frameworks is a known source of risks for companies. Lack of compliance can lead to declaration rejects, banning decisions of border agencies and customs authorities, administrative penalties, monetary loss, cargo seizures, and an overall halt or operational delay. Specialized management in terms of technical barriers to trade includes technical regulations<sup>1</sup>, standards, and conformity assessment procedures aiming to protect human health and safety or protection of the environment in a member country. Regarding trade facilitation, specialized management is known as non-tariff barriers hindering trade goods' movement across national borders. In the Trade Facilitation Agreement (TFA), the World Trade Organization (WTO) encourages its member countries to harmonize, standardize and simplify all trade-related policies, paperwork and inspection procedures as well as to foster border agency cooperation. In order to fulfil the TFA's commitments, the Vietnamese government has implemented many progressive changes that make specialized management more efficient and effective. However, an abundance of paperwork, drawbacks, and bottlenecks of specialized management (SM) for exported and imported goods in Vietnam has resulted in a lot of difficulties, time-consuming and high costs for the Vietnamese traders to fulfil customs clearance (Phan Thi Thu Hien *et al.*, 2022). In terms of compliance risk management, Vietnamese business firms are facing a lot of limits and obstacles from strategic to operational levels, such as risk identifying, analyzing, scoring, reviewing and consulting as well as measures to mitigate risks autonomously.

In other words, a wide range of compliance risks are coming from the specialized management on goods for imports and exports in Vietnam, especially in the context of the vulnerable global trade system with some unprecedented events.

For these reasons, the purpose of this paper is threefold: (1) identifying compliance risks and factors contributing to specialized management on goods for imports and exports in Viet Nam; (2) examining the perspectives and practices to tackle compliance risks of Vietnamese business firms as the customs declarants in doing customs clearance by conducting a survey; and (3) delivering solutions and measures to mitigate compliance risks for the Vietnamese exporters and importers.

It is noteworthy that, in this study, the author applies a qualitative research method synthesizing and generalizing the answers to describe the factual situation of specialized management on goods for exports and imports, as major contributing factors of increasing compliance risks for Vietnamese business firms in customs clearance.

The study is structured into three sections. The first section introduces the WTO provisions and current status of Vietnam's specialized management on goods for imports and exports. The following section discusses results of a survey on compliance risks arising from specialized management in exports and imports. The last section concludes the paper and provides main implications for Vietnam in the future.

## **1. Legal and practical issues of specialized management**

### ***1.1. WTO provisions on specialized management***

In this study, specialized management is understood as a comprehensive package of government trade-related activities to protect human, animal, or plant life or health. This is nationally derived from two specific WTO agreements dealing with food safety and animal and plant health and safety, and with product standards, which are the Technical Barriers to Trade Agreement (TBT) and Agreement of the Application of Sanitary and Phytosanitary Measures (SPS). These agreements mainly shed the light and provide core principles for negotiation and conclusion of TBT and SPS in almost FTAs in global trade systems, including mega FTAs of Vietnam like Comprehensive and Progressive Agreement on Trans-Pacific Partnership (CPTPP), UK-Vietnam Free Trade Agreement (UKVFTA), EU-Vietnam Free Trade Agreement (EVFTA). Specialized management includes sanitary and phytosanitary regulations and measures, aiming to the protection of human health and safety, or protection of the environment in a member country. In details, sanitary or phytosanitary legislation includes all relevant laws, decrees, regulations, requirements and procedures including, inter alia, end product criteria; processes and production methods; testing, inspection, certification and approval procedures; quarantine treatments including relevant requirements associated with the transport of animals or plants, or with the materials necessary for their survival during transport; provisions on relevant statistical methods, sampling procedures and methods of risk assessment; and packaging and labelling requirements directly related to food safety.

Under the umbrella of WTO's TBT and SPS agreements, all the FTAs state commitments to facilitate and increase global trade in goods by preventing, identifying and eliminating unnecessary obstacles to comply with TBT and SPS requirements. For example, regulations on conformity procedures in many Vietnam's FTAs are required that "*when an importing Party requires positive assurance of conformity with its applicable technical regulations or standards, its conformity assessment procedures shall neither be stricter nor applied more strictly than necessary to give that Party adequate confidence that products conform with its applicable technical regulations or standards, taking account of the risks non-conformity would create*".

Together with the TBT and SPS Agreements, WTO and many international organizations have provided the Members with various measures and initiatives to make specialized management effective and efficient. Significantly, that is: (1) Coordinated Border Management (CBM) refers to a coordinated approach by border control agencies, both domestic and international, in the context of seeking greater efficiencies in managing trade and travel flows while maintaining a balance with compliance requirements; (2) Single Window that is a facility that allows parties involved in trade and transport to lodge standardized information and documents with a single-entry point to fulfil all import, export, and transit-related regulatory requirements. If information is electronic, individual data elements should only be submitted once (WCO, 2007).

In the Trade Facilitation Agreement, WTO encourages the Members to facilitate global trade by strongly reducing time and costs to conduct specialized management and inspections. In detail, Article 1 of Publication and Availability of Information covers member countries' obligations on publication. Information members must make available through the Internet, enquiry points that members must establish, and the requirements on notifications to the Committee on Trade Facilitation. Article 8 of Border Agency Cooperation states the requirements for member states to ensure its authorities and agencies cooperate and coordinate with one another, including alignment of workings days and procedures, sharing of common facilities, and the establishment of one-stop border post control; and Article 10 of Formalities Connected with Importation, Exportation, and Transit that sets formalities and the documentation requirements seeking to minimize the incidence and complexity of imports, exports, and transits; covers formalities, acceptable copies, use of international standards, single window, pre-shipment inspection, use of customs brokers, common border procedures and uniform documentation requirements, rejected goods, and temporary admission of goods and inward and outward processing.

## ***1.2. Current status of Vietnam's specialized management on goods for imports and exports***

### ***1.2.1. Regulations on the specialized management***

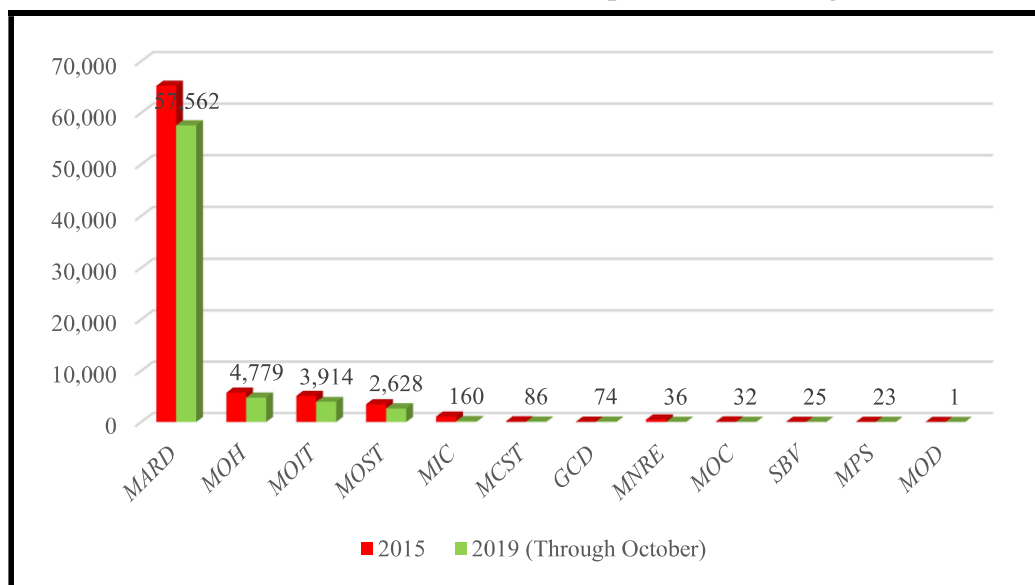
In Vietnam, specialized management is regulated in the legal trade documents, substantially Vietnam Commerce Law 2005, Law of Foreign Trade Management 2017, Vietnam Customs Law 2014. Conducting international trade transactions like exports and imports, Vietnamese businesses must comply with all the legislation requirements in Vietnam as well as in the international markets including the specialized management as indicated in the Article 35 of Vietnam Customs Law 2014 "Within their customs operating locations, customs authorities shall inspect goods and vehicles. If it is required to carry out a specialized inspection related to quality, health, culture, animal and plant quarantine or food safety for goods and vehicles, customs authorities shall base themselves on the inspection results of specialized inspection agencies to decide on customs clearance. Goods

subject to specialized inspection shall be stored at border checkpoints until they are cleared from customs formalities”. To provide a consistent explanation about specialized management in alignment to global trade system, Vietnam Government officially states about this activity in Decree No.59/2018 ND-CP that “Specialized inspection refers to the process where the specialized inspection authority depends on animal quarantine and plant quarantine regulations, national standards, national technical regulation on quality of goods which the regulatory agency promulgates, or international standards or regulations of the relevant laws to examine and verify whether the goods fully satisfy the export or import requirements according to the relevant laws. Exported or imported goods which are subject to specialized inspection by media regulation authorities carried out by the law on media regulation”. This is supported by Decree 85/2019 ND-CP in which The Government promulgates a Decree prescribing handling of administrative procedures via National Single Window and ASEAN Single Window and specialized inspection for exports and imports. This describes that “Vietnam National Single Window is the integrated information system for handling of customs procedures and other administrative procedures related to exports, imports and in-transit goods; and outbound, inbound and in-transit vehicles” and “handle administrative procedures via the National Single Window refers to the process where the declarant submits e-documents and information to carry out customs procedures and other administrative procedures related to exports, imports and in-transit goods and outbound, inbound and in-transit vehicles via the VNSW. It also refers to the process where administrative procedures handling authorities decide to permit export, import and transit of goods and exit, entry and transit of vehicles via the VNSW; and customs authorities decide to grant customs clearance and announce handling results via the VNSW”.

In summary, specialized management on goods for imports and exports in Vietnam refers to two main bodies: (1) Administration of governmental ministries and agencies; and (2) Administrative procedures and specialized inspections for exports and imports in compliance with Vietnam’s Foreign Trade Law 2017 and other international commitments in the global trade system.

#### *1.2.2. Compliance risks arising from the specialized management in doing customs clearance for imports and exports in Vietnam*

One of the biggest challenges of Vietnamese exporters and importers in trade compliance are technical requirements and specialized inspections under specialized management of the line ministries, agencies and customs force. In Vietnam, the agencies/line ministries with the largest number of specialized inspections include the Ministry of Agriculture and Rural Development (MARD), Ministry of Health (MOH), Ministry of Industry and Trade (MOIT), and the Ministry of Science and Technology (MOST), as noted in the Figure 1.

**Figure 1: Number of criteria and measures for specialized management in 2015-2019**

Source: Bui. T.Q. *et al.* (2022)

Before 2105, an abundance of paperwork, drawbacks and bottlenecks of specialized management for exported and imported goods in Vietnam resulted in many difficulties, time-consuming and high costs for the traders to fulfil customs clearance. The most burdensome and concerns were: (1) A wide and long list of import and export goods under specialized management and inspections; nearly 82,698 commodities belonged to the list and the rates of specialized inspections for imports and export were 25,93% and 4,22% respectively; (2) It took nearly 21 days to do customs clearance for imports, in which specialized inspections accounted for about 72% total time (around 15 days); (2) 100% shipments of listing goods were physically inspected before customs decision of clearance; and (3) One shipment was simultaneously inspected by different agencies and authorities (Bui. T. Q. *et al.*, 2022).

Thanks to Vietnam's WTO joining and international integration as well as numerous FTA commitments, the picture of specialized management for imports and exports has brightened with many positive changes and improvements (Table 1). Significantly, (1) HS codes of imported/exported goods under specialized management are added to legal documents and administrative procedures. This helps reduce time and costs for doing customs clearance not only for declarants but also customs officers; and (2) Aiming to facilitate cross-border trade, the General Department of Vietnam Customs (GDVC) frequently works with line ministries/agencies to review the system of laws, regulations and legal documents of specialized management and inspections to amend, standardize and implement international commitments of Vietnam.

**Table 1: Specialized management measures in customs clearance for imports and exports in Vietnam**

Year	Legal documents	Criteria	Declarations	Percentage of yellow channel in total declarations (%)	Yellow Channel under specialized management (%)
2020	130	987,674	14,166	42.49	16.50
2021	127	1,206,371	13,937	29.06	14.40
To May, 2022	125	91,029	5,247	29.58	13.70

*Source:* General Department of Vietnam Customs (2021).

In principle, most of the imports/exports goods governed by the specialized management in Vietnam shall be targeted to yellow channels in customs clearance. That is a main reason why the number of declarations in the yellow line of Vietnam is still high in contrast to big efforts of trade facilitation of GDVC and other border agencies as shown in Table 2.

**Table 2: Channeling customs declarations from 2017 to 2022**

Year	Number of declarations	Green Channel		Yellow Channel		Red Channel	
		Amount	Rate (%)	Amount	Rate (%)	Amount	Rate (%)
2017	10,918,667	6,295,894	57.66	4,057,761	37.16	565,012	5.17
2018	12,059,755	7,092,637	58.81	4,353,719	36.10	613,399	5.09
2019	13,133,317	7,281,041	55.44	5,157,807	39.27	694,469	5.29
2020	14,166,536	7,451,836	52.60	6,018,676	42.49	696,024	4.91
2021	12,937,027	9,335,744	66.98	4,049,551	29.06	551,732	3.96
1/1/2022 to 15/5/2022	5,247,944	3,494,045	66.60	1,552,112	29.58	200,939	3.83

*Source:* General Department of Vietnam Customs.

It is noteworthy that the lack of standard physical inspection processes leads to a long time for goods waiting at the border gates, increasing bureaucratic phenomenon and commercial fraud. In facts, specialized inspection for imported and exported goods are mainly executed at the border gates but most of the offices and officers work at the central cities and provinces of Vietnam, and very few are in the border checkpoints. For example, it requires food safety certificates and quarantine inspections for imported fruits and

agricultural commodities that must be carefully and comprehensively inspected but it is impossible due to very urgent clearance and unqualified workforces at the border checkpoints. Last but not least, there is no standard or consistent regulations on specialized inspection procedures, methods and appeal mechanisms in Vietnam. There are many conflicts in the implementation and operations of different ministries, even different agencies in one ministry like the Ministry of Agriculture and Rural Development (GDVC, Vietnam Chamber of Commerce and Industry (VCCI), United States Agency for International Development (USAID), 2020).

In a focus on legal documents and measures of specialized management, a very small number of Vietnamese business firms thought that the legislation does not make them burdensome in doing customs clearance for imports and exports. However, in order to comply with regulatory requirements for customs clearance, especially specialized management the respondents referred to legal consultancy and technical assistance, many enterprises usually use legal consultancy. In other words, the Vietnamese firms are well-understood about legal responsibilities in compliance to specialized management (Phan Thi Thu Hien *et al.*, 2022)

In terms of compliance risk management, the biggest concern of the Vietnamese exporters and importers is legal capacity. This reflects the fact that Vietnamese traders find difficult to comply with laws and regulations on specialized management for imports and exports in Vietnam. In the future, it is estimated that the Vietnamese enterprises will face more challenges when some new-generation (mega) free trade agreements (FTAs) come into force with a number of technical and non-tariff barriers like EVFTA and CPTPP (Phan Thi Thu Hien *et al.*, 2022).

## **2. A survey on compliance risks arising from specialized management in exports and imports**

### **2.1. Survey sampling**

Information, expertise insights and shares about regulatory compliance of Vietnamese business firms in imports and exports of goods had been collected through several structured interviews conducted in 2023, from August to October. These interviews aimed to survey compliance risks arising from specialized management in exports and imports, finding cause roots, drivers, and manners to mitigate compliance risks of Vietnamese exporters and importers. It was carried out by conducting direct interviews with experts at different fields and sectors such as customs administration, cross-border management agencies, academia, business associations and cross-border trade in goods. There were 25 respondents in different public, business sectors and academia. Those with export-import directors accounted for 56%, academia accounted for 20%, legal experts and lawyers accounted for 12%, and the rest of 12% of customs officers.

All the interview topics were hard-copy and fully filled by the interviewed experts and officers (see the Appendix 1). The interviews were designed based on Vietnam's specialized management on goods for imports and exports and affecting factors in complying with regulatory requirements of Vietnamese exporters and importers, legislation systems and factual practices in doing customs clearance for exports and imports in Vietnam.

## **2.2. Survey results**

These interviews discuss the factual trade compliance of Vietnamese businesses including perspectives, practices, and contributing factors.

### *2.2.1. Drivers to increasing compliance risks of Vietnam enterprises in connection to specialized management on goods for imports and exports in Vietnam*

Most of the answers highlight the increase of trade barriers, regulatory requirements, especially cross-border trade control policies of some powerful economies and Vietnam's major trade partners such as the USA, EU and China. In terms of legal risks and compliance risks, many Vietnamese exporters and importers are facing a lot of difficulties and obstacles in complying with new policies, regulations, standards, norms and technical measures about national security, environment protection, climate changes, ethical workforce, and societal welfares. For instance, in the first seven months of 2023, the EU introduced five climate change and trade regulations: deforestation, carbon border adjustment measure, shipping in emissions trading system, EU foreign Subsidies and Supply Chain Due Diligence Act. These regulations are entirely new and challenging to all Vietnamese enterprises in general and the exporters to the EU in particular. In addition, due to the intensifying geopolitical and trade tensions, there have raised concerns about the weaponization of international trade, then the EU and the USA are firmly coordinating and collaborating in export controls and export restrictions, focusing on trade of dual-use goods.

In the implementation of Vietnam's Free Trade Agreements (FTAs) as well as the rules-based global trade system of WTO, it requires Vietnamese enterprises to be more active and innovative, aiming to effectively utilize the trade preferences regimes. Successfully taking advantage of the contracting partners' preferential policies and trade priorities is the best evidence for managing the compliance risks of Vietnamese exporters and importers.

However, to fulfil all the customs procedures for imports and exports under the specialized management policies, Vietnamese business firms face many specialized management obstacles as non-tariff barriers and compliance risks.

Hereafter are some drivers to increase compliance risks of Vietnamese business firms, namely:

Firstly, many existing specialized management policies and measures of different line ministries agencies are mainly transformed and derived from the documentary agreements of the signed FTAs, WTO's legal framework and rules.

Secondly, a lack of communications and guidance programs regarding the new, updated laws, regulations, administrative procedures and formalities as well as effective public-private dialogues, forums, and information exchange mechanisms, lead to a forest of legal documents and burdensome paperwork; therefore, many Vietnamese firms do not know where, who and how to mitigate and manage the compliance risks.

Thirdly, the weak inter-agency connectivity, very different space, validity, and effectiveness of the line Ministries, border agencies and customs authorities in trade information processing, interconnecting and communicating also contribute to the compliance performance and contract implementation of the Vietnamese firms in doing cross-border trade.

Last but not least, due to highly developing digitalization, electronic transactions and virtual communications with various enterprises coming from many locations, countries, regions are creating many conflicts, commercial frauds and illegal behaviors of trade partners that the Vietnamese firms cannot fulfill their transactions successfully and profitably.

#### *2.2.2. Consequences of compliance risks in line with the specialized management of goods for imports and exports in Vietnam*

Sharing ideas about the consequences of compliance risks, most legal specialists raise concerns about the financial and non-financial damages and losses of Vietnamese traders in case of non-compliance. Also, many explanations are given as follows:

For the imports into Vietnam: Many shipments under specialized management after arriving at the first border in Vietnam are kept in the terminals and warehouses until the import permissions, licenses, quality conformity certificates, and physical inspections are conducted by the competent authorities. Sometimes, obtaining the final approvals takes much more time and costs due to unreasonable delays and postponements from the line ministries and administrative agencies. Furthermore, the imported goods are not allowed to enter the commerce and domestic market without customs clearance decisions. Many business opportunities and estimated benefits are not realized, especially since Vietnamese importers must compensate for all partners' claims due to contracting obligation failures.

For the exports to foreign markets: In case the exported commodities are unable to satisfy the regulatory requirements and regulations of the importing country, the foreign buyer is impossible to do customs clearance and bring the goods into his domestic market. In this situation, the goods shall be kept at the arriving places, warehouse and terminals without a notice of customs approval and any acceptance to receive and pay by the Buyer. In order to solve this dilemma, Vietnamese exporters usually decide to re-export out of the foreign country, find a new buyer, or return to their original country. In this situation, the transaction costs are extremely high and “all pains but no gain”.

In terms of FTA utilization, many Vietnamese firms lack knowledge and information of trade preferences and formalities to adapt, as well as the tariff reduction routine and timeline. Therefore, they lose chances to conclude business contracts with promising partners because of lower competitiveness than other competitors in the global trade.

### *2.2.3. Root causes of compliance risks arising from specialized management on goods for imports and exports in Vietnam*

Most of the interviewed experts figured out the root causes leading to high risks that threaten the regulatory compliance status of Vietnamese exporters and importers according to the assessment and verifications of Vietnam Customs falling into some significant points as follows:

Firstly, general incumbent regulations exist on inspections and internal controls undertaken by other governmental agencies (OGAs) in Vietnam (excluding customs agencies). In particular, the trade-related laws and regulations on specialized inspections and internal controls are considerably burdensome to the trade compliance of Vietnamese business firms. Furthermore, in the future, Vietnamese enterprises will face more challenges when some new-generation (mega) free trade agreements (FTAs) come into force with several technical and non-tariff barriers under national and people security, environment protection, and supply chain resilience. It is harder for Vietnamese exporters and importers to mitigate compliance risks in the rule-based global trade.

Secondly, the biggest weakness of Vietnamese business firms is their legal capacity. There is a fact that Vietnamese business firms are not aware right of the importance of workforce quality in terms of regulatory compliance. This reflects on linguistic competence, specialized intelligence on international contracts and cross-border trade transactions, legal capacity, internationally certified professionalism and expertise. That leads to a big lag behind the new changes and updated laws and regulations on trade policies, specialized management, and compliance requirements.

However, not many Vietnamese firms fully acknowledge regulatory compliance and compliance risks caused by specialized management on goods for imports and exports, so they do not understand the importance of legal consultancy and frequent customs-business conversations. Therefore, to comply with regulatory requirements, very few Vietnamese exporters and importers usually use legal consultancy, and most of the remaining firms have a high probability of non-compliance and failure to take advantage of trade compliance (facilitating privileges).

#### *2.2.4. Concerns about compliance risk management of the Vietnamese exporters and importers*

Discussing the compliance risk treatments and management of the Vietnamese exporters and importers, most of the specialists raise concerns about their actual thoughts and practices, focusing on the main points as follows:

Compliance risk management practices are not synchronized at all strategic, tactical and operational levels and whole functional segments. According to the interviewed experts, before concluding an international sales contract of goods, the board of management and relevant functional managers always estimate potential risks and propose treatment measures to confront during the contract implementation. In fact, this is done by experience and information analysis for every particular transaction without principle framework, professional operation mechanism, and standardized process, especially not taking references of legal consultations and good practices. Furthermore, it is better to be aware and experimental of large enterprises, foreign-invested enterprises (FIE), and international firms than SMEs.

A significant percentage of Vietnamese importers and exporters have prevented measures to treat compliance risks as they fully acknowledge that the specialized management of goods for imports and exports is highly complicated and technically intensive. Now, many Vietnamese traders are actively doing market research for legislation and business implementation, especially new issues on rules of the global trade system, environment and society of the foreign market as technical standards, legal requirements, innovation and new technology as well as intelligence production. However, a considerable percentage of Vietnamese exporters and importers are facing a wide range of external risks that they are unable identify, analyze, assess and have any treatment measures such as hazard risks, natural disasters, economic and political crises, climate changes, national security, supply chain disruptions, increasing trade transaction costs.

### **3. Conclusions and policy implications**

This study delivers a comprehensive review of compliance risks arising from the specialized management of goods for imports and exports in Vietnam from the behaviors of the exporters and importers. Regarding trade compliance, there are many challenges and bottlenecks to controlling and mitigating risks in terms of risk management for Vietnamese firms. The main reason comes from the internal and external business environments, such as lacking readiness, legal capacity, good practices, standard risk management strategy and operations from the enterprises and lacking of the inter-ministerial standard framework, consistent governance in administrative procedures, and trade-related information availability from the governmental agencies. To foster compliance risk management and

trade compliance in the context of increasing specialized management on goods for exports and imports, the Vietnamese government and business firms should focus on the challenges, bottlenecks, and limits exploited from this study and find effective and efficient solutions measures. From the findings of this study, it is necessary to conduct field studies and diagnostic surveys on factual performance to design a comprehensive legal risk management framework for Vietnamese exporters and importers in the context of the volatility, uncertainty, complexity and ambiguity (VUCA) of domestic and world markets.

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**Appendix 1: Interview Questionnaires****Introduction**

1. Could you please describe some drivers to increase compliance risks in doing imports and exports of Vietnamese business firms in the current context??
2. How do you think about consequences of compliance risks in in doing imports and exports of Vietnamese business firms?
3. What are the major difficulties and challenges of Vietnamese business firms in trade compliance, focusing on imports and exports?
4. What are root causes of the difficulties and challenges of Vietnamese business firms in trade compliance, focusing on imports and exports?
5. Could you please describe the current performance of compliance risk management in doing imports and exports of Vietnamese business firms?
6. In your view, hereafter are the indicators and criteria for compliance risks management in doing imports and exports of Vietnamese business firms?

*6.1. International Sales Contract negotiation and conclusion*

<b>Sub-criteria</b>	<b>Absolutely Agree</b>	<b>Agree</b>	<b>Moderately Agree</b>	<b>Disagree</b>	<b>Absolutely Disagree</b>
Trade Legal Framework in Vietnam and other countries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Status of trade partners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Validity of International Contract for sales of goods	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Applications of international laws, regulations, norms, practices in foreign trade	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*6.2. Legal requirements on importing and exporting goods*

<b>Sub-criteria</b>	<b>Absolutely Agree</b>	<b>Agree</b>	<b>Moderately Agree</b>	<b>Disagree</b>	<b>Absolutely Disagree</b>
Specialized Management on goods in Vietnam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Specialized Management on goods in trading country	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IT infrastructure in Vietnam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FTA implementing roadmaps	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*6.3. Physical movements of goods across borders*

<b>Sub-criteria</b>	<b>Absolutely Agree</b>	<b>Agree</b>	<b>Moderately Agree</b>	<b>Disagree</b>	<b>Absolutely Disagree</b>
Logistics and Transport Infrastructure in Vietnam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Logistics and Transport Infrastructure in trading country	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
International Transportation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
International Transport and Logistics Professionalism of the workforce	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Force Majeure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*6.4. Customs Clearance for imports and exports*

<b>Sub-criteria</b>	<b>Absolutely Agree</b>	<b>Agree</b>	<b>Moderately Agree</b>	<b>Disagree</b>	<b>Absolutely Disagree</b>
Customs Legislations and Procedures in Vietnam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Customs Affairs Professionalism of the workforce	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Capacity and Integrity of Vietnam Customs Workforce	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IT infrastructure of Vietnam Customs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Border Agency Collaboration in Vietnam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Business Supporting Service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*6.5. International Payment*

<b>Sub-criteria</b>	<b>Absolutely Agree</b>	<b>Agree</b>	<b>Moderately Agree</b>	<b>Disagree</b>	<b>Absolutely Disagree</b>
Legal Framework of International Payment in Vietnam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal Framework of International Payment in trading country	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foreign Exchange Rate Policies of Vietnam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
International Payment Professionalism of the workforce	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Force Majeure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*6.6. Disputes Resolutions*

<b>Sub-criteria</b>	<b>Absolutely Agree</b>	<b>Agree</b>	<b>Moderately Agree</b>	<b>Disagree</b>	<b>Absolutely Disagree</b>
Legal conflicts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Experiences in procedures of disputes resolutions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disputes resolution organizations/personnel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial Frauds of the trading partners	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Please provide any additional information you may deem important in compliance risk assessment?

8. What improvements would you suggest to the Vietnamese importers and exporters to enhance compliance risk management?

**Thank you./.**

Name:

Organization:

Work Position:

Tel.:

**Article history**

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**Notes**

<sup>1</sup>Technical regulations are defined as documents that contain product characteristics or their related processes and production methods, including the applicable administrative provisions, with which compliance is mandatory. It may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method.