



Council of the
European Union

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Interinstitutional File:
2018/0358 (NLE)

WTO 35
SERVICES 8
FDI 4
COASI 11

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the conclusion, on behalf of the Union, of the Investment Protection Agreement between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part

COUNCIL DECISION (EU) 2019/...

of ...

**on the conclusion, on behalf of the Union,
of the Investment Protection Agreement
between the European Union and its Member States, of the one part,
and the Socialist Republic of Viet Nam, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with point (a)(v) of the second subparagraph of Article 218(6) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament¹,

¹ Consent of [date] (not yet published in the Official Journal).

Whereas:

- (1) In accordance with Council Decision (EU) 2019/...¹⁺, the Investment Protection Agreement between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part (the "Agreement"), was signed on ... 2019⁺⁺, subject to its conclusion at a later date.
- (2) In accordance with Article 4.18 of the Agreement, nothing in the Agreement shall be construed as conferring rights or imposing obligations on persons, within the Union, other than those created between the Parties under public international law.
- (3) The Agreement should be approved on behalf of the Union,

HAS ADOPTED THIS DECISION:

¹ Council Decision (EU) 2019/... of ... on the signing, on behalf of the Union, of the Investment Protection Agreement between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part (OJ ...).

⁺ OJ: please insert the reference number for the Decision set out in ST 5930/19 and complete the corresponding footnote.

⁺⁺ OJ: please insert the date of signature of the Agreement.

Article 1

The Investment Protection Agreement between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part (the "Agreement") is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.⁺

Article 2

The President of the Council shall, on behalf of the Union give the notification provided for in paragraph 2 of Article 4.13 of the Agreement, in order to express the consent of the Union to be bound by the Agreement.¹

⁺ OJ: please attach document ST 5932/19

¹ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at ...,

For the Council

The President
