

**NATIONAL STEERING
COMMITTEE FOR COVID-
19 PREVENTION AND
CONTROL**

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

No.: 5322/CV-BCD

Hanoi, July 5, 2021

V/v guiding foreign experts and foreigners on entry to prevent and control the COVID-19 epidemic.

Dear: - Ministries, ministerial-level agencies;
- People's Committees of provinces and centrally run cities.

Over the past time, the National Steering Committee for COVID-19 Prevention and Control, the Ministry of Health and related ministries and branches have issued many guiding documents to create favorable conditions for foreign experts and foreigners to enter. Vietnam ensures the prevention of COVID-19 epidemic¹. However, in the process of organizing and implementing, there are actually some shortcomings in the management of foreign experts and foreigners during the process of entry, isolation, work and residence in Vietnam. affect the fight against the Covid-19 epidemic.

Following the direction of the Prime Minister at Official Dispatch No. 570/CD-TTg dated May 2, 2021, Notice No. 82/TB-VPCP dated April 29, 2021, Notice No. 102/TB-VPCP dated 11/5/2021; The National Steering Committee for COVID-19 Prevention and Control (hereinafter referred to as the National Steering Committee) has reviewed documents related to the settlement and management of entry into Vietnam for foreign experts. outside, foreigners over time. Based on the current epidemic situation, in order to strengthen the control and stricter management of the entry of foreign experts and foreigners into Vietnam to serve "dual goals", ensure settlement for foreign experts, foreigners entering the right subjects, needs and purposes; at the same time meet the requirements of epidemic prevention and control. To implement Official Letter No. 1329/VPCP-QHQT dated June 11, 2021 of the Government Office on reviewing the process of approving and managing foreign experts and foreigners entering Vietnam; The National Steering Committee provides additional guidance as follows:

1. People's Committees of provinces and centrally run cities:

- Based on the needs and proposals of agencies and organizations in the area, continue to be responsible for reviewing and approving: (i) List of foreign experts (including: technical experts, investors), business managers, skilled workers)²and relatives (including: father, mother, wife, husband, children) of experts to work with such agencies and organizations; (ii) Other cases of foreigners under the jurisdiction to consider for entry by the Provincial People's Committee (including: foreign students and students studying at schools in the province/city directly under the central government; cases apply for humanitarian entry, emergency, local treatment, etc.).

- Consider and approve the policy of allowing foreign experts and their relatives and foreigners to be isolated locally; implementing isolation, medical supervision and activities of experts,

relatives and foreigners while working in the locality; periodically report to the National Steering Committee as prescribed.

2. Working Group of 5 Ministries (Foreign Affairs, Health, Public Security, Defense, Transport):

- Consider and decide on the entry of: (i) Foreigners whose agencies or organizations invite or guarantee are diplomatic missions, foreign consular offices, representative offices of organizations international; central agencies and ministries³; (ii) Foreigners are invited or guaranteed by other agencies or organizations to serve socio-economic development goals and other special cases (including humanitarian reasons, medical treatment and cases of entering the country). contact, work with many different provinces/cities) are not specified in point 1 above but exceed the authority of the People's Committee of the province or city or are not subject to the current entry permit. now on.

- The 5 Ministries Working Group is responsible for monitoring, urging, advising and handling problems arising during the implementation process.

3. The Ministry of Foreign Affairs shall assume the prime responsibility for handling foreigners entering for diplomatic and official purposes according to this Guide.

4. This Official Letter takes effect from the date of signing for promulgation and replaces Official Letter No. 2847/CV-BCD dated May 23, 2020, Official Letter No. 3949/CV-BCD dated July 24, 2020, Official Letter No. 1113/CV-BCD dated February 23, 2021 and Official Letter No. 3440/CV-BCD dated April 27, 2021 of the National Steering Committee on the management of cases entering Vietnam to prevent COVID -19.

The National Steering Committee proposes ministries, ministerial-level agencies and People's Committees of provinces and centrally-run cities to implement specific implementations, ensuring the right purposes, right subjects, appropriate frequency and compliance. safety measures to prevent the COVID-19 epidemic, not to generate negative effects, strictly handle violations; at the same time, widely disseminated to units and people to know to strictly implement the Guidelines for handling foreign experts and foreigners entering Vietnam (enclosed with this Official Letter).

Sincerely thank you./.

Recipients:

- As above;
- Deputy General Vu Duc Dam (for reporting);
- Minister (for reporting); -
- Deputy Ministers;
- Comrades and members of the National Steering Committee;
- Office of the Central Executive Committee Party;
- Government Office;
- Departments of Health of provinces and cities;

**KT. HEAD OF THE COMMITTEE
DEPARTMENT OF THE COMMITTEE**

**DO XUAN TUYEN
VICE MINISTER OF HEALTH**

GUIDENCE

SOLUTIONS FOR FOREIGN EXPERTS¹, FOREIGN ENTRY IN VIETNAM *(Issued together with Official Letter No.... /CV-BCD dated ... /... ./ of the National Steering Committee for COVID-19 Prevention and Control)*

I. Grounds for implementation

- Law on Tourism No. 09/2017/QH14 dated June 19, 2017 of the National Assembly and Decree No. 38/2020/ND-CP dated April 3, 2020 of the Government detailing the implementation of a number of articles of the Law. Vietnamese workers going to work abroad under contracts;
- Resolution 84/NQ-CP dated May 29, 2020 of the Government on tasks and solutions to continue to remove difficulties for production and business, promote disbursement of public investment capital and ensure order and safety. society in the context of the COVID-19 pandemic;
- Directive No. 01/CT-TTg dated January 5, 2021 of the Prime Minister on strengthening the prevention of COVID-19 epidemic;
- Dispatch No. 540/CD-TTg dated April 23, 2021 of the Prime Minister on strengthening the management of organizing flights to bring people to Vietnam;
- Dispatch No. 541/CD-TTg dated April 23, 2021 of the Prime Minister on strengthening implementation of COVID-19 epidemic prevention and control;
- Dispatch No. 570/CD-TTg dated May 2, 2021 of the Prime Minister on the rectification and improvement of the effectiveness of COVID-19 epidemic prevention and control;
- Notices of the Government Office: No. 118/TB-VPCP on March 21, 2020, No. 122/TB-VPCP on March 24, 2020, No. 146/TB-VPCP on April 7, 2020, No. 170/TB-VPCP dated April 28, 2020, No. 182/TB-VPCP on May 15, 2020, No. 203/TB-VPCP on June 10, 2020, No. 238/TBVPCP on July 12, 2020, No. 330/TB-VPCP dated September 15, 2020, No. 82/TB-VPCP dated April 29, 2021, No. 102/TB-VPCP dated May 11, 2021 on the announcement of the Prime Minister's conclusions at meetings Government Standing Meeting on COVID-19 Prevention and Control.

II. Purpose of request

- Ensure fast and tight settlement of entry of foreign experts and accompanying relatives, foreigners serving socio-economic development goals and other tasks as prescribed.

- Make sure to consider and approve cases that apply for entry into Vietnam that must be suitable for those under the direction of the Prime Minister, the National Steering Committee for COVID-19 Prevention and Control.

- Strengthening responsibility for supervision of isolation, post-quarantine and working program of foreign experts and accompanying relatives, foreigners to ensure the prevention of COVID-19 epidemic.

III. content

1. The settlement of foreign experts and relatives²Go with; Other foreigners entering Vietnam subject to the approval of the Provincial People's Committee

1.1. Subjects of application: (i) Foreign experts invited or guaranteed by agencies or organizations to enter, work or reside locally and relatives of the foreign experts; (ii) Other foreigners invited by agencies or organizations (including foreign students and students studying at schools in provinces/cities directly under the central government and in cases of humanitarian immigration) , emergency, local treatment...).

1.2. Processing process:

- Based on the needs of agencies and organizations located in the area, the People's Committee of the province shall consider and decide to approve the list of foreign experts and accompanying relatives and foreigners who will be allowed to enter the country. send the list to the Ministry of Public Security (Immigration Management Department) for consideration and settlement.

- A written request for foreign experts and their accompanying relatives and foreigners to enter from the inviting or guaranteeing units, including the following information: (i) Proposal for a list of foreign experts and relatives accompanied, the foreigner will enter, the purpose, the time of entry and stay (which clearly states the entry necessity of these cases); (ii) Plan for transportation and transportation; the isolation plan at the isolation facility has been designated and selected by the People's Committee of the province; (iii) Program, work plan, place of residence of the foreign expert and accompanying relatives, foreigners in the locality; (iv) contact information (address, phone number, email); (iv) The written commitment of the inviting or guarantor to be responsible for ensuring safety against COVID-19 when inviting foreign experts and relatives and foreigners to Vietnam, ensuring that:

- The inviting or guarantoring agency or organization shall submit an application for an entry visa for the foreign expert and accompanying family member, the foreigner, enclosed with the written approval of the provincial-level People's Committee at the Ministry of Industry and Trade. Security (Department of Immigration Management).

- Provincial-level People's Committees shall designate and select concentrated isolation facilities exclusively for foreign experts and accompanying relatives, foreigners in the area (hereinafter referred to as isolation facilities) according to regulations. guidelines of the Ministry of Health³.

- Provincial People's Committees shall direct the organization of sampling for testing, control of concentrated isolation, and medical supervision after the end of the concentrated isolation period according to regulations and requirements of the Ministry of Health. Absolutely do not allow cross-contamination in the isolation facility and spread to the community.

- For cases of foreigners entering humanitarian grounds in emergency situations that will affect their lives and the applicants are staying at the road, rail or waterway border gates, the People's Committee The province/city with a border gate that foreigners will enter is responsible for approving, receiving and managing. In order to be allowed to enter Vietnam, these cases must have a written opinion from the receiving hospital and an appropriate isolation plan in Vietnam.

- Entry and exit inspection and control forces at land, waterway, aviation, railway and seaport border gates are only allowed to process entry for foreigners when they fully meet the prescribed conditions. in this Guide.

2. Immigration for other foreigners subject to approval by the National Steering Committee

2.1. Subjects of application: (i) Foreign experts and accompanying relatives, foreigners whose agencies or organizations invite or guarantee are diplomatic missions, foreign consular offices, representative offices International organizations; central agencies and ministries⁴; (ii) Foreigners invited or guaranteed by other agencies or organizations to serve the purpose of socio-economic development and other special cases (including humanitarian and medical reasons) are not included in the list. mentioned in point 1 above, but beyond the competence of the provincial People's Committee or not yet in the category of subjects that have been allowed to enter the country at present.

2.2. The working group of 5 ministries (Foreign Affairs, Health, National Defense, Public Security, and Transport) considers and resolves as follows:

(i) Agencies or organizations that invite and guarantee foreign experts and accompanying relatives and foreigners shall submit dossiers to the provincial-level People's Committee for approval for foreigners to be quarantined locally. In particular, the inviting agency needs to register a list and propose a specific isolation plan and means of transportation according to the detailed instructions of the locality and the National Steering Committee for COVID-19 prevention and control. After receiving the written notice of opinions from the People's Committee of the province, the inviting or guaranteeing agency or organization shall submit the dossier to the Working Group of 5 Ministries (through the Ministry of Foreign Affairs).

(ii) The People's Committee of the province shall consider and issue a document clearly stating the agreement (or disagreement) for the foreign expert and accompanying relatives and foreigners on entry, including the plan on how to at the proposal of the inviting or guaranteeing agency or organization; and send it to the Working Group of 5 Ministries (through the Ministry of Foreign Affairs).

(iii) After reviewing the documents sent by the inviting and guaranteeing unit, the Ministry of Foreign Affairs consults with the Working Group of 5 Ministries on allowing foreign experts and their relatives to accompany and foreigners to enter the country. .

The application file of the inviting or guarantoring unit must include: (1) The written approval of the provincial People's Committee approving the isolation plan; (2) The written commitment of the inviting and guarantoring unit to be responsible for ensuring safety against COVID-19 when inviting foreign experts and relatives and foreigners to Vietnam, ensuring that: (a) Foreign experts and accompanying relatives, foreigners are tested for SARS-CoV-2 by PCR technique within 03 days before the date of entry into Vietnam; (b) Having international health insurance or an agency or organization inviting foreign experts and relatives to accompany, the foreigner commits to pay the treatment costs in case of being infected with COVID-19; (3) Other documents (if any).

(iv) On the basis of summarizing the opinions of the Working Group of 5 Ministries, the Ministry of Foreign Affairs (authorizing the Consular Department) shall issue a written notice of the opinion of the National Steering Committee on the settlement of foreigners entering the country. The Vietnamese police sent the Border Guard Command (Ministry of National Defense), Immigration Department (Ministry of Public Security) and relevant localities, agencies and organizations for implementation.

(v) On the basis of the written notice of the Ministry of Foreign Affairs (authorizing the Consular Department), the Ministry of Public Security shall assume the prime responsibility for processing and approving the entry of foreigners in accordance with the guidance of the Ministry of Public Security.⁵, notify relevant agencies (Vietnam representative missions abroad, border guards, police) to issue visas to experts and accompanying relatives, foreigners according to Articles 17, 18, 19 Law on entry, exit, transit and residence of foreigners in Vietnam. The Ministry of Health, the Ministry of National Defense, the Ministry of Transport, relevant localities and agencies shall perform according to their assigned functions and tasks.

(vi) In case of exceeding the authority of the 5 Ministries Working Group, the Ministry of Foreign Affairs on behalf of the Working Group shall report to the Prime Minister for consideration and decision.

2.3. In case the foreign expert and his/her family accompany him or her on entry to work in many different localities, the agency, organization or individual that invites or guarantees the foreign expert on entry shall be responsible for contacting the foreign expert. for the People's Committees of the relevant provinces to approve in writing the program and work plan of the foreign expert in these localities; then follow the procedure specified at point 2.2 above.

3. Immigration settlement for foreigners who enter for diplomatic and official purposes and their relatives (father, mother, wife, husband, children)

3.1. Subjects: Guests under the jurisdiction of the Ministry of Foreign Affairs under the provisions of the Law on entry, exit, transit and residence of foreigners in Vietnam No. 47/2014/QH13 dated June 16, 2014 da National Assembly and Law No. 51/2019/QH14 dated

November 25, 2019 of the National Assembly amending and supplementing a number of articles of the Law on entry, exit, transit and residence of foreigners in Vietnam No. 47 .

3.2. Processing process:

- Agencies or organizations that invite or guarantee foreigners belonging to the subjects specified at Point 3.1 above shall send a note to the competent agency of the Ministry of Foreign Affairs (Consular Department) for consideration and settlement. The note must clearly state information about the flight, the medical isolation location, and the means of transport from the airport to the quarantine place, and at the same time commit to implementing epidemic prevention measures according to regulations for passengers on entry. .

- At the request of the inviting or guaranteeing agency or organization, the competent agency of the Ministry of Foreign Affairs shall coordinate with the competent agency of the Ministry of Public Security to review personnel and grant entry or exit permits. real (if necessary); at the same time, discuss with relevant local authorities to support the approval of transportation, isolation and medical supervision plans for foreigners by inviting and guaranteeing agencies and organizations.

- On the basis of the document of the competent authority of the Ministry of Foreign Affairs, the inviting or guarantoring agency or organization shall send the document, enclosed with relevant documents and dossiers, to the People's Committee of the province/city directly under it. central government to receive and isolate people entering the country.

- In case of exceeding the competence of the Working Group of 5 Ministries, the Ministry of Foreign Affairs on behalf of the Working Group shall report to the Prime Minister for consideration and decision.

- For guests of the Party, State, National Assembly, Government: Follow the plan to welcome the delegation approved by the leaders of the Party, State, National Assembly and Government.

IV. Responsibilities for implementation

1. Provincial People's Committee

- Responsible for: approving the need to invite foreign experts and relatives to accompany, foreigners of agencies, organizations and enterprises, ensuring the right subjects and appropriate frequency; to approve plans for movement, isolation, medical supervision and health monitoring (in the locality) of foreign experts and accompanying relatives, foreigners; organize medical supervision and monitoring of foreign experts and accompanying relatives, foreigners after entry; organize the assignment between local agencies, ensure the management from the concentrated isolation place to the place of residence (after the quarantine period is over). Decide according to its competence and take responsibility for receiving and isolating people on entry, organizing strict supervision of isolating people on entry, ensuring strict compliance with regulations on COVID-19 prevention and control, absolutely not to infect in isolation facilities and from the

isolation area to the community. Strictly handle cases of taking advantage of and failing to comply with regulations on epidemic prevention and control.

- Be responsible for reviewing, receiving and managing humanitarian entry cases in emergency situations that would otherwise affect the lives of the entry applicants who are staying at the land border gate, railway, waterway. Based on the request of organizations and individuals and specific situations, the People's Committee of the province may consider and decide without having to have all required documents as prescribed. During the emergency, the provincial-level People's Committees shall send documents to the Ministry of Public Security (the Immigration Department) and the Ministry of National Defense (the Border Guard Command) to carry out immigration procedures according to regulations.

- Be responsible for receiving and implementing isolation and supervision tasks for cases approved by the National Steering Committee (5 Ministries Working Group).

- Promulgating regulations requiring agencies, organizations and enterprises that invite welcoming guests to report to the provincial-level People's Committees on the operation process of experts and accompanying relatives and foreigners; compliance with transportation, isolation, and COVID-19 epidemic prevention and control plans at the accommodation, ... of experts and accompanying relatives, foreigners.

- Quarterly report to the National Steering Committee on COVID-19 Prevention and Control (through the Standing Body of the Steering Committee, which is the Ministry of Health, and jointly to the Ministry of Public Security and the Ministry of Foreign Affairs) on the situation of approval, entry, quarantine... of experts and accompanying relatives, foreigners in the locality. Timely report and propose to remove difficulties and obstacles in the implementation process.

- In case of detecting imported foreigners infected with SARS-COV-2 at the isolation area, promptly notify the functional forces at the entry border gate to promptly apply epidemic prevention measures.

2. Ministry of Health (Standing body of the National Steering Committee for Covid-19 Prevention and Control)

- Instructing authorities and localities on isolation, supervision, testing, and measures to prevent and control the COVID-19 epidemic for imported cases according to regulations.

- Coordinate with relevant units to check and supervise the implementation.

- To assume the prime responsibility for, and coordinate with the Ministry of Public Security, National Defense and Foreign Affairs in monitoring and summarizing the situation of experts and their accompanying relatives and foreigners on entry to advise on epidemic prevention and control; report to the National Steering Committee and the Prime Minister to remove related problems and inadequacies.

- Research and issue guidelines on the form and time of application of medical isolation for foreign experts and accompanying relatives, foreigners who have been vaccinated with a full dose of COVID-19 vaccine as prescribed.

- Instructing authorities and localities on isolation, supervision, testing and measures to prevent COVID-19 epidemic for imported cases according to regulations.

3. Ministry of Foreign Affairs

- Act as the focal point for receiving requests for entry of foreigners subject to approval by the National Steering Committee; notify the settlement results to the Provincial People's Committee, relevant agencies and organizations for implementation.

- Take charge of dealing with foreigners entering for diplomatic purposes, official duties and relatives (father, mother, wife, husband, children).

- Review and promptly propose to remove difficulties and obstacles in the implementation process.

- Direct Vietnamese representative missions abroad to grant appropriate visas to foreign experts and accompanying relatives and foreigners to enter according to the announcement of the Immigration Department of the Ministry of Public Security.

4. Ministry of Public Security

- Approve visa personnel on the basis of documents submitted by enterprises/agencies/organizations and notify relevant agencies (Vietnam overseas representative missions, border guards, police) issuing visas to accompanying experts and relatives, foreigners who have been allowed to enter under the Law on Entry, Exit, Transit and Residence of Foreigners in Vietnam.

- Manage and handle the entry of experts and accompanying relatives, foreigners; coordinate in reviewing the subjects of experts residing in the localities; examine and handle violating individuals and organizations.

- Direct and guide police agencies and localities in strictly managing foreigners entering, isolating and residing in localities.

- Quarterly statistics on the number of experts entering and staying in order to report to the 5 Ministries Working Group through the Ministry of Health (Standing Agency of the National Steering Committee).

5. Ministry of Defense

- Processing entry for experts and accompanying relatives, foreigners with appropriate visas at border gates managed by the Border Guard.

- Issuing visas for experts and accompanying relatives, foreigners according to Article 18 of the Law on entry, exit, transit and residence of foreigners in Vietnam.

- Quarterly statistics on the number of experts on entry at the border gates managed by the Border Guard to report to the Working Group of 5 Ministries through the Ministry of Health (Standing Agency of the National Steering Committee).

6. Ministry of Transport

Directing the issuance of flight permits for flights carrying experts and foreigners who have been allowed to enter Vietnam.

7. Agencies, organizations and individuals invite or guarantee experts and foreigners

- Be responsible for inviting experts and relatives to accompany, foreigners with the right people, right jobs. Must have a written commitment to take full responsibility before the law for the contents mentioned in the application and be responsible for organizing and strictly complying with the requirements for COVID-19 prevention before, during and after. upon entry.

- Units that invite and guarantee foreign experts to work must ensure that: foreign experts and accompanying relatives, foreigners are tested for SARS-CoV-2 by PCR technique within 03 days before the date entry into Vietnam (except for special cases); have international health insurance or an agency or organization that invites foreign experts and relatives to accompany, the foreigner commits to pay the cost of treatment in case of being infected with COVID-19; responsible for ensuring safety against COVID-19 when inviting foreign experts and relatives to accompany, foreigners entering Vietnam.

Organizations and units that apply for permission of foreign experts and their accompanying relatives and foreigners on entry must make a written commitment to take full responsibility before law for the contents mentioned in the document. the application form, must have a business registration certificate, an operation license with functions and tasks suitable for the purpose of the entry request and must have the full signature and seal of the organization, the application taste.

- Individuals who apply for entry in their names and are subject to entry consideration according to regulations must have a written commitment to take full responsibility before law for the contents mentioned in the written request and take responsibility. strictly comply with the requirements on COVID-19 prevention before, during and after entry.

- Individuals who request entry and are subject to entry consideration as prescribed must have a written commitment to take full responsibility before law for the proposed content and must provide full information (addresses) , phone number, email, passport and residential address after the end of the concentrated isolation period) and attached documents proving the reasons for applying for entry.

This guide will be adjusted and updated according to the immigration policies, regulations on epidemic prevention and control of the Government and the National Steering Committee for COVID-19 prevention and control./.

1 Official Dispatch 2847/CV-BCD dated May 23, 2020, 3949/CV-BCD dated July 24, 2020, 3440/CV-BCD dated April 27, 2021 of the National Steering Committee for Covid-19 Prevention and Control .

2 According to Notice No. 182/TB-VPCP dated May 15, 2020 of the Government Office, Official Dispatch No. 2847/CV-BCD dated May 23, 2020 of the National Steering Committee.

3Including foreign correspondents residing in Vietnam; foreign students and students studying in Vietnam under ministerial-level cooperation programs.

first The phrase “foreign expert” in this Guide is understood to include: investors, technical experts, skilled workers, business managers.

2 Relatives are understood as: father, mother, wife, husband, children.

3 Decision No. 878/QD-BYT of the Ministry of Health dated March 12, 2020 promulgating "Guidelines for medical isolation at concentrated isolation facilities for COVID-19 prevention and control" or Decision No. 1246/QD-BYT On March 20, 2020, issued by the Ministry of Health, "Temporary guidance on concentrated medical isolation at hotels in the prevention and control of COVID-19 epidemic, voluntarily paid for by quarantined people".

4Including foreign correspondents residing in Vietnam; foreign students and students studying in Vietnam under ministerial-level cooperation programs.

5Guidance on the application for approval for foreigners to enter Vietnam under the guarantee of agencies and organizations during the period of application of measures to prevent and control the COVID-19 epidemic enclosed with Official Letter No. 3374/BCA-QLXNC October 2, 2020. In particular, the agency or organization that invites and welcomes foreigners when submitting the application for immigration settlement, enclosed with a photocopy of the written opinion of the Steering Committee.