



5 March 2018

**His Excellency  
Mr. Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam**

Dear Minister,

In connection with the signing on 8 March 2018 of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the "Agreement"), I have the honour to confirm the following understanding reached between the Government of Malaysia and the Government of the Socialist Republic of Viet Nam ("Viet Nam") on Chapter 17 (State-Owned Enterprises and Designated Monopolies) of the Agreement:

1. The Government of Viet Nam will refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the Agreement with respect to the commitment of Malaysia regarding PETRONAS as contained in subparagraphs (a) through (l) in the Scope of Non-Conforming Activities of Annex IV – MALAYSIA – 3 for a period of five years after the entry into force of the Agreement for Malaysia.
2. After this period, the Government of Malaysia and the Government of Viet Nam will conduct consultations with a view to deciding on actions to be taken after such period.

I have the further honour to propose that this letter and your letter in reply confirming the shared understanding between the Government of Malaysia and the Government of Viet Nam, which will come into effect on the date on which the Agreement enters into force for both Malaysia and Viet Nam.

Sincerely,

**Mustapa Mohamed  
Minister of International Trade and Industry  
Malaysia**

8 March 2018

His Excellency  
Mr. Mustapa Mohamed  
Minister of International Trade and Industry  
Malaysia

Dear Minister,

I have the honour to acknowledge receipt of your letter of 5 March 2018, which reads as follows:

“In connection with the signing on 8 March 2018 of the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership* (the “Agreement”), I have the honour to confirm the following understanding reached between the Government of Malaysia and the Government of the Socialist Republic of Viet Nam (“Viet Nam”) on Chapter 17 (State-Owned Enterprises and Designated Monopolies) of the Agreement:

1. The Government of Viet Nam will refrain from seeking recourse to Chapter 28 (Dispute Settlement) of the Agreement with respect to the commitment of Malaysia regarding PETRONAS as contained in subparagraphs (a) through (l) in the Scope of Non-Conforming Activities of Annex IV – MALAYSIA – 3 for a period of five years after the entry into force of the Agreement for Malaysia.
2. After this period, the Government of Malaysia and the Government of Viet Nam will conduct consultations with a view to deciding on actions to be taken after such period.

I have the further honour to propose that this letter and your letter in reply confirming the shared understanding between the Government of Malaysia and the Government of Viet Nam, which will come into effect on the date on which the Agreement enters into force for both Malaysia and Viet Nam.”

I have further the honour to confirm that the above reflects the mutual understanding reached between the Government of the Socialist Republic of Viet Nam and the Government of Malaysia and that your letter and this letter in reply will constitute an understanding between the Government of the Socialist Republic of Viet Nam and the

Government of Malaysia.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'Tran Tuan Anh', with a long horizontal flourish extending to the right.

Tran Tuan Anh  
Minister of Industry and Trade  
Socialist Republic of Viet Nam