



**THE HON SIMON CREAM MP**  
**Minister for Trade**

---

Cha-am, Phetchaburi, Thailand, 27 February 2009

H.E. Dr Vu Huy Hoang  
Minister of Industry and Trade  
Socialist Republic of Viet Nam  
Ha Noi

Dear Minister

In connection with the signing on this date of the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA), I have the honour to confirm that the Government of Australia acknowledges Viet Nam as an equal World Trade Organization (WTO) trading partner for the purposes of trade remedies in the following ways:

- Recognising Viet Nam's market economy status by permanently not seeking recourse to paragraph 255 of the Report of the Working Party on the Accession of Viet Nam to the WTO; and
- No longer treating Viet Nam as an 'economy in transition' under Part XVB of the Australian Customs Act 1901, by including Viet Nam in Schedule 1B of the Australian Customs Regulations 1926 as soon as reasonably practicable following the date of this letter, but not later than entry into force of the AANZFTA for Australia.

The Government of Australia's recognition of Viet Nam's market economy status will apply to any new anti-dumping and subsidies and countervailing applications made on or after the date of the amendment to the Australian Customs Regulations 1926.

Yours sincerely

**SIMON CREAM**