

# THE NEWSLETTER

## DIGITAL SECTOR COMMITTEE



### Media Coverage

December 2021

On December 14th, the virtual forum “Digital Transformation – Accelerating Growth and Innovation with 5G” hosted by Vietnam Investment Review under the auspices of the Ministry of Planning and Investment opened to share practical experiences on the trends of digital transformation, the role of 5G in economic growth and innovation, policies that pave the way for 5G commercialization

“5G will contribute to a fundamental transformation of the digital. The world is undergoing a major shift towards the digital era, and Vietnam is part of this move. EuroCham digital sector committee members stand by with Vietnam's authorities to share our expertise and perspective as digital experts, entrepreneurs, and investors to implement the most optimal policies and technologies for Vietnam to thrive in the future” – Digital Sector Committee’s Member Christophe Poisson said

### NEWSLETTER HIGHLIGHTS

2022 Message from Chairman

Media Coverage

Whitebook 2021 Launch

Advocacy work



### VIR interview about Digital Transformation and Sustainable Development

Digital technologies play a significant role in the transformation to planet-friendly economy. Optimization of the supply chain, agriculture, industrial process, energy-producing compounds and their related network, among others, reduce our pollution output to sustainable levels.

“Science is accelerating exponentially, and digital technologies have enabled, along with thousands of bright minds working together, major breakthroughs that can potentially heave our civilization to the next era, where people can live in dignity while preserving our environment” – Chairman of Digital Sector Committee Bruno Sivanandan shared

# Meet Europe 2021: EU-Vietnam Partnership Post-Covid and Whitebook Launch

November 2021

EuroCham Vietnam and Ministry of Foreign Affairs co-hosted “Meet Europe 2021: EU-Vietnam Partnership Post-Covid and Whitebook Launch”. The hybrid launch, livestreaming from Meliá Hanoi Hotel in Hanoi, brought together more than 150 political and business leaders to discuss how government and the private sector can work together to boost EU-Vietnam trade and investment in the post-pandemic new normal

Chairman Bruno Sivanandan on behalf of Digital Sector Committee's members gave a speech at this landmark event, including recommendations on: (1) Government platform: to recommend the Government partner with the private sector to build cloud computing for government agencies, to adopt smart cloud first policies and to reduce the cost by adopting internationally recognized cloud accreditation,

compliance and security mechanisms; (2) Free flows and exchange of data between Vietnamese businesses and multinational, international business partners; (3) Right to privacy for all: applaud the Government for consulting with the international business community on the Personal Data Protection Decree and we welcome further consultation opportunities to ensure the final Decree will align with GDPR and other international privacy laws to protect both Vietnamese users and European businesses.



## Message from the Chairman in 2022

It is my pleasure to address you this message as we are about to enter the year of the Tiger. Despite the hardship that we have endured in the past months, I want to convey a message of hope in our capability to construct a future that makes sense for everyone. Instances such as EuroCham and the Sector Committees are essential to foster a dialogue between the public and the private sector. And this dialogue is itself a central piece in issuing the policies and the strategy that will enable the Vietnamese society to thrive in the near future. The Digital Sector Committee is actively taking part in this constructive endeavor through the prism of Information technologies, which are transverse to each and every industry in our economy. From cloud computing, nowadays the foundation of all the services we access as citizens, to the eGovernment, reinventing how entire countries are administrated, via the data protection regulation which frame economic actors in their processing our personal data and limits their insight on our privacy.

Thanks to all the effort delivered in the past, our Committee is now more active than ever. Our recent enrollment in the Vietnam Business Forum, where our advocacy is paired with that of peers in other chambers of commerce, is but one illustration of our growing momentum.

In this context I would like to welcome more members in participating to this enriching venture.

**MR. BRUNO SIVANANDAN**

## Advocacy Work

### Comment on Draft Decree on Administrative penalty in Cyber Security

Digital Sector Committee thanks the Ministry of Public Security (MPS) for making the draft decree available for public consultation. It is our understanding the Draft Cybersecurity Sanction Decree is intended to cover sanctions and remedial measures under the Law on Cybersecurity (“LOCS”), the decree implementing LOCS (“LOCS Implementing Decree”), and the Decree on Personal Data Protection (“PDP Decree”). We would like to highlight that both PDP Decree and LOCS Implementing Decree are still pending, and the MPS has not yet made the latest drafts available. It is therefore difficult for industry to provide meaningful comments on this Draft Decree. The Draft Decree introduces expansive new concepts and terms that have not been seen before, especially in those provisions relating to personal data protection (e.g. in Article 14 re: General Principles on data protection and Article 15 - Violating rights of data subjects). It appears that there have been significant changes to the PDP Decree compared to the version released to the public in February 2021. Industry comments are more appropriately directed towards the underlying decrees which set out the substantive obligations, not to a sanctions decree.

Digital Sector Committee respectfully requested that: (1) The Government release the latest draft of the PDP and LOCS Implementing Decrees and provide an appropriate period for industry consultation; and (2) The public consultation of this draft decree be extended to align with the issuance of the draft PDP and LOCS decrees. (3) The timeline for implementation of this decree be extended, to provide an appropriate transition period for companies to implement the “base” PDP and LOCS decrees, as these have not even been issued yet. The sanctions decree should only come into force after there has been sufficient consultation of the PDP and LOCS decrees, and sufficient transition time has been provided to companies to implement the PDP and LOCS decrees. It is otherwise challenging for companies to be subject to these sanctions prior to knowing what the requirements of the “base” decrees contain.

### Comment on Draft Circular Amending and Supplementing E-commerce Activities

The Draft Circular amending and supplementing a number of articles of the Circular No. 47/2014/TT-BCT dated December 5, 2014 of the Ministry of Industry and Trade, providing for the management of e-commerce websites and information. Circular No. 59/2015/TT-BCT dated December 31, 2015 of the Ministry of Industry and Trade providing for the management of e-commerce activities via applications on mobile devices. Digital Sector Committee recommended revising Article 5 of Circular 47 as follows: “Article 5. Principles of notification and registration of e-commerce websites:

1. Owners of sales e-commerce websites should make notification to the Ministry of Industry and Trade according to the provisions set out in Section 1, Chapter II of this Circular.
2. E-commerce service providers must register with the Ministry of Industry and Trade according to the provisions set out in Section 2, Chapter II of this Circular.
3. Traders and organizations that own e-commerce websites that have both sales and e-commerce service functions shall only carry out registration procedures with the Ministry of Industry and Trade according to the provisions of Chapter II of this Circular.”