ESCAP
Economic and Social Commission for Asia and the Pacific

VIET NAM

REGIONAL DIGITAL TRADE INTEGRATION INDEX (RDTII) 2.1
ECONOMY PROFILE 2025

ESCAP-ECA-ECLAC INITIATIVE ON DIGITAL TRADE REGULATORY INTEGRATION

VIET NAM [1]

Viet Nam has 59% higher regulatory compliance costs for cross-border digital trade than Asia-Pacific average and 43% higher than the ASEAN average[2]. Based on the RDTII 2025 scores[3], its compliance costs are higher than the Asia-Pacific average in several areas, particularly regulations related to cross-border data governance, standards and procedures, and non-technical non-tariff measures (NTMs). However, the economy has relatively lower compliance costs compared to the Asia-Pacific average for tariffs and trade defence, intellectual property rights, and domestic data protection and privacy. (See the Figure for more comparisons)

Among 12 policy areas, the highest compliance costs for Viet Nam are in regulations related to cross-border data policies, foreign direct investment, and non-technical NTMs. In contrast, the lowest compliance costs are in those related to tariffs and trade defence, intellectual property rights, and domestic data protection and privacy.

Table: Viet Nam's RDTII 2025 overall score and pillars' scores

Viet Nam	Index score (0: low compliance costs, 1: high compliance costs)	Differences from Asia-Pacific average compliance costs (%)	Differences from subregional average compliance costs (%)
Overall score	**0.59**	**59%**	**43%**
Pillar 1: Tariffs and trade defence	0.05	-87%	-74%
Pillar 2: Public procurement	0.68	88%	59%
Pillar 3: Foreign direct investment	0.83	67%	30%
Pillar 4: Intellectual property rights	0.21	-18%	-12%
Pillar 5: Telecommunication regulations and competition	0.74	55%	48%
Pillar 6: Cross-border data policies	0.92	200%	227%
Pillar 7: Domestic data protection and privacy	0.38	-10%	-11%
Pillar 8: Internet intermediary liability	0.75	39%	33%
Pillar 9: Content access	0.67	58%	15%
Pillar 10: Non-technical NTMs	0.79	122%	56%
Pillar 11: Standards and procedures	0.60	169%	114%
Pillar 12: Online sales and transactions	0.43	80%	39%

Source: ESCAP calculation, data as of January 2026, available at: https://www.unescap.org/projects/rcdtra/databases-kp

[1] This brief was prepared by a team of researchers under the supervision of Witada Anukoonwattaka at the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP). The initial draft was prepared by Alexandre Germouty, with subsequent review and finalization by Natnicha Sutthivana, Ziyu Qiao, and Juntong Hou. The document incorporates comments and feedback received during the national data verification process with government focal points and national experts, where applicable. Special thanks to Nguyen Huu Chi Dat and Tran Thi Minh Tien for their inputs and feedback at national level.

[2] For further comparative analysis, please see: Economic and Social Commission for Asia and the Pacific (ESCAP), 2025. Digital Trade Regulatory Review for Asia and the Pacific, 2025, available at https://www.unescap.org/kp/2025/digital-trade-regulatory-review-asia-pacific-2025; and ESCAP and the Association of Southeast Asian Nations (ASEAN) Secretariat, 2025. Digital Trade Regulatory Review for ASEAN, 2025, available at https://www.unescap.org/kp/2025/digital-trade-regulatory-review-asean-2025.

[3] To find out the details of the RDTII methodology and framework structure, please refer to: Economic and Social Commission for Asia and the Pacific (ESCAP), 2025. The Regional Digital Trade Integration Index (RDTII) Guide 2.1, available at https://www.unescap.org/kp/2025/regional-digital-trade-integration-index-rdtii-21-guide

NEW POLICY MEASURES AND PROPOSALS

Viet Nam has recently taken steps to advance its digital trade agenda by introducing policies across several key areas, including consumer protection, electronic transactions, digital payments, telecommunications, and public procurement.

To enhance consumer rights in e-commerce, the Law No. 19/2023/QH15 on Consumer Protection (2024), amended by Decree No. 55/2024/ND-CP [4], introduces robust protections that ensure accountability in online markets. Articles 5 and 6 establish the legal enforceability of remote transactions, while Article 7 provides mechanisms to address complaints related to defective goods, fraud, or misrepresentation. To reinforce trust, Article 14 mandates that businesses guarantee their online products and services meet advertised quality standards, promoting higher accountability among e-commerce platforms.

The legal infrastructure for e-transactions has been strengthened through the Law No. 20/2023/QH15 on E-Transactions (2024), which elevates the status of digital agreements. Articles 7 to 11 ensure that data messages are recognized as legally binding documents, equating digital contracts and receipts with their traditional counterparts. Article 23 formalizes the equivalence of e-signatures and handwritten signatures, fostering greater trust in online agreements. Furthermore, Articles 34 to 38 establish detailed procedures for entering, executing, and validating electronic contracts, with a focus on security, transparency, and enforceability to encourage consumer participation in digital commerce.

In the financial sector's digital payment space, Decree No. 52/2024/ND-CP on Non-Cash Payments (2024) introduces stringent licensing requirements for payment service providers to ensure stability and security. Article 22 sets capital thresholds from Vietnamese Dong (VND) 50 billion for basic services to VND 300 billion for specialized financial and international switching services. Providers must also comply with rigorous technical security standards and partner with at least 50 domestic banks or foreign branches to enhance financial inclusion. Additionally, international financial switching services must be routed through intermediaries authorized by the State Bank of Viet Nam.

Telecommunications reforms under the Law No. 24/2023/QH15 on Telecommunications (2024) signal Viet Nam's intent to attract foreign investment while addressing infrastructure inefficiencies. Articles 28 and 29 permit full foreign ownership in internet-based services and cloud computing. To lower operational costs and boost competition, Article 63 mandates infrastructure sharing (e.g., towers, ducts). Additionally, Article 11 ensures state oversight of critical telecommunications infrastructure, aligning development efforts with socio-economic and security goals.

Public procurement has also seen progressive reforms through the Law No. 22/2023/QH15 on Bidding (2024), which encourages domestic capacity-building while fostering foreign-local collaboration. Article 5 requires foreign bidders to partner with local contractors, ensuring that procurement activities contribute to domestic economic development. To further incentivize these partnerships, Article 10 grants preferential treatment to foreign bidders that delegate at least 25 percent of project value to local contractors, reinforcing alignment between procurement strategies and national priorities.

[4] Decree No. 55/2024/ND-CP providing guidance on the 2023 Consumer Law

Looking ahead, Vietnamese policymakers are currently discussing two draft laws slated for 2025: the Data Law and the Digital Technology Industry (DTI) Law. The Data Law seeks to establish a regulatory framework for managing the National Synthesis Database and regulating data-related services, while the DTI Law introduces incentives for digital technology industries, definitions for digital assets and AI, and a regulatory sandbox mechanism for innovative technologies. If enacted, these laws will further shape Viet Nam's digital landscape, balancing data security with innovation and growth.

EXAMPLES OF POLICIES SUPPORTING VIET NAM'S DIGITAL TRADE INTEGRATION

Tariffs and Trade Defence

Viet Nam maintains an effective tariff rate[6] of 0.15 % on ICT goods imported from economies within the Asia and the Pacific region. The rate is lower than the average rate of Asia-Pacific region, which is 4%. It also applies zero tariff coverage 88.4% on imported ICT goods from economies within the Asia and the Pacific region, which is higher than the average Asia-Pacific coverage of 50.08%. The economy is a signatory to the 1996 WTO Information Technology Agreement (ITA), however it has yet to adopt the expanded commitments under the ITA II framework. Notably, Viet Nam has not imposed any additional trade-defence measures – such as anti-dumping duties, countervailing duties, or safeguards – on ICT goods imported from other economies within the considered United Nations region.

Intellectual Property Rights

Robust civil and administrative procedures, remedies, and provisional measures are readily available for copyright and patent enforcement in Viet Nam. The economy is a contracting state to the WIPO Patent Cooperation Treaty, facilitating streamlined international patent filings. It is also a signatory to the WIPO Copyright Treaty and WIPO Performances and Phonograms Treaty, aligning its domestic rules with international copyright standards. Furthermore, there are no requirements to disclose source code, algorithms, or other trade secrets. In Viet Nam, Law No. 50/2005/QH11 on Intellectual Property Rights offers effective statutory protection for trade secrets. However, Patent filing in Viet Nam is complicated by the requirement for foreign organizations and individuals (those without a permanent presence in Vietnam) to appoint a legal representative in Viet Nam to file for industrial property rights (including patent applications).[9] Besides, based on fair dealing provisions, Article 25 of the Law No. 50/2005/QH11 on Intellectual Property Rights provides complex and specific copyright exceptions for specific circumstances such as personal research, teaching and education use, and non-commercial cultural events.

[6] The effective tariff rate, sourced from the World Integrated Trade Solution (WITS) database, is a weighted average of the tariffs it actually applies to its imports. The calculation is based on the "effectively applied tariff," which is the lowest rate available for each specific import—either the standard Most-Favored-Nation (MFN) tariff or a preferential rate from a trade agreement. This tariff is then weighted by the import's value, ensuring that tariffs on heavily traded goods have a greater impact on the final rate than those on rarely imported items. By accounting for both preferential agreements and import volumes, the effective tariff rate offers a more accurate reflection of the tariff cost of trade than a simple average MFN rate.

[9] Law No. 50/2005/QH11 on Intellectual Property Rights, Article 89.

Domestic Data Protection and Privacy

Viet Nam has developed a comprehensive, cross-sector data protection framework—Law No. 86/2015/QH13 on Network Information Security and Decree No. 13/2023/ND-CP on Personal Data Protection—that applies to all industries and clearly defines the rights and obligations of data controllers and processors. The framework requires organizations to apply technical and managerial measures, obtain clear consent, distinguish between basic and sensitive data, notify breaches to the Ministry of Public Security, and appoint data protection officers. Law No. 24/2018/QH14 on Cybersecurity (2019) serves as the stand-alone, economy-wide legislation, mandating data localization and compulsory security assessments for critical systems. Nevertheless, under Decree No. 13/2023/ND-CP on the Protection of Personal Data, Article 28(2) explicitly requires the appointment of a Data Protection Officer (DPO) or an equivalent role responsible for protecting sensitive personal data, while Article 24 mandates the conduct of a Data Protection Impact Assessment (DPIA). Additionally, the framework imposes restrictive obligations, including mandatory data retention and broad government access to personal data, which increase compliance costs for businesses.

EXAMPLES OF POLICY CHALLENGES TO VIET NAM'S DIGITAL TRADE INTEGRATION

Cross-border Data Policies

Viet Nam enforces stringent cross-border data policies, including strict data localization requirements and conditions on the overseas transfer of personal data. Under Decree No. 53/2022/ND-CP, firms providing online and telecommunications services must store copies of all personal data, user-generated data, and user-relationship data within Viet Nam for a minimum of 24 months. Furthermore, Articles 54 and 74 of Decree No. 147/2024/ND-CP[11] reinforce these requirements by obligating websites, social networks, and online service providers to maintain servers within Viet Nam to comply with government inspection and storage mandates. Viet Nam also imposes a conditional data transfer regime. Under Decree No. 13/2023/ND-CP on Personal Data Protection, entities must prepare and submit an Impact Assessment Report to the Ministry of Public Security within 60 days of initiating the processing of Vietnamese citizens' personal data for cross-border transfer. The report must detail the nature, purpose, security measures, and legal compliance, and justify the need for local processing prior to transfer. Upon completing the transfer, entities must also notify the Ministry, providing full contact details of the responsible personnel. On the enabling side, Viet Nam has joined the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and the Trans-Pacific Partnership (TPP), both of which include binding commitments on the free flow of data.

Foreign Direct Investment

Viet Nam imposes complex conditions on foreign direct investment (FDI), particularly in sectors critical to national interests and security. Article 23(1)(a) of Law No. 61/2020/QH14 on Investment (2021) classifies any business with over 50% foreign ownership as a foreign-invested entity, subjecting it to

[11] Decree 147/2024/ND-CP dated November 9, 2024, has replaced Decree 72/2013/ND-CP and Decree 27/2018/ND-CP.

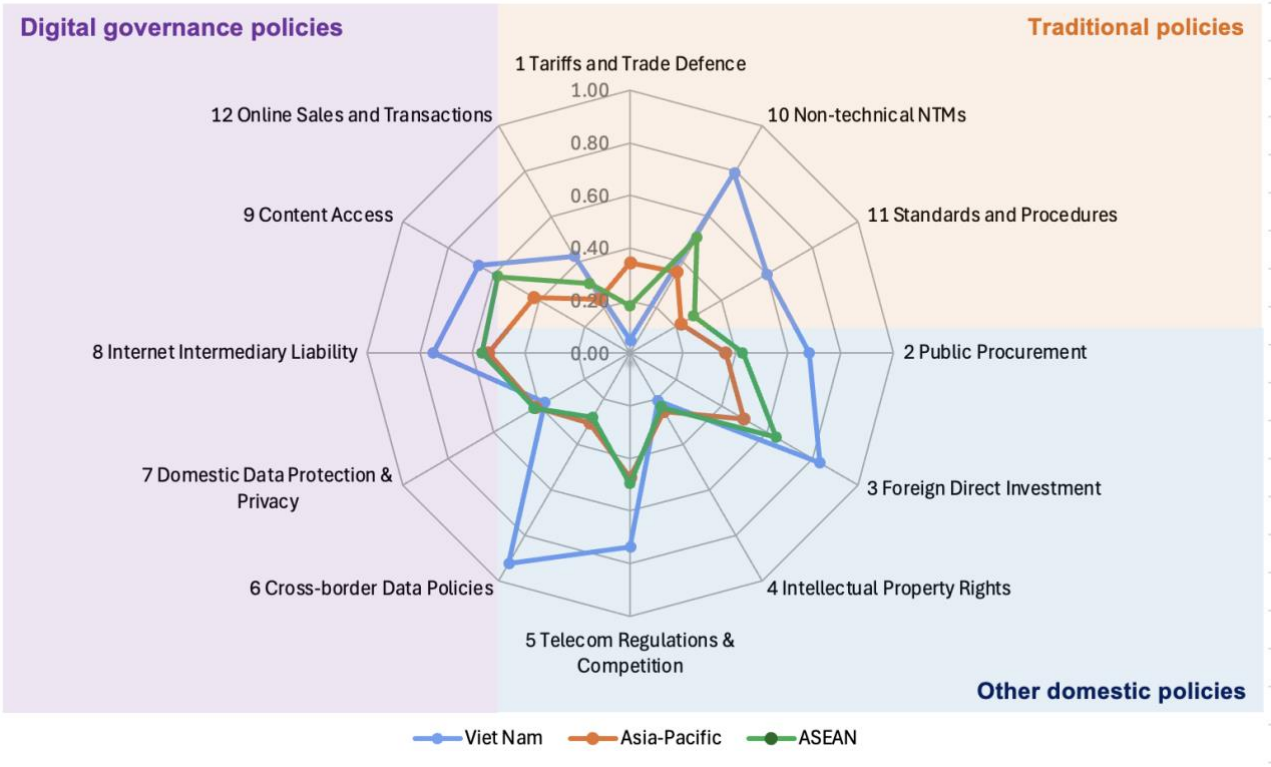
stringent investment registration and market access rules. Sections A and B of Appendix I of Decree No. 31/2021/ND-CP (2021)[12] elaborate on this, listing 25 sectors where FDI is prohibited, including press activities, public survey services, and certain intellectual property services. It also defines 59 sectors, including telecommunications, digital advertising, and e-commerce activities, where foreign investors must meet conditional market access requirements. Under Article 67(a) of Decree No. 85/2021/ND-CP[13], foreign telecommunications providers must partner with licensed Vietnamese enterprises for cross-border services. Commercial presence requirements are also imposed: foreign internet and telecom providers involved in data collection or processing must establish representative offices or branches in Viet Nam.[14] Additionally, foreign e-commerce platforms with significant Vietnamese user engagement are required to register under local law and maintain a physical presence.[15] However, foreign investors are not required to form joint ventures to operate in digital trade-related sectors in

Non-technical NTMs

Under Circular 43/2020/TT-BTTT (2021), all mobile phones manufactured or imported into Viet Nam must use Evolved Universal Terrestrial Radio Access (E-UTRA) or 4G technology. As a result, the economy effectively bans the import of mobile devices that rely solely on 2G, 3G, or combined technologies. Additionally, imports of network information security products with encryption capabilities are subject to licensing requirements, submission of technical documentation, and conformity certification, which may increase compliance costs and delay market entry[16]. Exports of ICT products are subject to similar restrictions. According to Article 34 of the Law on Cyberinformation Security (2016), Viet Nam requires export permits for civil cryptographic products to ensure they do not compromise national defense, security, or social safety. Decree No. 32/2023/CN-DP (2023) further mandates export licenses for products such as smartphones and digital cameras. While recent regulations highlight goals to expand the local supply chain and develop a national energy plan[17], no formal local-content requirements for ICT products have been observed to date.

[12] Decree No. 31/2021/ND-CP regarding detailed regulations and guidelines for the implementation of some articles of the Investment Law
[13] Decree No. 85/2021/ND-CP (2022), amends Decree No. 52/2013/ND-CP (2013)
[14] See Article 26(3) of the Law No. 24/2018/QH14 on Cybersecurity (2019)
[15] See Article 67(a) of Decree No. 85/2021/ND-CP (2022)
[16] See Decree No.108/2016/ND-CP, Circular No.10/2022/TT-BTTTT, and Decree No.32/2023/ND-CP
[17] See Prime Minister's latest Decision 165/QD-TTg

Figure: Comparison between Viet Nam's RDTII scores, Asia-Pacific average scores and subregional average scores



Source: ESCAP calculation, data as of January 2026, available at: https://www.unescap.org/projects/rcdtra/databases-kp

VIET NAM'S PARTICIPATION IN TRADE NEGOTIATIONS INVOLVING DIGITAL TRADE

Viet Nam's engagement in digital trade related negotiation is advancing. As of September 2025, Viet Nam has signed several preferential agreements, generally within the Asia and the Pacific region. For example, Korea-Viet Nam Free Trade Agreement (FTA)[18], ASEAN-Hong Kong Free Trade Agreement (FTA)[19], Free Trade Agreement (FTA) between the European Union (EU) and the Socialist Republic of Viet Nam[20], Viet Nam-United Kingdom Free Trade Agreement (FTA)[21], and Comprehensive Economic Partnership Agreement (CEPA) between Viet Nam and the UAE[22]. Some of these agreements include digital (or e-commerce) provisions, such as Korea-Viet Nam FTA, and UAE-Viet Nam CEPA. At the global scale, Viet Nam ratified the Regional Comprehensive Economic Partnership

[18] Free Trade Agreement between the Government of the Socialist Republic of Viet Nam and the Government of the Republic of Korea, signed in May 2015, entered into force in December 2015. Available at https://vntr.moit.gov.vn/fta/21/2
[19] Free Trade Agreement between Hong Kong, China and the Association of Southeast Asian Nations, signed in November 2017, entered into force in June 2019. Available at https://asean.org/wp-content/uploads/2021/08/AHKFTA-compressed.pdf
[20] Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam, signed in June 2019, entered into force in August 2020. Available at https://vntr.moit.gov.vn/fta/31/0
[21] Free Trade Agreement Between The United Kingdom Of Great Britain And Northern Ireland And The Socialist Republic Of Viet Nam, signed in December 2020, entered into force in January 2021. Available at https://fta.gov.vn/files/Agreement%20Text%20-%20UKVFTA/UKVFTA%20-%20ENG/UKVFTA%20-%20Full%20Text%20-%20ENG.pdf
[22] Comprehensive Economic Partnership Agreement (CEPA) between Viet Nam and the UAE, signed in October 2024, not entered into force yet. Available at https://wtocenter.vn/chuyen-de/27163-text-for-the-comprehensive-economic-partnership-agreement-between-viet-nam-and-the-uae

(RCEP)[24] in 2022 and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)[25] in 2019 which enhance frameworks for e-commerce and cross border data exchanges. In addition, Viet Nam has not concluded a stand-alone Digital Economy Agreement (DEA).

Regionally, Viet Nam is actively involved in ASEAN, which includes negotiations related to digital trade among member economies such as the ASEAN Agreement on Electronic Commerce (2021)[26] and the ASEAN Framework on Personal Data Protection (2016)[27] which collectively promote seamless digital integration among member states. The economy also benefits from the ASEAN Sectoral Mutual Recognition Arrangement for Electrical and Electronic Equipment (2002)[28], ensuring that conformity assessment results like test reports and certifications are accepted across member states without the need for retesting.

Globally, Viet Nam is a member of both the World Trade Organization (WTO) and the World Intellectual Property Organization (WIPO). Under the WTO framework, Viet Nam participates in selected WTO agreements and initiatives related to digital trade, such as the Information Technology Agreement (ITA)[29], WTO Telecom Reference Paper[30], Trade-Related Aspects of Intellectual Property Rights (TRIPS)[31]. However, it is an observer to the WTO Agreement on Government Procurement and the economy has not participated in the WTO Joint Statement Initiative (JSI) on Electronic Commerce. Regarding the WIPO treaties, Viet Nam has signed the Patent Cooperation Treaty (1993)[32], the World Intellectual Property Organization (WIPO) Copyright Treaty (2022)[33], and the WIPO Performances and Phonograms Treaty (2022)[34].

Regarding other agreements relevant to digital trade, Viet Nam has adopted the United Nations Commission On International Trade Law (UNCITRAL) Model Laws on Electronic Commerce[38] and Electronic Signatures[39] in 2005 align its policies with global standards. However, it has not signed the United Nations Convention on the Use of Electronic Communications in International Contracts, nor has it adopted the UNCITRAL Model Law on Electronic Transferable Records. Additionally, the economy has not acceded to the Framework Agreement on Facilitation of Cross-border Paperless Trade in Asia and the Pacific (CPTA), which promotes the electronic exchange of trade-related data and documents among participating economies.

[24] The Regional Comprehensive Economic Partnership (2022), available at : https://asean.org/wp-content/uploads/2024/10/Regional-Comprehensive-Economic-Partnership-RCEP-Agreement-Full-Text.pdf
[25] The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (2018), available at: https://investmentpolicy.unctad.org/international-investment-agreements/treaty-files/8280/download
[26] ASEAN Agreement on Electronic Commerce (2021), available at: https://agreement.asean.org/media/download/20190306035048.pdf
[27] ASEAN Framework on Personal Data Protection, available at: https://asean.org/wp-content/uploads/2012/05/10-ASEAN-Framework-on-PDP.pdf
[28] ASEAN Sectoral Mutual Recognition Arrangement on Electrical and Electronic Equipment (2002), available at: https://asean.org/asean-sectoral-mutual-recognition-arrangement-for-electrical-and-electronic-equipment/
[29] Information Technology Agreement (ITA) – Concluded in December 1996. Viet Nam acceded in 2007, available at https://www.wto.org/english/tratop_e/inftec_e/inftec_e.htm. However, it has not formally acceded ITA Information Technology Agreement II (ITA II).
[30] WTO Telecom Reference Paper. Viet Nam has attached the WTO Telecom Reference Paper to its schedule of commitments since 2012. Available at https://www.wto.org/english/tratop_e/gproc_e/memobs_e.htm
[31] Trade-Related Aspects of Intellectual Property Rights (TRIPS) – Agreement under the WTO, enacted since January 1995. Viet Nam joined in January 2007, available at https://www.wto.org/english/tratop_e/trips_e/trips_e.htm
[32] WIPO Patent Cooperation Treaty (PCT) – Treaty administered by WIPO. Available at: https://www.wipo.int/pct/en/
[33] WIPO Copyright Treaty (WCT) – Treaty administered by WIPO, available at: https://www.wipo.int/treaties/en/ip/wct/
[34] WIPO Performances and Phonograms Treaty (WPPT) – Treaty administered by WIPO. Available at https://www.wipo.int/treaties/en/ip/wppt/
[38] UNCITRAL Model Law on Electronic Commerce, available at: https://uncitral.un.org/en/texts/ecommerce/modellaw/electronic_commerce/status
[39] UNCITRAL Model Law on Electronic Signatures, available at: https://uncitral.un.org/en/texts/ecommerce/modellaw/electronic_signatures/status

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