

(Unofficial translation version)

THE NATIONAL ASSEMBLY

SOCIALIST REPUBLIC OF VIET NAM

Independence - Freedom - Happiness

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LAW

ON RED CROSS ACTIVITIES

Pursuant to the 1992 Constitution of the Socialist Republic of Vietnam, which was amended and supplemented by Resolution No. 51/2001/QH10 of 25th December 2001 at the 10th Session of the Legislature X of the National Assembly;

The National Assembly of Vietnam approved the Law on Red Cross activities.

Chapter I

GENERAL PROVISIONS

Article 1 - Scope of application and applicant

1. This Law regulates Red Cross activities, emblems in Red Cross activities, the mobilization, receipt, management and use of resources for Red Cross activities, international cooperation in Red Cross activities, as well as responsibilities of State agencies, organizations and individuals in respect of Red Cross activities.

2. This Law applies to Vietnamese organizations, individuals and foreign organizations, foreigners, international organizations (hereafter called institutions, individuals) involved in Red Cross activities in Vietnam.

Article 2 - Red Cross activities

Red Cross activities are community-based humanitarian activities, which are organized by the Vietnam Red Cross Society itself or in collaboration with institutions, individuals and that relates to emergency relief and humanitarian aid; health care; primary first aid; donation of blood, tissues and organs; tracing of

relatives missing in wars, natural disasters and other disasters; dissemination on humanitarian values; participate in disaster preparedness and response.

Article 3 – Principles for carrying out Red Cross activities

1. On a voluntary and non-profit basis.
2. Transparency, openness, right purpose, right beneficiary and efficiency.
3. Without any discrimination, in accordance with national humanitarian tradition.
4. Use of Red Cross emblems.
5. In observance of the Vietnamese legislation, in accordance with provisions of international laws relating Humanitarian activities, which the Socialist Republic of Vietnam is as a member.

Article 4 - State policy on Red Cross activities

1. The State adopts a policy of encouraging, supporting and facilitating the participation of institutions, individuals in Red Cross activities.
2. While engaging into Red Cross activities, institution, individuals who lose their lives, health, and properties are entitled to benefits from compensation regulations, policies of Vietnamese laws.

Article 5 - Responsibilities of the Vietnam Fatherland Front, the Front's member organizations, other organizations, individuals in Red Cross activities

1. The Vietnam Fatherland Front, the Front's member organizations and other organizations, within their respective functions and duties, are responsible for disseminating to, mobilizing their members and people to participate in Red Cross activities; monitoring the implementation of the laws in respect of Red Cross activities.
2. The Ho Chi Minh Communist Youth Union in addition to implement paragraph 1 of this article, is responsible to coordinate with VNRC to promote the youths and pioneers undertaking Red Cross activities

2. Organizations, individuals, within their respective duties and competency create favourable conditions to carry out Red Cross activities.

Article 6 - Prohibited acts

1. Obstructing or forcing the participation of organizations, individuals in Red Cross activities.

2. Using poor-quality or out-of-date products and effect to health, lives of people in Red Cross activities.

3. Falsely reporting on, cheating on, misappropriating, embezzling money, properties donated, contributed by organizations and individuals, at home and abroad.

4. Using the pretext of Red Cross activities to cause harm to national security, social order and safety.

5. Taking advantage of Red Cross activities for personal gains.

6. Requesting beneficiaries to pay for expenses incurred in mobilizing, receiving, transporting, distributing money and properties.

7. Using Red Cross Emblem illegally.

Chapter II

RED CROSS ACTIVITIES

Article 7 - Red Cross activities in emergency relief and humanitarian aid

1. Red Cross activities in emergency relief are timely, on-site support, in spiritual or material terms, directly rendered to victims of war, natural disaster, disease, fire, traffic accidents and other disasters, incidents, which includes:

a) Providing pecuniary, property support and assistance for overcoming initial difficulties;

b) Providing spiritual encouragement, psychological support.

2. Red Cross activities in humanitarian aid are spiritual and material support to the disabled, helpless elderly persons, orphans and others in extreme difficult situations, which includes:

- a) Providing assistance in cash, tools, labor force;
- b) Financing vocational training; creating jobs.
- c) Financing medical examination, treatment and rehabilitation.
- d) Providing other types of support.

3. Emergency relief and humanitarian aid shall be carried out on the principle of prioritizing places and people in the most difficulty and are implemented as follows:

a) In emergency relief situation, support and assistance in cash or in kind are provided immediately and rightly to the beneficiaries as mentioned in the Item 1 of this Article.

b) In humanitarian assistance, the beneficiaries who receive relief in cash or in kind, are selected based on the opened, democratic discussion of the community, with the certification of the commune/ward/town People Committee (hereafter called at the communal level) or welfare agency where they are being taken care of.

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Article 8 - Red Cross activities in health care

Red Cross activities in health care are activities that contribute to protecting and improving people's health, involve in preventing and combating epidemics. These activities include:

1) Propagating, disseminating knowledge of health care; mobilizing, guiding and assisting people in taking health care measures for themselves and the community;

2) Deploying forces and providing training to members, volunteers to acquire knowledge, skills and methods necessary to carry out health care activities;

3) Participating in disease prevention ;

4) Organizing and establishing facilities for humanitarian medical examination, treatment as well as other types of mobile humanitarian medical examination and treatment in accordance with the Vietnamese legal regulations.

Article 9 - Red Cross activities relating to primary first aid

Red Cross activities relating to primary first aid are first aid activities in relation to victims of war, natural disaster, fire, traffic accidents and other accidents, disasters, which include:

a) Organizaing on-site first aid activities, bringing victims to the nearest medical facilities and giving notice to their relatives; families, institution where they are working for or People Committee at commune level where they are residents;

b) Deploying forces and providing training to, fostering members, volunteers to acquire skills and methods necessary to carry out first aid activities;

c) Establishing first aid points and stations in places where accidents often occur, and supplying first aid kits.

Article 10 - Red Cross activities relating to donation of blood, tissues and organs

1. Red Cross activities relating to humanitarian blood donation are activities carried out to meet the demand of clean blood for the purpose of medical treatment, which include:

a) Propagating, mobilizing blood donation;

b) Organizing forces and facilities for blood donation;

c) Organizing blood donation ;

d) Collecting blood, blood products from institutions and individuals;

e) Coordinating with Ministry of health in checking, keeping blood in respecting blood and blood product technical process

2. Red Cross activities relating to donation of tissues and organs are activities to propagate, mobilize the donation of tissues and organs for the purpose of medical treatment.

Article 11 - Red Cross activities in tracing of relatives missing due to war, natural hazard, disasters

Red Cross activities in tracing are activities carried out to provide information about relatives or to assist individuals and families to reunite or to meet each other where contacts have been lost due to war, natural hazards, disasters within and outside the country, which include:

- a) Propagating and providing information with respect to the purposes, signification and scope of Red Cross activities in tracing;
- b) Collecting, processing information and facilitating the exchange of information about relatives of individuals, families who are seeking information where regular communication channels are interrupted;
- c) Supporting, assisting individuals, families and their relatives in communicating and fulfilling necessary procedures for early family reunions for humanitarian reasons.

Article 12 - Red Cross activities in promoting humanitarian values

Red Cross activities in promoting humanitarian values are activities, which aim at enhancing awareness among institutions, individuals with the following contents :

- a) Goals, objectives of Red Cross activities; of the traditional humanity, human affection, Vietnamese people's spirit of solidarity ;
- b) State Policies and legal regulations on Red Cross activities ;
- c) International humanitarian law, fundamental principles of the International Red Cross and Red Crescent Movement and other international treaties on humanitarian activities that Vietnam is as a member to.

Article 13 – Red Cross activities on disasters preparedness and response

Red Cross activities on disasters preparedness and response are activities, which are contributing to mitigate disasters risks, reducing damage and losses in people and properties when disasters happen, with the following activities:

a) Propagating, disseminating, training skills for Red Cross members, volunteers and people on disasters preparedness and response ;

b) Organize forces, equipment, vehicles and other materials, facilities for participating to the disasters preparedness and response.

Chapter III

EMBLEMS IN RED CROSS ACTIVITIES

Article 14 - The Red Cross emblem

1. The Red Cross Emblem is composed of a Red Cross on a white ground. Features of the Red Cross emblem is respected and protected by the law.

2. The Red Cross emblem serves as identification of people who are implementing Red Cross activities, facilities, tools, assets used for Red Cross activities. During armed conflict, the Red Cross emblem serves as identification and protection purpose of people, facilities and tools, assets bearing the emblem.

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Article 15 - The use of the Red Cross emblem

1. The Red Cross Emblem is used for the purpose of carrying out Red Cross activities and at the facilities, assets of the Red Cross Society.

2. During armed conflict, the Red Cross Emblem is used in accordance with the Geneva Conventions, additional protocols that the Socialist Republic of Vietnam is as a member.

Article 16 - The emblems of Red Cross, Red Crescent and Red Crystal

The emblem of Red Cross, Red Crescent and Red Crystal used in Vietnam by international and foreign organizations within the International Red Cross and Red Crescent Movement are respected and protected by the law.

Chapter IV

MOBILIZATION, COLLECTION, RECEIPT, MANAGEMENT, USE OF RESOURCES FOR RED CROSS ACTIVITIES

Article 17 - Resources for Red Cross activities

1. Resources for Red Cross activities include human resource, money, kinds and other resources, which are mobilized, raised, received from institutions, individuals and supported by the State budget.

2. The Government provides detailed regulations on State support for Red Cross activities.

Article 18 - Mobilization, raising of money, properties and other resources for Red Cross activities

1. The Red Cross Society shall organize the raising of money, properties and mobilize manpower and expertise of individuals, institutions to carry out Red Cross activities.

In case of natural disasters, catastrophes, dangerous epidemics causing severe damage to human life and property, the Vietnam Red Cross Society shall launch appeals for assistance and contributions from Red Cross societies, both at home and abroad.

The Government guides, instructs relevant State agencies to facilitate, apply rapid entry and exit visas, custom procedures to relief workers, cash and assets used for Red Cross activities in case of outbreak of disasters, dangerous pandemics.

2. The donation in cash and in kinds, and the mobilization of manpower and expertise shall be made on a voluntary basis, and in accordance with the law.

3. Fund raising, and donation in cash, in kind for Red Cross activities shall be made in open and transparent process in accordance with Article 21 of this Law.

4. List of people in need has to be shared widely in order to get assistance and relief to them

Article 19 - Receipt, management, use of money, property from organizations, individuals and support from the State budget for Red Cross activities

1. The Red Cross Society is responsible as the focal point to receive, manage, use the money and kinds donated by institutions, individuals, and support from the State budget to fund Red Cross activities.

2. The Red Cross Society coordinates with the people's committees at various levels to timely make a list of and distribute cash and kinds to persons in need.

3. The management and use of raised and received contributions in cash or kinds shall be purpose-oriented and target group-oriented in accordance with the law and be made open, transparent as stipulated in Article 21 of this Law.

Article 20 - Tax Waiver, Reduction applied to goods and services used in Red Cross activities

The waiver, reduction of taxes in relation to goods and services used in Red Cross activities shall be carried out in accordance with the law on taxation.

Article 21 - Openness, Transparency in Mobilization, Receipt, Management, Use of donations in cash and kinds for Red Cross activities

1. The mobilization, receipt, management, use of donations in cash and kinds from institutions, individual for Red Cross activities shall be made open and transparent for people's scrutiny and subject to inspection, monitoring and supervision in accordance with the law.

2. The content to be publicized includes: the purpose of mobilization, the result of mobilization, the use, the result of use and the financial statement.

3. The forms of publicization include:

a) Public announcement at the places used for receiving money, properties and the places of relief distribution;

b) Announcement via the mass media;

c) Provision of information at the request of individuals, institutions in accordance with the law.

4. The institutions, individuals who carry out Red Cross activities are responsible to publicize in the forms stipulated in the sub-items (a) and (c) of item (3) of this Article and may decide to use the form stipulated in sub-item b in paragraph (3) of this Article.

5. The time for publicization is provided as follows :

a) The purpose of mobilization must be publicized before the mobilization;

b) The result of mobilization must be publicized within 30 days from the end of the mobilization;

c) The use and the use result and financial statement must be publicized within 30 days from the date on which the financial statement is approved.

d) Within 10 days from the date of request as mentioned in sub-item c of item 3 of this article, the Red Cross Society, institution, individuals who carried out Red Cross activities, have the responsibility to provide information unless the information has already been publicized in the mass media, published in printed works or publicly announced. In case of not providing information or not being able to provide information, a written response with clear explanation shall be given to the requesting individuals, institutions.

Article 22 - Funds for Red Cross activities

1. The funds for Red Cross activities are social charity funds, which are managed and used by the Red Cross Society to carry out Red Cross activities.

2. The funds for Red Cross activities are raised from the following sources:

a) Voluntary contribution, sponsorship of individuals, institutions; humanitarian aid of international organizations, foreign governments;

b) Support from the State budget;

c) Revenue from the provision of legal services.

3. The funds for Red Cross activities include the fund for emergency relief and other constituent funds established in accordance with the law.

4. The establishment, organization, operation and management of the funds for Red Cross activities shall be carried out in accordance with regulations of the Government.

Chapter V

INTERNATIONAL COOPERATION IN RED CROSS ACTIVITIES

Article 23 - Principles regulating international cooperation in Red Cross activities

International cooperation in Red Cross activities is carried out on the basis of respecting for independence, national sovereignty, territorial integrity, equality, and in accordance with principles of international law relating to Red Cross activities.

Article 24 - Content of international cooperation in Red Cross activities

1. Developing and carrying out programs, projects of Red Cross activities;
2. Carrying out international tasks of the International Red Cross and Red Crescent Movement;
3. Sharing information, experiences in Red Cross activities;
4. Educating and training persons who carry out Red Cross activities;
5. Concluding, acceding to and implementing international treaties and agreements on Red Cross activities.

Article 25 - Red Cross activities by international organizations, foreign associations and foreigners in Vietnam

When participating in Red Cross activities in Vietnam, organizations belonging to the International Red Cross and Red Crescent Movement, other international organizations, foreign associations, foreigners shall comply with the Vietnamese legislation and shall be given favourable conditions by the State of Vietnam.

Article 26 - International relief activities

1. The Vietnam Red Cross Society participates in international relief activities on the basis of respecting to fundamental principles of the International Red Cross and Red Crescent Movement, the Vietnamese legislation, international treaties to which Vietnam is a party, the laws of the foreign states, international law and customs.

2. The Vietnam Red Cross Society, undertaking the task given by the Prime Minister, launch appeals to call support from Vietnamese people to assist peoples of other states, who are suffering from major disasters.

3. The State creates favorable conditions for the Vietnam Red Cross Society to participate in the international relief activities.

Chapter VI

THE RED CROSS SOCIETY

Article 27 - The Red Cross Society

1. The Red Cross Society is a social organization for humanitarian action, which operates in accordance with the Vietnamese legislation, fundamental principles of the International Red Cross and Red Crescent Movement, other international treaties on humanity to which Vietnam is a party and VNRC Statutes.

2. The Vietnam Red Cross Society is a member of the Vietnam Fatherland Front, member of the International Red Cross and Red Crescent Movement, and is responsible for organizing or coordinating Red Cross activities as well as other tasks given by state authorities.

Article 28 - Funds and assets of the Vietnam Red Cross Society

1. The operation budget of the Vietnam Red Cross Society is formed from the following sources:

- a) Membership fees;
- b) Support from institutions and individuals;
- c) Support from the State Budget to carry out the mobilization, receipt, transport, distribution of relief in cash and in kind as well as other tasks given by the State;
- d) Other legitimate incomes;

2. The Vietnam Red Cross Society receives, manages and uses, in accordance with the law, the properties allocated by the State and assets donated by institutions, individuals.

Chapter VII

RESPONSIBILITIES OF THE STATE AGENCIES, MASS MEDIA IN RED CROSS ACTIVITIES

Article 29 - Content of State management over Red Cross activities

1. Promulgating and implementing normative documents and policies on Red Cross activities;

2. Propagating and disseminating policies and legislation on Red Cross activities;

3. Inspecting, examining the implementation of legislation on Red Cross activities; handling complaints, accusations and addressing legal violations in Red Cross activities;

4. Collecting statistics of, providing information about, propagating and reporting on Red Cross activities.

6. International cooperation in Red Cross activities.

Article 30 - State management authorities in Red Cross activities

1. The Government shall exercise uniform state management over Red Cross activities.

2. The Ministry of Home Affairs is responsible to the Government for exercising State management over Red Cross activities.

3. Ministries, ministerial-level agencies, within their tasks and powers, have the responsibility to coordinate with the Ministry of Home Affairs, to exercise the state management over Red Cross activities.

4. People's Committees at different levels within their tasks and powers exercise State management over Red Cross activities in their localities.

Article 31 - Responsibility of the Ministry of Home Affairs

1. Developing and submitting to the relevant authorities to issue or issue legal normative documents and policies on Red Cross activities.
2. Inspecting, examining the implementation of legislation on Red Cross activities, gathering statistics, reports on Red Cross activities.

Article 32 – Responsibilities of other Ministries

1. **Ministry of Labor – Invalid and Social Affairs** guides the implementation of Red Cross activities in emergency response, humanitarian relief and tracing services due to war, natural hazard, disaster.
2. **Ministry of Health** guides the implementation of Red Cross activities in health and care, primary first aid, donations of bloods, tissues and organs.
3. **Ministry of Finance** guiding the implementation of mobilization, receipt, management and use of resources, support from State budget for Red Cross activities.
4. **Ministry of Agriculture and Rural Development, Ministry of Public Security, Ministry of Defense** guide the implementation of Red Cross activities in disasters preparedness and response.
5. **Ministry of Foreign Affairs** guides the International Cooperation on Red Cross Activities2. Inspecting, examining the implementation of disasters prevention and response.
6. **Ministry of Education and Training** guides the development and implementation of Red Cross activities by youth and pioneers in schools
7. **Ministry of Culture and Communication** guides the dissemination, public awareness on Red Cross activities.

Article 33. Responsibility of Mass Media

Mass media agencies are responsible for disseminating, propagating information on, encouraging people to participate in Red Cross activities,

highlighting best practices, criticizing bad practices in the implementation of legislation on Red Cross activities.

The dissemination and propagation of Red Cross activities will be made free of charge unless it is contracted under programs, projects sponsored by institutions and individuals.

Chapter IX

IMPLEMENTING PROVISIONS

Article 34 - The effectiveness of the Law on Red Cross Activities

The Law comes into effect on the date of January 1st, 2009

This Law is approved at the 3rd Session of the Legislature XII of the National Assembly of the Socialist Republic of Vietnam, on the date of June 3rd 2008.

Chairman of the National Assembly

Nguyen Phu Trong