

**Implement Regulations on Self-certification of Origin of Vietnam's Exported Goods Under New Generation FTAS**

**Implementar Regulamentos Sobre Auto-certificação de Origem de Produtos Exportados do Vietnã sob ALCCA de Nova Geração**

**Implementar Reglamentos Sobre la Autocertificación de Origen de los Bienes Exportados de Vietnam Bajo TLC de Nueva Generación**

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## Abstract

The self-certification systems of origin of goods is a trend applied in new-generation free trade agreements. Vietnam is already a member of several free trade agreements with regulations on self-certification of origin such as ATIGA, RCEP, CPTPP, EVFTA, and UKVFTA. The article examines the regulations on self-certification of origin in the FTAs to which Vietnam is a member, examines the internal law process and implementation of self-certification of origin in Vietnam in recent times, thereby introducing recommendations to governments and businesses

**Key words:** self-certification, origin of goods, FTA, Vietnam

## Resumo

Os sistemas de autocertificação de origem de mercadorias são uma tendência aplicada nos acordos de livre comércio de nova geração. O Vietnã já é membro de vários acordos de comércio livre com regulamentos sobre autocertificação de origem, como ATIGA, RCEP, CPTPP, EVFTA e UKVFTA. O artigo examina os regulamentos sobre a autocertificação de origem nos ALCs dos quais o Vietnã é membro, examina o processo jurídico interno e a implementação da autocertificação de origem no Vietnã nos últimos tempos, introduzindo assim recomendações para governos e empresas

**Palavras-chave:** autocertificação, origem das mercadorias, FTA, Vietnã

## Resumen

Los sistemas de autocertificación del origen de las mercancías es una tendencia aplicada en los acuerdos de libre comercio de nueva generación. Vietnam ya es miembro de varios acuerdos de libre comercio con regulaciones sobre autocertificación de origen, como ATIGA, RCEP, CPTPP, EVFTA y UKVFTA. El artículo examina las regulaciones sobre la autocertificación de origen en los TLC de los que Vietnam es miembro, examina el proceso de derecho interno y la implementación de la autocertificación de origen en Vietnam en los últimos tiempos, presentando así recomendaciones a gobiernos y empresas.

**Palabras clave:** autocertificación, origen de mercancías, TLC, Vietnam

## 1 INTRODUCTION

Self-certification of origin is one of the inevitable trends in the process of negotiating free trade agreements. Many FTAs have introduced regulations to apply this mechanism to import and export goods to bring practical benefits to businesses as well as promote trade activities between countries. However, the Self-Certification of Origin mechanism is still relatively new to Vietnam. Vietnam has only known about this mechanism since participating

in the ASEAN Self-Certification of Origin pilot program in 2014. The FTAs that Vietnam has negotiated and signed in recent years all have provisions regulating on the Self-Certification of Origin mechanism, although it may be at different levels. Currently, Vietnam is mainly applying the mechanism of certification of origin of goods issued by competent authorities. When implementing the new mechanism, the self-certification of goods origin mechanism, the work of state management agencies (such as the Ministry of Industry and Trade and Customs), and businesses has changed compared to before.

## **2 METHODOLOGY**

The article uses descriptive statistics and comparative synthesis methods to review and evaluate the process of implementing commitments on self-certification of origin of goods under free trade agreements that Vietnam has signed. The article reviewed the text in the ATIGA, RCEP, CPTPP, EVFTA, and UKFTA agreements to see the form of self-certification of goods origin and the implementation time that Vietnam has committed to. In addition, the article reviews legal documents on certification of origin that the Vietnamese government has issued to consider the process of internalizing this certification of origin mechanism. In addition, the authors collected data and reports from the Ministry of Industry and Trade and the International Trade Center to examine the reality of businesses applying the self-certification mechanism of origin of goods.

## **3. RESULTS AND DISCUSSION**

### **3.1 Self-origin regulations in trade agreements to which Vietnam is a member**

In international trade, rules of origin are a set of regulations that determine which country is considered the country of origin of goods. According to Article 3(b) of the WTO Agreement on Rules of Origin<sup>1</sup>, “the country to be determined as the origin of a particular good is either the country where the good has been wholly obtained or, when more than one country is concerned in the production of the good, the country where the last substantial transformation

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<sup>1</sup> WTO, Agreement on rules of origin, [https://www.wto.org/english/docs\\_e/legal\\_e/22-roo.pdf](https://www.wto.org/english/docs_e/legal_e/22-roo.pdf)

has been carried out”. In many cases, customs authorities of the importing country need to know the origin of imported goods to determine special regulations applicable to the goods (for example, preferential tariffs, anti-dumping taxes, quotas...)²

“Self-issued certificate of origin” means a specific form in which the producer, manufacturer, exporter or importer expressly certifies that the goods to which the certificate relates are considered originating according to the applicable rules of origin (WCO, 2018). The self-certification mechanism of the origin of goods has several benefits for exporters, importers, and state management agencies. For exporters, it reduces the administrative costs, transaction time, and compliance requirements for customs at the border. It also enables businesses to better utilize preferential tariff rates offered under a Free Trade Agreement (FTA) and improves the origin knowledge and origin skills of manufacturers and traders. For importers, it increases their responsibilities and helps them to avoid potential penalties for non-compliance. For state management agencies, it reduces the workload of verifying the origin of goods and allows them to focus on other important tasks.

The issuance of a proof of origin can be accomplished by a number of systems. According to WCO guidelines³, there are 4 types of self-certification systems of origin of goods, as follow:

(i) Approved exporter system: An exporter that is assessed and authorized by the competent authority to self-certify the origin of goods. The exporter must meet the criteria issued by the authority and may have the right to self-certify revoked. This system is commonly used in FTAs.

(ii) Registered exporter system: An exporter that has registered with the competent authority can declare and self-certify the origin of goods on the commercial invoice and other commercial documents. The exporter only needs to register the information as required and there is no evaluation process at the time of registration. The information about the registered

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² <https://trungtamwto.vn/chuyen-de/259-cac-cau-hoi-lien-quan-den-hiep-dinh-ve-quy-tac-xuat-xu-cua-wto>

³ WCO (2018), Guidelines on certification of origin, <https://www.wcoomd.org/-/media/wco/public/global/pdf/topics/key-issues/revenue-package/guidelines-on-certification.pdf>

exporter will be shared with the Customs of the importing country and they will use that information for risk assessment.

(iii) Fully Exporter-based system: This system allows the exporter/producer to issue the certificate of origin. The competent authorities in the exporting country do not participate in and do not supervise the issuance of certificates of origin under this system. In this case, a verification system allows the Customs authority of the importing country to directly investigate the exporter/producer that issued the certificate of origin.

(iv) Importer-based system: In this system, the importer is allowed to declare the origin or provide information on the origin based on their own understanding of the imported goods when requesting preferential tariff treatment. This is the most liberal self-certification system.

Vietnam has participated in 16 FTAs including agreements regulating Self-Certification of Origin including ATIGA, RCEP, CPTPP and EVFTA

**Table 1**

Classification of self-certification systems specified in FTAs that Vietnam has signed

<b>Trade agreement that Vietnam has signed</b>	<b>Types of self-certification system</b>
The ASEAN Trade in Goods Agreement (ATIGA),	Approved exporter
The Regional Comprehensive Economic Partnership (RCEP)	Approved exporter Fully Exporter-based
The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)	Fully Exporter-based Importer-based
The EU–Vietnam Free Trade Agreement (EVFTA)	Approved exporter Fully Exporter-based (For value of the consignment does not exceed EUR 6,000)
The Vietnam - UK Free Trade Agreement (UKVFTA)	Approved exporter Fully Exporter-based (For value of the consignment does not exceed EUR 6,000)

Source: The author has compiled information from FTAs

The next content of the article refers to the Regulations on Self-Certification of Origin mentioned in the Trade Agreements that Vietnam has signed.

**ATIGA**

The ASEAN Trade in Goods Agreement (ATIGA), formerly the CEPT-AFTA (Common Effective Preferential Tariff for ASEAN Free Trade Agreement), was signed in February 2009. The ASEAN Member States signed the First Protocol to amend the ASEAN Trade in Goods Agreement (ATIGA) to implement the ASEAN-Wide Self-Certification (AWSC) Scheme in January 2019, and will take effect on 20 September 2020<sup>4</sup>.

Requirements to become a Certified Exporter (CE) under the AWSC<sup>5</sup>: As provided by Rule 1 of the ATIGA OCP, a CE means an exporter duly authorized to make out an Origin Declaration on the origin of a good exported. As required by Rule 12A (1), an exporter must apply in writing or electronically and offer to the satisfaction of the Competent Authority all guarantees necessary to verify the originating status of the goods for which an Origin Declaration was made. The Competent Authority may grant the status of CE subject to any conditions which they consider appropriate, including in any case the following: Registered in the exporting Member State; Know and understand the Rules of Origin in ATIGA; Experienced exporter; No record of any Rules of Origin fraud; Good compliance measured by the risk management rules; A trader must have a “Manufacture’s Declaration ” and be ready for a retroactive check and verification; and Has a sound bookkeeping and record-keeping system.

## RCEP

The Regional Comprehensive Economic Partnership (RCEP) is an FTA among the ASEAN nations and Australia, China, Japan, South Korea, and New Zealand, signed in November 2020.

According to Article 3.16 of the RCEP Agreement<sup>6</sup>, Proof of Origin can be: a Certificate of Origin issued by Competent authority of the exporting country; a Declaration of Origin by an approved exporter; and a Declaration of Origin by an exporter or producer.

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<sup>4</sup> Information on Rules of Origin on the ASEAN portal <https://asean.org/our-communities/economic-community/rules-of-origin/>

<sup>5</sup> ASEAN Secretariat, ASEAN Wide Self-Certification guidebook, <https://asean.org/wp-content/uploads/2021/09/ASEAN-wide-Self-Certification-Guidebook-web.pdf>

<sup>6</sup> RCEP agreement, Chapter 3: Rule of origin <https://trungtamwto.vn/file/20045/rcep-chapter-3.pdf>

Regarding Self-Certification of Origin by approved exporters, each RCEP member country is free to determine the criteria that exporters must comply with in order to self-certify origin.

Regarding Self-certification of origin by exporters or producer, this is the form of origin certification that new generation FTAs are aiming for. However, all RCEP member countries have reservations about the roadmap for implementing this form of self-certification of origin. According to line 2, Article 3.16, Vietnam reserves the right to only begin implementing this mechanism within 10 years from the date RCEP takes effect, and can be extended for a maximum of no more than 10 more years (Ministry of Industry and Trade, 2022).

### **CPTPP**

The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) was signed by 11 member countries in 2018, taking effect for Vietnam on January 14, 2019.

According to Article 3.20 of CPTPP<sup>7</sup>, each Party shall provide that an importer may make a claim for preferential tariff treatment, based on a certification of origin completed by the exporter, producer or importer. Accordingly, the Agreement stipulates that any exporter or producer can self-certify origin. As for importers, the CPTPP allows member countries to make regulations in their internal laws on specific conditions for importers to self-certify origin.

Vietnam is a CPTPP member country that applies the reservation period for the self-certification mechanism of origin of goods. After the CPTPP took effect in Vietnam in January 2019, Vietnam notified CPTPP countries about the application of the mechanism of competent agencies issuing C/O. After the maximum 10-year transition period expires (January 14, 2029), Vietnam shall switch to fully applying the self-certification mechanism of origin of goods for exporters and producers. During the transition period, Vietnam applies the mechanism of certification of origin of goods by competent authorities for goods exported from Vietnam to other member countries of the CPTPP Agreement.

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<sup>7</sup> CPTPP agreement, Chapter 3: Rule of origin and Origin procedures <https://trungtamwto.vn/upload/files/loi-dung-hiep-dinh/3.-Rules-of-Origin-and-Origin-Procedures-Chapter.pdf>

## EVFTA

The EU–Vietnam Free Trade Agreement (EVFTA) was signed on June 30, 2019 and takes effect from August 1, 2020. Rule on origin of goods in the EVFTA Agreement are mentioned in Section D of Protocol 1.<sup>8</sup> According to Article 15, products originating in Vietnam shall, on importation into the EU, benefit from EVFTA upon submission of any of the following proofs of origin:

- (a) A certificate of origin issued by the competent authorities of the exporting Party
- (b) an origin declaration by any exporter for consignments the total value of which is to be determined in the national legislation of Vietnam and shall not exceed EUR 6,000;
- (c) an origin declaration by an exporter approved or registered under the relevant legislation of Vietnam after Vietnam has notified the EU that such legislation applies to its exporters.

## UKVFTA

The UK - Vietnam Free Trade Agreement (UKVFTA) was signed on December 29, 2020 and officially took effect from May 1, 2021. The content of the Agreement is inherited from existing commitments in the EVFTA Agreement with necessary adjustments to ensure compliance with the bilateral trade framework between Vietnam and the UK. Basically, the self-certification of goods origin mechanism of UKVFTA and EVFTA is the same. According to Article 15, Section D of Protocol 1<sup>9</sup>, an origin declaration by: (i) an approved exporter within the meaning of Article 20 (Approved Exporter) for any consignment regardless of its value; or (ii) any exporter for consignments the total value of which does not exceed EUR 6,000;

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<sup>8</sup> EVFTA agreement, Protocol 1: Concerning the definition of the concept of "Originating Products" and methods of administrative cooperation, Section D: Proof of Origin <https://trungtamwto.vn/file/19690/protocol-1.pdf>

<sup>9</sup> UKVFTA agreement, Protocol 1: Concerning the definition of the concept of "Originating Products" and methods of administrative cooperation, Section D: Proof of Origin, <https://trungtamwto.vn/file/20320/protocol-1.pdf>



### 3.2 The process of internalizing Vietnam's regulations on self-origin of goods

Although the self-certification of origin mechanism is mentioned in a series of FTAs that Vietnam has signed, currently, Vietnam has officially applied self-certification of origin under the ATIGA (ASEAN), EVFTA, and UKVFTA agreements.

*Regarding general legal documents on origin of goods*, Vietnam has the following legal documents:

Decree No. 31/2018/ND-CP dated March 8, 2018 of the Government detailing the Law on Foreign Trade Management on goods origin<sup>10</sup>

Circular No.39/2018/TT-BCT dated October 30, 2018 regulating inspection and verification of origin of exported goods<sup>11</sup>

*Regarding the self-certification mechanism of origin under the ATIGA*, Vietnam has the following legal documents:

Circular No. 28/2015/TT-BCT dated August 20, 2015 of the Ministry of Industry and Trade regulates the pilot implementation of self-certification of origin of goods under the ASEAN Trade in Goods Agreement.<sup>12</sup>

Circular No. 19/2020/TT-BCT dated August 14, 2020 of the Ministry of Industry and Trade prescribing amendments to Circulars on Rules of origin in the ASEAN Trade in Goods Agreement.<sup>13</sup>

Circular No. 66/2020/TT-BCT dated August 28, 2020 of the Ministry of Industry and Trade, a document consolidating the Circular regulating pilot self-certification of origin of goods<sup>14</sup>

<sup>10</sup> Decree No. 31/2018/ND-CP <https://thuvienphapluat.vn/van-ban/Thuong-mai/Nghi-dinh-31-2018-ND-CP-huong-dan-Luat-Quan-ly-ngoai-thuong-ve-xuat-xu-hang-hoa-376559.aspx>

<sup>11</sup> Circular No.39/2018/TT-BCT <https://thuvienphapluat.vn/van-ban/Xuat-nhap-khau/Thong-tu-39-2018-TT-BCT-quy-dinh-kiem-tra-xac-minh-xuat-xu-hang-hoa-xuat-khau-398905.aspx>

<sup>12</sup> Circular No. 28/2015/TT-BCT <https://thuvienphapluat.vn/van-ban/Thuong-mai/Thong-tu-28-2015-TT-BCT-thi-diem-tu-chung-nhan-xuat-xu-hang-hoa-Hiep-dinh-thuong-mai-ASEAN-288283.aspx>

<sup>13</sup> Circular No. 19/2020/TT-BCT <https://thuvienphapluat.vn/van-ban/Thuong-mai/Thong-tu-19-2020-TT-BCT-sua-doi-Thong-tu-Quy-tac-xuat-xu-hang-hoa-trong-Hiep-dinh-Thuong-mai-451405.aspx>

<sup>14</sup> Circular No. 66/2020/TT-BCT <https://thuvienphapluat.vn/van-ban/Thuong-mai/Van-ban-hop-nhat-66-VBHN-BCT-2020-Thong-tu-thuc-hien-thi-diem-tu-chung-nhan-xuat-xu-hang-hoa-566330.aspx>

Criteria for the selection of the trader for the implementation of a self-certification pilot project is mentioned in Article 4 of Circular 28/2015:

1. Being a manufacturer and exporter of goods produced by the trader himself.
2. The trader does not commit violations against regulations on goods origin over the last 02 (two) years prior to the date of application.
3. Turnover of export to ASEAN under C/O form D of the preceding year is at least USD 10 (ten) million.
4. One or some employees of the trader are provided with training and granted certificates of training in goods origin by a training institution appointed by the Ministry of Industry and Trade.

Circular No. 19/2020/TT-BCT has changed the selection criteria by removing the criteria on turnover of export to ASEAN, but clause 2, article 4 of this Circular, it further stipulates conditions for a trader that applies for an authorization under AWSC scheme:

a) The trader has been issued with a preferential C/O covering the goods of the same HS code (4 digits) in the past 02 years by the time of submission of the application for the authorization.

b) In the event that the exporter is not the manufacturer, the exporter must have a manufacturer's declaration indicating the origin of the goods exported and readiness of the manufacturer to cooperate in examination of the application or proof of origin and retroactive check and verification visit at the manufacturer's premises

Removing the requirement for a minimum export turnover of 10 million USD is a step to facilitate SMEs participating in the self-certification of origin mechanism under ATIGA.

Also, according to Circular No. 19/2020/TT-BCT, the Import-Export Department (Ministry of Industry and Trade) is the competent agency to issue Approval Documents for traders to self-certify the origin of goods.

Vinamilk is the first Vietnamese enterprise to self-certify the origin of goods in ASEAN<sup>15</sup>, with self-certification code 0001/TCNXXHH. According to this self-issued certificate of origin in ASEAN, Vinamilk has the right to self-issue certificates of origin for products such as powdered milk, liquid milk, yogurt, condensed milk, soft drinks, ice cream...

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<sup>15</sup> <https://vietnamnet.vn/vinamilk-duoc-phep-tu-chung-nhan-xuat-xu-hang-hoa-trong-asean-342585.html>

***Regarding the self-certification mechanism of origin under the EVFTA***, Vietnam has the following legal documents:

Circular No. 11/2020/TT-BCT dated June 15, 2020 of the Minister of Industry and Trade regulating rules of origin of goods in EVFTA.<sup>16</sup>

Circular No. 38/2018/TT-BCT dated October 30, 2018, of the Minister of Industry and Trade regulating the implementation of certification of origin of goods according to the Generalized System of Preferences regime of the European Union, Norway, Switzerland, and Turkey<sup>17</sup>

Currently, Vietnam has not officially implemented the self-certification of origin mechanism for all goods exported from Vietnam to the EU. Merchants receive self-certification of origin for export shipments not exceeding 6000 EUR. Within 03 working days from the date of issuance of the self-certification document of origin, the exporter declares and posts the self-certification document of origin and documents related to the export shipment, according to the provisions of Clause 1 of this Article. 1 Article 15 of Decree No. 31/2018/ND-CP, to the eCosys System of the Ministry of Industry and Trade.

***Regarding the self-certification mechanism of origin under the UKVFTA***, Vietnam has the following legal documents:

Circular No. 02/2021/TT-BCT dated June 11, 2021 of the Minister of Industry and Trade regulating rules of origin of goods in the Free Trade Agreement between Vietnam and the United Kingdom of Great Britain and Northern Ireland - wool (UKVFTA)<sup>18</sup>

For shipments of goods exported from Vietnam to the UK worth less than 6,000 EUR, any exporter is allowed to self-certify origin. For shipments worth over 6,000 EUR, apply the C/O issuance mechanism issued by agencies authorized by the Ministry of Industry and Trade.

<sup>16</sup> Circular No. 11/2020/TT-BCT <https://thuvienphapluat.vn/van-ban/Thuong-mai/Thong-tu-11-2020-TT-BCT-quy-dinh-Quy-tac-xuat-xu-hang-hoa-trong-Hiep-dinh-Thuong-mai-tu-do-445632.aspx>

<sup>17</sup> Circular No. 38/2018/TT-BCT <https://thuvienphapluat.vn/van-ban/Thuong-mai/Thong-tu-38-2018-TT-BCT-chung-nhan-xuat-xu-hang-hoa-theo-che-do-uu-dai-thue-quan-pho-cap-399014.aspx>

<sup>18</sup> Circular No. 02/2021/TT-BCT <https://thuvienphapluat.vn/van-ban/Xuat-nhap-khau/Thong-tu-02-2021-TT-BCT-Quy-tac-xuat-xu-hang-hoa-Hiep-dinh-Thuong-mai-tu-do-Anh-va-Bac-Ai-len-477687.aspx>

### 3.3 Issues raised when implementing regulations on self-certification of origin of goods

Firstly, the number of businesses participating in the self-certification of origin mechanism is still limited. Although Vietnam has participated in many FTAs with regulations on self-certification of origin, the number of participating businesses is still small, the reason being that businesses have difficulty meeting the criteria to become approved exporters. From the above problem, export turnover using the self-certification of origin mechanism is still small. The data in the table below shows that the ratio between the value of exported goods under the self-certification mechanism and the total value of Vietnam's exported goods to the EU is less than 0.05%. This data is similar to Vietnam's exports to the UK

**Table 2**  
Ratio between the value of exported goods under the self-certification mechanism and the total value of Vietnam's exported goods to the EU and UK

	Year			
	2020	2021	2022	2023
<b>UK</b>				
Self-certification (Million EUR)	1.45	1.83	2.55	2.36
Total export (Million EUR)	4,338.18	4,873.84	5,792.58	
Ratio (%)	0.03%	0.04%	0.04%	
<b>EU-27</b>				
Self-certification (Million EUR)	5.21	17.26	15.49	10.47
Total export (Million EUR)	30,731.02	33,857.63	44,583.12	
Ratio (%)	0.02%	0.05%	0.03%	

Source: Data from the Ministry of Industry and Trade and Trademap

Secondly, businesses, especially small and medium-sized enterprises, may have difficulty building storage systems that meet the requirements of agreements such as the CPTPP on storing all documents related to their business. Certification of origin for a shipment is a minimum of 5 years. Failure to meet the requirements for record keeping facilities will also result in businesses producing and exporting goods being unable to meet the information requirements of the importing country when they do so. Verify the certificate of origin of goods

in case of necessity. That will make it difficult for these businesses' goods to enjoy tax incentives according to the provisions of the Agreements

Thirdly, the self-certification of origin mechanism is reserved for many FTAs that Vietnam is a member of, causing a lack of uniformity in the policy. For example, with CPTPP, Vietnam is allowed to reserve self-certification of origin for a period of 5 years from the effective date of the Agreement and can be extended for another 5 years. With EVFTA, self-certification of origin for export shipments worth over 6,000 EUR has not been implemented due to waiting for guidance from the Ministry of Industry and Trade and is applied after Vietnam notifies it to the EU. For the above reason, Vietnam currently still mainly follows the form of competent authorities issuing certificates of origin.

Fourthly the self-certification of origin mechanism can lead to risks of trade fraud on the origin of goods. The application of the self-certification mechanism of origin of goods instead of the mechanism of certification of origin by competent authorities and the expansion of the scope of the origin certification mechanism help facilitate trade but also lead to risks of fake origin due to lack of inspection and approval when issuing a certificate of origin. When such a situation occurs, the business's reputation is affected, it loses export markets and is prosecuted for responsibility depending on the level. At the macro level, the industry's reputation is also scrutinized in the international marketplace, losing its competitiveness.

Fifthly, regulations on handling violations of certificates of origin of imported and exported goods in Vietnam are still light and hardly deterrent to exporters. According to Article 17, Decree 128/2020/ND-CP on penalties for administrative customs offences<sup>19</sup>, the highest penalty level for counterfeit goods of Vietnamese origin is: Fine from 70,000,000 VND to 100,000,000 VND in case evidence of violation is found. worth 100,000,000 VND or more.

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<sup>19</sup> Decree 128/2020/ND-CP, <https://thuvienphapluat.vn/van-ban/Xuat-nhap-khau/Nghi-dinh-128-2020-ND-CP-xu-phat-vi-pham-hanh-chinh-trong-linh-vuc-hai-quan-426375.aspx>

### 3.4 Some recommendations

#### *Recommendations for government*

The State needs to urgently build and perfect the legal system for self-certification of origin. Although it is currently a transition period under agreements such as CPTPP and EVFTA, the state should soon complete regulations on self-certification of origin. This will help both state management agencies and businesses have time to get used to and adapt to the self-certification of origin mechanism, especially with the self-certification system of exporters, producers or importers. The State implement the self-certification mechanism in EVFTA and UKVFTA simultaneously with CPTPP.

Strengthen coordination between customs authorities and the Ministry of Industry and Trade to strengthen inspection and determine the origin of imported and exported goods when carrying out customs procedures to prevent fraud and counterfeiting. origin, labeling of goods, illegal transshipment.

Strengthen coordination between the Vietnamese government and the governments of importing countries to review information on self-certification of origin of goods for Vietnamese exports, reducing the risk of origin fraud.

Adding clearer and more deterrent regulations for violations of administrative regulations on self-certification of origin of goods. Regulations should be developed to clarify the criteria for determining what is an accidental violation and what is an intentional violation. For intentional violations, there should be larger penalties, even criminalization.

Strengthen training and raise businesses' awareness of the self-certification of origin mechanism. Currently, the Ministry of Industry and Trade has mandatory training courses for employees of businesses eligible for self-certification of origin. But businesses still have little interest, little participation and still use the mechanism to apply for certificates. by the competent authority. Training programs of the Ministry of Industry and Trade should be expanded further.

### ***Recommendations for businesses***

Increase awareness of the self-certification of origin mechanism under the FTAs that Vietnam has participated in to take advantage of the effectiveness of Agreements promoting the export of goods to CPTPP, EVFTA, and RCEP markets. Travel Vietnam is in a transition period but gradually a self-certification of origin system will be applied in Vietnam. Therefore, businesses need to proactively learn and apply.

Build a database of export shipments. Enterprises should build a database system that allows competent authorities to access documents, reports and production facilities for the purpose of monitoring the use of self-certified Certificates of Eligibility. receive origin and to verify the accuracy of self-declaration of origin on each invoice declaration.

## **4. CONCLUSION**

The self-certification of origin mechanism is still quite new in Vietnam, but this is a trend applied in new generation trade agreements. Vietnam has demonstrated the difficulty of internalizing regulations on self-certification of origin according to commitments in Agreements such as EVFTA, CPTPP, ATIGA, RCEP, UKVFTA. However, because the self-certification of origin mechanism is still quite new in Vietnam, there are still limitations in terms of business awareness, business participation, or state management. In the coming time, both businesses and the Vietnamese government need to take actions to adapt and effectively utilize the self-certification mechanism of origin of goods.

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