

# Special Alert

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## Government Resolution 128: Changing Strategies for Dealing with Covid-19 in Vietnam

Due to the current situation of the prevention and control of the Covid-19 pandemic, and the improvement of treatment capacity as well as the increase of vaccination rates in Vietnam, there has been a demand for a new strategy in response to the pandemic. With this in mind, the Government of Vietnam has issued Resolution No. 128/NQ-CP dated 11 October 2021 providing temporary guidance on the **“Safe adaptation, flexibility and effective control of the COVID-19 pandemic”** on 11 October 2021 (**“Resolution 128”**).

Resolution 128 came into force from the issuance date and will be applied nationwide, temporarily suspending the implementation of previous regulations on prevention and control of Covid-19 pandemic, including Article 1.1 of Resolution 86<sup>1</sup>, Directive 15<sup>2</sup>, Directive 16<sup>3</sup>, Directive 19<sup>4</sup> and Decision 2686<sup>5</sup>.

### Pandemic risk classification, assessment, and determination

As per Resolution 128, there are four levels of pandemic risk as follows:

- Level 1: Low risk / new normal (labeled green)
- Level 2: Medium risk (labeled yellow)

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<sup>1</sup> Resolution No. 86/NQ-CP of the Government dated 6 August 2021 (**“Resolution 86”**).

<sup>2</sup> Directive No. 15/CT-TTg of the Government dated 27 March 2020 (**“Directive 15”**).

<sup>3</sup> Directive No. 16/CT-TTg of the Government dated 31 March 2020 (**“Directive 16”**).

<sup>4</sup> Directive No. 19/CT-TTg of the Government dated 24 April 2020 (**“Directive 19”**).

<sup>5</sup> Decision No. 2686/QD-BCDQG of the National Steering Committee for Covid-19 Prevention and Control (**“Decision 2686”**).

- Level 3: High risk (labeled orange)
- Level 4: Very high risk (labeled red)

In order to ensure flexibility and efficiency, the levels of risk shall be assessed, at the smallest possible scope (e.g. below commune level), by three criteria including the number of new infections in the community, the coverage of vaccinations, and the ability to receive and treat patients at all levels.

### Guidelines on application of measures by risk levels

On the basis of the classification of four risks levels, the measures applied for businesses, organizations and state authorities will be described in the table below:

Activities	Level 1	Level 2	Level 3	Level 4
<b>(1) Indoor and outdoor gatherings</b>	<i>Unlimited</i>	<i>Limited, with conditions</i>	<i>Not active / limited with conditions</i>	<i>Not active / Active with limitation, conditions</i>
<b>(2) Public road transport, domestic waterways, maritime transport with safety measures against COVID-19</b> <i>(aviation and railway shall be governed by separate regulations)</i>	<i>Active</i>	<i>Active / Active with conditions</i>	<i>Not active / Active with limitations, conditions</i>	<i>Not active / Active with limitations, conditions</i>
<b>(3) Interprovincial and intra-provincial transportation of goods</b> <i>*For tech-based shippers using motorbikes (including post office employees): Provincial People’s Committee (“PC”) can issue regulations on the number of vehicles simultaneously in transportation, as necessary</i>	<i>Active</i>	<i>Active</i>	<i>Active</i>	<i>Active (*)</i>
<b>(4) Production, sales, services</b>				
<b>(4.1) Operation of production facilities, construction sites</b> <i>*Having plans and taking responsibility for implementation of safety measures against the pandemic</i>	<i>Active (*)</i>	<i>Active (*)</i>	<i>Active (*)</i>	<i>Active (*)</i>

<b>Activities</b>	<b>Level 1</b>	<b>Level 2</b>	<b>Level 3</b>	<b>Level 4</b>
<p><b>(4.2) Service businesses: shopping malls, supermarkets, convenience stores, wholesale markets</b>  <i>(excluding businesses mentioned in Point 4.3, 4.4 below)</i>  <i>*Having plans and taking responsibility for the implementation of safety measures against the pandemic</i>  <i>**Provincial People’s Committee (“PC”) may issue regulations on the number of buyers and sellers simultaneously, as necessary</i></p>	<i>Active (*)</i>	<i>Active (*)</i>	<i>Active (*)</i>	<i>Active (*) / Active with limitations (**)</i>
<p><b>(4.3) Restaurants/food stalls, traditional markets</b>  <i>*In compliance with regulations issued by the Ministry of Health (“MOH”)</i>  <i>**Provincial PC issue necessary conditions to operation for ensuring prevention and control of the pandemic</i></p>	<i>Active (*)</i>	<i>Active (*)</i>	<i>Active (*)</i>	<i>Active with limitations (**)</i>
<p><b>(4.4) Service businesses with a high risk of infection</b> (i.e. discotheques, karaoke parlors, bars, Internet shops, electronic game shops barber shops, beauty salons, and other service facilities)  <i>*Provincial PC issues necessary conditions to operation for ensuring prevention and control of the pandemic</i></p>	<i>Active / Active with limitations (*)</i>	<i>Not active / Active with limitations (*)</i>	<i>Not active / Active with limitations (*)</i>	<i>Not active</i>
<p><b>(4.5) Street vending, lottery ticket sellers, etc.</b>  <i>*Provincial PC issues necessary conditions to operation for ensuring prevention and control of the pandemic</i></p>	<i>Active</i>	<i>Active / Active with conditions (*)</i>	<i>Not active / Active with conditions (*)</i>	<i>Not active</i>

<b>Activities</b>	<b>Level 1</b>	<b>Level 2</b>	<b>Level 3</b>	<b>Level 4</b>
<p><b>(5) In-person educational and training</b>  <i>*In compliance with instructions of the MOH and the Ministry of Education (“MOE”)</i>  <i>**In compliance with instructions of the MOE and local authorities</i></p>	Active (*)	Active (*) / Active with limitations (**)	Active with limitations (**)	Not active / Active with limitations (**)
<p><b>(6) Workplace and office</b>            Having plans and taking responsibility for the implementation of safety measures against the pandemic  <i>*Limited number of employees, remote working recommended</i></p>	Active	Active	Active with limitations (*)	Active with limitations (*)
<p><b>(7) Operations of religious establishments</b>  <i>*In line with instructions of Ministry of Home Affairs</i>  <i>**Provincial PC regulates the number of participants</i></p>	Active (*)	Active (*) / Active with limitations (**)	Active with limitations (**)	Not active
<p><b>(8) Operations of resorts, hotels, tourism sites; cultural, art, and sport activities</b></p>				
<p><b>(8.1) Accommodation locations, hotels, hostels, tourist attractions</b>            (in line with instructions of the Ministry of Culture, Sports and Tourism (“MCST”))  <i>*Limited capacity and number of participants</i></p>	Active	Active	Active with limitations (*)	Not active / Active with limitations (*)
<p><b>(8.2) Museums, exhibitions, libraries, cinemas, sports events</b>            (in line with instructions of the MCST)  <i>* Having plans and taking responsibility for implementation of safety measures against the pandemic</i>  <i>**Limited capacity and number of participants</i></p>	Active (*)	Active with limitations (**)	Active with limitations (**)	Not active
<p><b>(9) Information technology</b></p>				

<b>Activities</b>	<b>Level 1</b>	<b>Level 2</b>	<b>Level 3</b>	<b>Level 4</b>
<b>application</b>				
<b>(9.1) Updating information on vaccination, COVID-19 test results, COVID-19 treatment results</b>	<i>Applied</i>	<i>Applied</i>	<i>Applied</i>	<i>Applied</i>
<b>(9.2) Managing information on people entering / existing public places, using public transport, business and production facilities, and large gatherings via QR codes</b>	<i>Applied</i>	<i>Applied</i>	<i>Applied</i>	<i>Applied</i>

Based on the instructions of the MOH and other ministries, provincial PCs then decide appropriate administrative measures to be applied within each province and are allowed to adopt additional measures provided that they are not contrary to the Government's regulations or cause negative effects on business activities, production, and mobility of individuals.

With the issuance of Resolution 128, Vietnam marks a new strategy for coping with Covid-19 and it is hoped that the health and lives of residents improve and remain protected while the country can return to a new normal life at the earliest possible stage.

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