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**Expect lawyers.
Tailored approach.**

INTERNATIONAL TRADE ARBITRATION

*Dr. Nguyen Thi Thu Trang
Dzungsrts & Associates LLC*



Value of exports and imports of Vietnam with some major market from 05/2021 to 05/2022

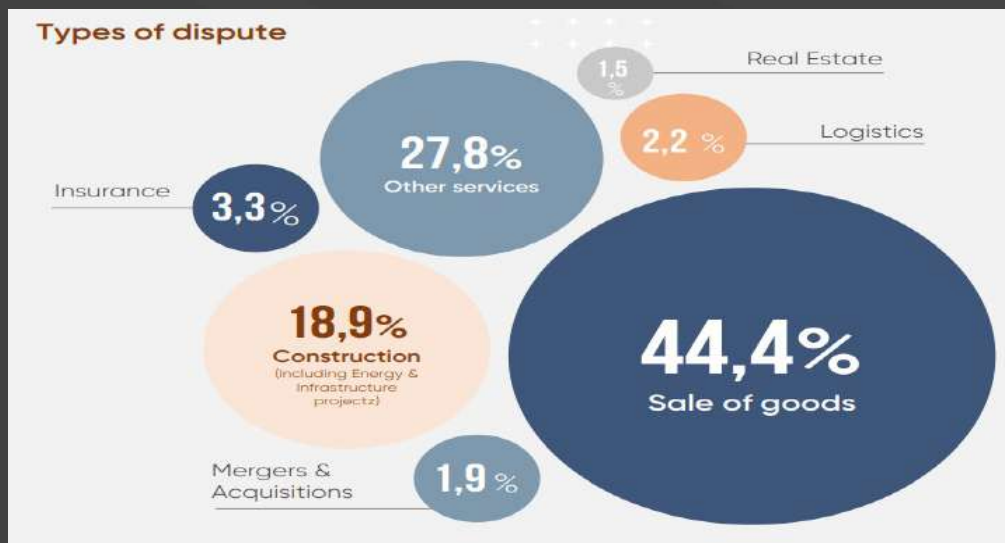
Market	Export		Import	
	Value (Billion USD)	Rate (%)	Value (Billion USD)	Rate (%)
Asia	71.37	46.6	127.27	83.3
Asean	14.42	9.4	20.29	13.3
China	21.98	14.3	49.61	32.5
Korea	10.22	6.7	27.78	18.2
Japan	9.35	6.1	9.86	6.4
Americas	54.03	35.2	10.76	7.0
US	45.89	29.9	6.11	4.0
Europe	23.52	15.3	8.88	5.8
EU	19.54	12.7	6.66	4.4
Oceania	2.80	1.8	4.24	2.8
Africa	1.58	1.0	1.72	1.1
Total	153.29	100.0	152.86	100.0

Source: General Department of Vietnam Customs

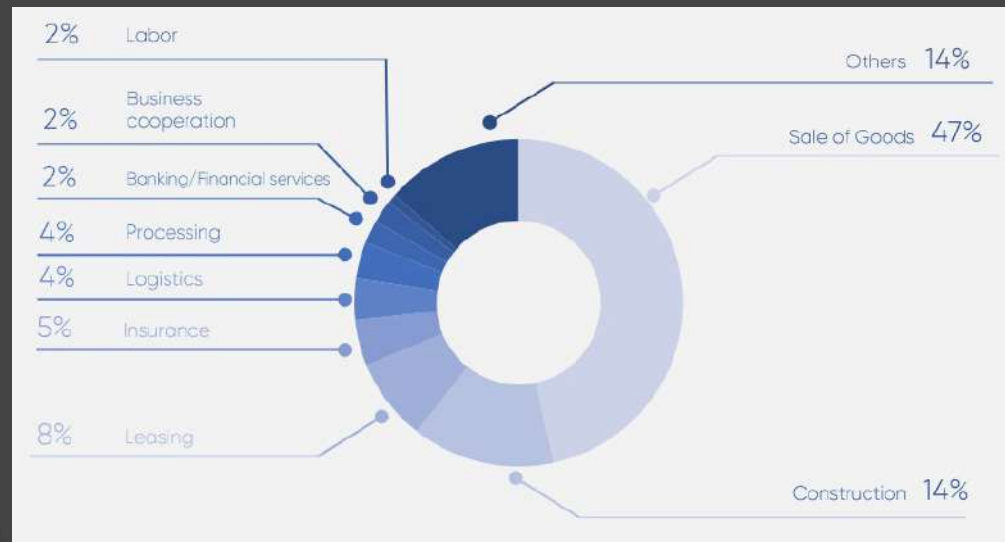


THE STATISTICS ON SALE OF GOODS DISPUTES RESOLVED BY VIAC

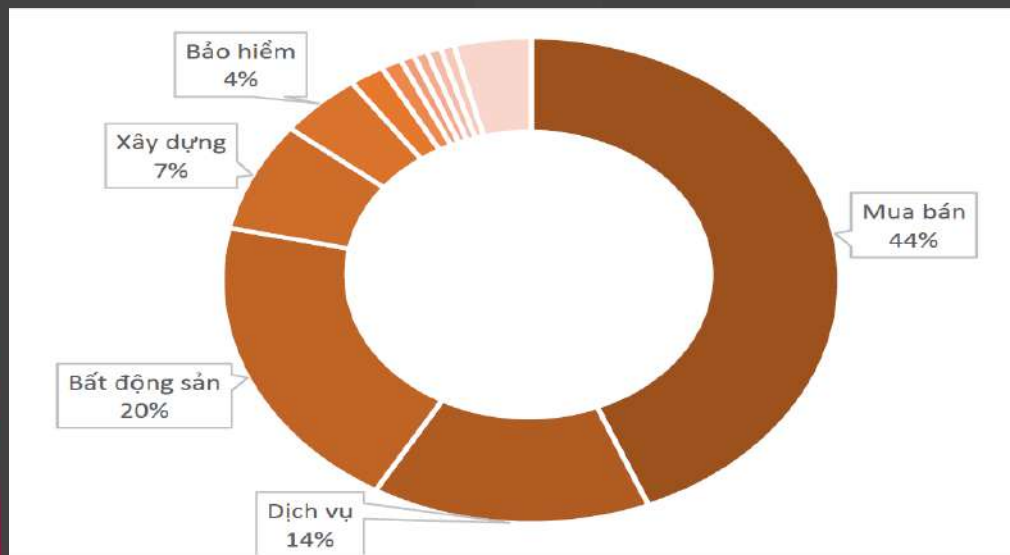
STATISTIC OF 2020



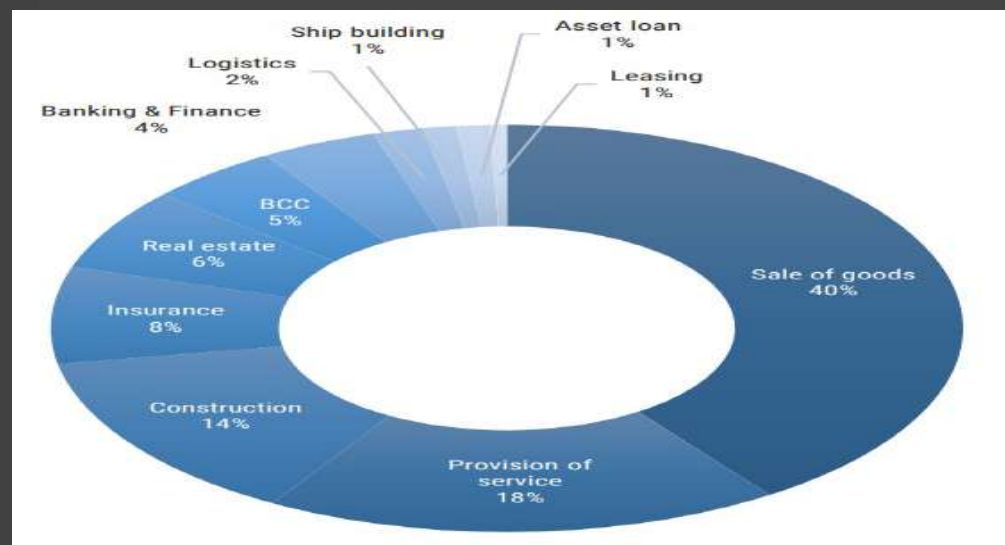
STATISTIC OF 2020



STATISTICS OF 2019



STATISTICS OF 2018





CISG in Vietnam: EXPECTATION

VN officially ratified CISG
18/12/2015

CISG became effective in VN
01/01/2017

Vietnam is the second ASEAN member State after Singapore to become a party to the CISG and the 84th Contracting State of this Convention

Reservations: the free of form of the contract (Art. 11, Art. 29 and Part II of CISG) does not apply to sales contracts with any party that has its place of business in Vietnam



CISG in Vietnam: FACTS



Vietnam

CISG decisions by courts in Vietnam:

1

CISG decisions worldwide involving parties from Vietnam: 5



REASONS?

1. *Taiwanese-Vietnamese sales contract case II (2020)*, VIAC Arbitration Case no. 197/19 HCM, CISG-online 5594
2. *Italian-Vietnamese sales contract case (2020)*, VIAC Arbitration Case no. 43/19 HCM, CISG-online 5571
3. *Singaporean-Vietnamese sales contract case (2020)*, VIAC Arbitration Case no. 48/19 HCM, CISG-online 5584
4. *Taiwanese-Vietnamese sales contract case I (2020)*, VIAC Arbitration Case no. 102/19 HCM, CISG-online 5590
5. *Malaysian-Vietnamese sales contracts case (2018)*, VIAC Arbitration Case no. 83/17 HCM, CISG-online 5565
6. *Ng Nam Bee (Singapore) Pte Ltd. v. Tay Ninh Trade (SOE) Co*, People's Supreme Court, Appeal Division in Ho Chi Minh City, Vietnam, **05 April 1996** - 74/VPPT, CISG-online 1081



CISG VS. LAW ON COMMERCIAL 2005

	Law on Commercial 2005 of Vietnam	CISG
Form of Contract	Art. 27 para.2 of	Art. 11
Exemption from liability for a failure to perform any obligation	Art. 294 para. 1(d)	Art. 79(2)
Specific performance of contracts	Art. 297 Para. 2	Article 46(2)
Material defects	Art. 39	Art. 35
Time limit for lodging complaints	Art. 318, Art. 319	N/A



USEFUL LINKS

1. CISG-online, <https://cisg-online.org/home>
2. Institute of International Commercial Law, Pace Law School: <https://iicl.law.pace.edu/cisg/cisg>

THANK YOU !



HANOI OFFICE

6-11th fl, HAREC Bld.
4A Lang Ha, Ba Dinh Dist.
Hanoi, Vietnam
t +(84.24) 3772 6970

SAIGON OFFICE

1605-16th fl, Saigon Riverside
2A-4A Ton Duc Thang, D1,
Hochiminh, Vietnam
t +(84.28) 3822 0076

www.dzungsr.com

