



ADR VIETNAM NEWSLETTER

Quarter II, 2024



ADR VIETNAM CHAMBERS LLC
— INDEPENDENT ARBITRATORS & MEDIATORS —

CONTENT



PAGE 03

ADR VIETNAM CHAMBERS'
MEMBERS' ACHIEVEMENT



PAGE 14

UPCOMING ARBITRATION
EVENTS



PAGE 07

DISPUTE RESOLUTION
ACTIVITIES



PAGE 16

OTHER NOTABLE NEWS



PAGE 08

ARBITRATION COMMUNITY
ENGAGEMENT



PAGE 17

HIGHLIGHTS OF
ADR VIETNAM
NEWSLETTER



ADR VIETNAM CHAMBERS' MEMBERS' ACHIEVEMENT



- Arbitrator Nguyen Manh Dzung was renewed his term on KCAB International's Panel of International Arbitrators for another 3-year period from 1 June 2024 to 31 May 2027.
- Arbitrator Nguyen Manh Dzung was recognized as Litigation Star in Commercial and International Arbitration by Benchmark Litigation Asia Pacific in 2024.
- Arbitrator Nguyen Manh Dzung was also recognized by "Who's Who Legal: South East Asia 2024" in Transport – Shipping and Arbitration: Who's Who Legal - Lexology

ADR VIETNAM CHAMBERS' MEMBERS' ACHIEVEMENT



- Ms. Ha My Linh became the first Vietnamese tribunal secretary to join “The Global Tribunal Secretary Platform”, known as “**Jus Connect**”, a first global platform for clerks of arbitrators created by Swiss Arbitration Association (ASA) and Jus Mundi.
- On 8 August 2024 Ms. Ha My Linh will commence her studies in **the White & Case International Arbitration LL.M. program** at the University of Miami School of Law in the United States, supported by the Young ICCA Full-Tuition Scholarship.

NEW MEMBERS OF ADR VIETNAM CHAMBERS

Mr. Phuc (Jason) is the Arbitral Assistant at ADR Vietnam Chambers LLC and is accredited as a Member of the Chartered Institute of Arbitrators (MCI Arb). He is also a lecturer in the Faculty of Social Sciences - Law at Hoa Sen University, Ho Chi Minh City, Vietnam.

Before joining ADR Vietnam Chambers in his current role, Phuc worked at a leading law firm. Phuc's expertise extends to corporate law, investment consultancy, labour compliance, and energy projects. He was awarded a Dean's Recommendation Scholarship, to study international commercial arbitration and international sales law at the University of East Anglia in Norwich, United Kingdom.

As a recognized Member of the Chartered Institute of Arbitrators, Phuc is well-equipped to navigate dispute resolution in arbitration. Additionally, his academic research focuses on international arbitration, investor-state dispute settlement (ISDS), and inter-state dispute settlement (WTO's dispute settlement system). He was honored as the winner of the prestigious EURÉKA Scientific Research Award XXIII, presented by Vietnam's Ministry of Science and Technology.



**PHAM DUONG
HOANG PHUC**

Arbitral Assistant
ADR Vietnam Chambers

NEW MEMBERS OF ADR VIETNAM CHAMBERS

Ms. Dao Linh Chi is an Assistant Arbitrator at ADR Vietnam Chambers. Ms. Chi is pursuing a Master of Laws in International and Comparative Dispute Resolution from the School of International Arbitration, Queen Mary University of London (UK), where she focuses her studies and research on international arbitration and mediation.

Before joining ADR Vietnam Chambers, Chi interned at the Vietnam International Commercial Arbitration Center (VIAC) and in the dispute resolution departments of various law firms.

During her studies at Hanoi Law University and Queen Mary University, Chi participated in and achieved high rankings in both national and international Moot and Mediation competitions, such as Willem C. Vis International Commercial Arbitration Moot in Vienna or ICC International Commercial Mediation Competition in Paris.

Chi is proficient in both English and Vietnamese. Currently, she serves as the Secretary to the Arbitral Tribunal in domestic and international disputes.



DAO LINH CHI

Arbitral Assistant
ADR Vietnam Chambers





DISPUTE RESOLUTION ACTIVITIES

Arbitrator Nguyen Manh Dzung served as a Co-Arbitrator, resolving a dispute over an international goods sale contract between a foreign company and a Vietnamese company under the Vietnam International Arbitration Center (VIAC) Arbitration Rules.

On 25 April 2024, arbitrator Nguyen Manh Dzung was invited to speak at HICAC 2024. The conference was jointly hosted by VIAC, Society of Construction Law Vietnam (SCLVN) and Faculty of International Law (HCMULAW).



Arbitrator Nguyen Manh Dzung delivered a speech on “A Glance of Inquisitorial Style and Adversarial Style in International Arbitration Practice in Vietnam” over the past 14 years under the Law on Commercial Arbitration and moderated Panel B2, 'Inquisitorial Style vs. Adversarial Style in International Arbitration & Best Practices’.

During the conference, arbitrator Nguyen Manh Dzung welcomed colleagues from Myanmar International Arbitration Center (MIAC) at VIAC Ho Chi Minh Office. During the meeting, both sides shared valuable insights into construction dispute resolution through arbitration, comparing their experiences with ICC Arbitration and ADR Commission Report on Construction Industry Arbitrations.

ARBITRATION COMMUNITY ENGAGEMENT



HO CHI MINH CITY INTERNATIONAL CONSTRUCTION ARBITRATION CONFERENCE (HICAC) 2024

25/4/2024 - 26/4/2024

ICCA HONG KONG CONGRESS 2024

5/5/2024 - 8/5/2024



ICCA Hong Kong Congress 2024, themed "International Arbitration: A Human Endeavor", took place from 5 to 8 May 2024. This year's conference attracted over 1,400 arbitration practitioners from around the world, making it the largest arbitration event in the history of ICCA's 26 congresses.

Through 15 panel sessions and other side events, prominent issues in arbitration were thoroughly examined from multiple jurisdictional perspectives. Topics included the economic aspects of dispute resolution, culture and linguistics, advocacy, administration, interpretation, the art of persuasion, social media, diversity, social welfare, the application of artificial intelligence (AI) and capacity building.



Two members of ADR Vietnam Chambers, arbitrator Nguyen Manh Dzong and arbitrator's clerk Ha My Linh, participated in these events to share recent developments in Vietnam's arbitration with practitioners from various arbitration jurisdictions worldwide. This event also provided a valuable opportunity for arbitration practitioners in Vietnam to engage and learn about recent developments in international arbitration.



During the first week of June, Mr. Nguyen Manh Dzung participated in the 5th London International Disputes Week 2024 (LIDW 2024), held in London from 3 to 7 June 2024. This year's event with the theme "Uniting for global challenge and opportunity, was a resounding success and attracted hundreds of leading experts from around the world.

The Week commenced with International Arbitration Day, featuring sessions on the development of arbitration in various regions and globally. Mr. Nguyen Manh Dzung participated as a speaker in a session to discuss the development status in ASEAN along with other lawyers and arbitrators from India, Korea, and Singapore. Another highlight was the LIDW Conference, which addressed prominent issues such as AI, third-party funding and ESG standards. In addition to these key events, the Week included nearly 180 other events organized by LIDW members and partners, covering a wide range of topic.

Overall, the week was highly regarded for its professional content, serving as an important forum to discuss the latest developments in dispute resolution in general and arbitration in particular, while also affirming London's commitment to diversity.



LONDON INTERNATIONAL DISPUTES WEEK (LIDW) 2024

03/06/2024 - 07/06/2024





VIAC Symposium 2024 is a legal forum hosted by VIAC, with technical assistance from United States Agency for International Development (USAID) from 26 to 27 June 2024.

The event aimed to address investors and enterprises' concerns expanding into foreign markets and promote the use of arbitration as a method of dispute resolution, thereby facilitating cross-border trade and investment.

Notable events included the launching ceremony of the VIAC Online Case Management Platform, conferences on business and commercial activities amidst economic fluctuations, as well as the challenges and legal risks in infrastructure and real estate investments.

At the symposium, Mr. Nguyen Manh Dzung moderated session D.2.1 on the topic of "Cultivating and Enhancing Essential Skills for Lawyers and Legal Practitioners in Conjunction with the Development of ADR in Vietnam".



VIAC SYMPOSIUM 2024

26/6/2024 - 27/6/2024

ARBITRATION – MEDIATION SYMPOSIUM 2024

22/3/2024 - 11/4/2024

Arbitration – Mediation Symposium 2024 was a series of workshops co-organized by Vietnam International Arbitration Center (VIAC) and Ho Chi Minh University of Law. This year's event took place from 22 March 2024 to 11 April 2024, focusing on the impacts of third parties on arbitration proceedings.

During the forum, Mr. Nguyen Manh Dzung presented on evidence submission and verifying the facts in the presence of a third party: Completing the third parties' mechanisms for facilitating the arbitral proceedings



SCIENTIFIC CONFERENCE “CURRENT STATUS, ORIENTATION, AND SOLUTIONS TO IMPROVE THE LAW ON RESOLVING BUSINESS AND COMMERCIAL DISPUTES BY MEDIATION AND ARBITRATION IN VIETNAM”

30/05/2024

On 30 May 2024, Arbitrator Nguyen Manh Dzung participated in the conference organized by the Judicial Academy of Vietnam to discuss current issues relating to resolving commercial disputes through mediation and arbitration in Vietnam. In his presentation, Mr. Nguyen Manh Dzung highlighted several limitations in Vietnam's Commercial Arbitration Law by comparing them with international practice. Subsequently, he suggested solutions to bridge the gap between Vietnamese Law and international practice. Besides, the conference also welcomed insights and opinion from leading experts, professors, lawyers, mediators, arbitrations in Vietnam.

SCIENTIFIC SEMINAR “COMMERCIAL ARBITRATION LAW AND ARBITRATION PROCEDURE RULES IN VIETNAM – PRACTICE AND RECOMMENDATIONS.”

31/5/2024

On 31 May 2024, Arbitrator Nguyen Manh Dzung participated in a scientific seminar titled “Commercial Arbitration Law and Arbitration Procedure Rules in Vietnam – Practice and Recommendations.” The seminar was organized by the International Trade Law Faculty at Hanoi Law University, both online and in person in Hanoi. During the seminar, Arbitrator Nguyen Manh Dzung shared insights from the drafting committee members involved in the drafting of the 2010 Law on Commercial Arbitration, providing deep and practical perspectives on the law-making process.



TRAINING PROGRAM "LEGAL TRAINING AND RESOLVING CHALLENGES IN COMMERCIAL ARBITRATION"

17/5/2024

The Ministry of Justice (MOJ) organised a training program in Ho Chi Minh City on 17 May 2024 for Vietnamese lawyers and arbitration practitioners. Arbitrator Nguyen Manh Dzung delivered a lecture on "Advocacy Skills in Arbitration Proceedings Under Vietnamese Law".

He presented fundamental procedures in arbitration, highlighted important considerations and certain difficulties for lawyers during arbitral proceedings under Vietnamese regime. The course attracted many interested practitioners, especially those involved in arbitration.



UPCOMING ARBITRATION EVENTS

Legal Expertise and **Education** are two of the ten factors in the CIArb London Centenary Principles for an ideal seat of arbitration.

With an aim to promote teaching and emphasize the importance of self-research and learning about international arbitration principles properly, as well as provide basic guidance for Vietnamese arbitration practitioners, and to realize the discussions from Session D of the VIAC Symposium 2024, ADR Vietnam Chambers is organizing series of virtual arbitration series 2024, themed **“Enhancing International Arbitration in Vietnam: From Basic Principles to Professional Skills”**.

This event series will focus on discussions on 3 main topics in the form of Q&A sessions:

1. **Teaching and self-research of the basic principles of international arbitration;**
2. **Lawyers’ advocacy skills in international arbitration**
3. **Arbitrators’ professional skills when handling an arbitration case.**

ADR VIETNAM CHAMBERS ARBITRATION SERIES

**“ENHANCING INTERNATIONAL
ARBITRATION IN VIETNAM:
FROM BASIC PRINCIPLES TO
PROFESSIONAL SKILLS”**.

9/8/2024 - 23/8/2024



UPCOMING ARBITRATION EVENTS

Singapore Convention Week is an annual event organized by the Singapore Ministry of Justice since 2019, focusing on the fields of dispute resolution, arbitration, mediation and litigation. This is considered an important forum for experts, practitioners, and policymakers to discuss emerging trends, address practical problems, and propose new initiatives for the future.

The event, with the theme **“Separating Disruptions from Distractions in an Evolving World”**, aims to discuss solutions to leverage rapid technological changes and predict future trends amidst constant fluctuations. The events held during the week include scientific conferences, workshops, discussion sessions, and networking programs.

**SINGAPORE CONVENTION
WEEK 2024**

26/8/2024 – 30/8/2024



ICCA'S GUIDE TO THE INTERPRETATION OF THE 1958 NEW YORK CONVENTION, 2ND EDITION.

At ICCA Congress 2024, ICCA published its 2nd Edition of ICCA's Guide to the Interpretation of the 1958 New York Convention. The publication is considered an essential reference for practitioners, especially judges, to promote uniformity in the interpretation and application of the New York Convention across various jurisdictions.

SEMINAR ON CONSTRUCTION ARBITRATION

On July 2nd, ADR Vietnam Chambers hosted an online meeting for 2 Summer Interns to present on the topic of construction arbitration. Specifically, the interns researched and presented on three crucial issues: (i) construction quality assessment upon handover and warranty, (ii) expert evidence in arbitral proceedings, (iii) the principle of subrogation and risks of annulment of arbitral awards. This project provided the interns with invaluable opportunities to enhance their legal research skills and presentation skills and most importantly, to receive direct feedbacks from Mr. Nguyen Manh Dzung, thereby further improving their capabilities and the quality of their work. ADR Vietnam Chambers is continuing to recruit online interns for the Fall term of 2024. Evaluation and interviews are scheduled in August 2024.



OTHER NOTABLE NEWS



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1, Importance of arbitration-proficient workforce

Legal education and training on arbitration plays a vital role, yet receives insufficient attention in Vietnam

Market demand not only requires advocates but also demands lawyers with in-depth knowledge and experience in specific fields (e.g., construction, investment)

Arbitration should be recognized as a global issue governed by the UNCITRAL Model Law, rather than domestic laws which is often influenced by court proceedings.



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2, The Vietnamese arbitration market is considered a promising market globally, leading to a significant demand for high-quality human resources and a strong emphasis on learning about arbitration.

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3, Trends in the application of technology and AI in arbitration in Vietnam



**HIGHLIGHTS OF
ADR VIETNAM
NEWSLETTER**





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- 2.Nguyễn Mạnh Dũng, **Collecting Evidence And Facts Verification From Third Parties in Arbitration Proceedings**,https://www.academia.edu/117344055/VẤN_ĐỀ_CUNG_CẤP_CHỨNG_CỨ_VÀ_XÁC MINH_SỰ_VIỆC_TỪ_BÊN_THỨ_BA TRONG_QUÁ TRÌNH_TỔ_TUNG_TRỌNG_TÀI?email_work_card=title;
- 3.Nguyễn Mạnh Dũng, **A Glance of Inquisitorial Style and Adversarial Style in International Arbitration Practice in Vietnam throughout the 14 years of Law on Commercial Arbitration**, https://www.academia.edu/118107345/A_Glance_of_Inquisitorial_Style_and_Adversarial_Style_in_International_Arbitration_Practice_in_Vietnam_throughout_the_14_years_of_Law_on_Commercial_Arbitration
- 4.Kluwer Arbitration Blog, <https://arbitrationblog.kluwerarbitration.com/category/icca-hong-kong-2024/>.
- 5.Nguyễn Mạnh Dũng, **Advocacy Skills in Arbitration Proceedings Under Vietnamese Law**, https://www.academia.edu/120259070/Khoa_bo_i_du_o_ng_kiến_thức_pháp_luật_tr%E1%BB%8Dng_tài_của_Bo_tu_ph_a_p

- 1.Nguyễn Mạnh Dũng & Phan Huy Hiếu, **Law regulations and Practice of law implementation on Recognition and Enforcement of Mediaiton Agreements and Arbitral Awards in commercial disputes settlement in Vietnam**, https://www.academia.edu/116259403/CHUYÊN_ĐỀ_9_TH_ƯC_TRANG QUY_ĐỊNH CỦA PHÁP_LUẬT VÀ THỰC TIỄN_N_THỰC HIỆN PHÁP_LUẬT VỀ CÔNG NHẬN CHO THI_HÀNH KẾT QUẢ HOÀ GIẢI PHẢN QUYẾT TRONG TÀI GIẢI QUYẾT TRANH CHẤP KINH DOANH THƯƠNG MẠI Ở VIỆT NAM VÀ HƯỚNG HOÀN THIỆN
- 2.Nguyễn Mạnh Dũng, **Is Vietnam fast growing market for International Arbitration?**, https://www.academia.edu/120471319/IS_VIETNAM_FAST_GROWING_MARKET_FOR_INTERNATIONAL_ARBITRATION;
- 3.Nguyễn Mạnh Dũng, **Training and improvement of core skills for lawyers along with the development of ADRs in Vietnam**, https://www.academia.edu/121892064/ĐÀO_TẠO VÀ NÂNG CAO KỸ NĂNG CỐT LÕI CHO LU_ẬT_SƯ SONG HÀNH CÙNG SỰ PHÁT TRIỂN CỦA ADRS TẠI VIỆT NAM
- 4.ICCA, **ICCA's Guide to the Interpretation of the 1958 New York Convention, 2nd Edition, 2024**, https://cdn.arbitration-icca.org/s3fs-public/document/media_document/Judges%20Guide_En_english_Second%20edition_ONLINE.pdf
- 5.Singapore Convention Week, <https://www.singaporeconventionweek.sg>



REFERENCE



THANK YOU

ADR VIETNAM CHAMBERS

Visit our website to future newsletters or follow your company's social media channels for regular updates.

The event materials will be posted on the electronic library Academia:

<https://independent.academia.edu/ManhDzungNguyen>

Thank you for reading!

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RESEARCH AND TRAINING

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