

SEMINAR FOR CEREBRATING THE 3RD ANNIVERSARY OF THE JIMC-KYOTO



ADR VIETNAM CHAMBERS LLC
— INDEPENDENT ARBITRATORS & MEDIATORS —

THE FUTURE OF INTERNATIONAL COMMERCIAL MEDIATION IN ASIA FOCUSING ON ONLINE MEDIATION AND COLLABORATIONS AMONG IMCS

Vietnam, 19th November 2021

NGUYEN MANH DZUNG

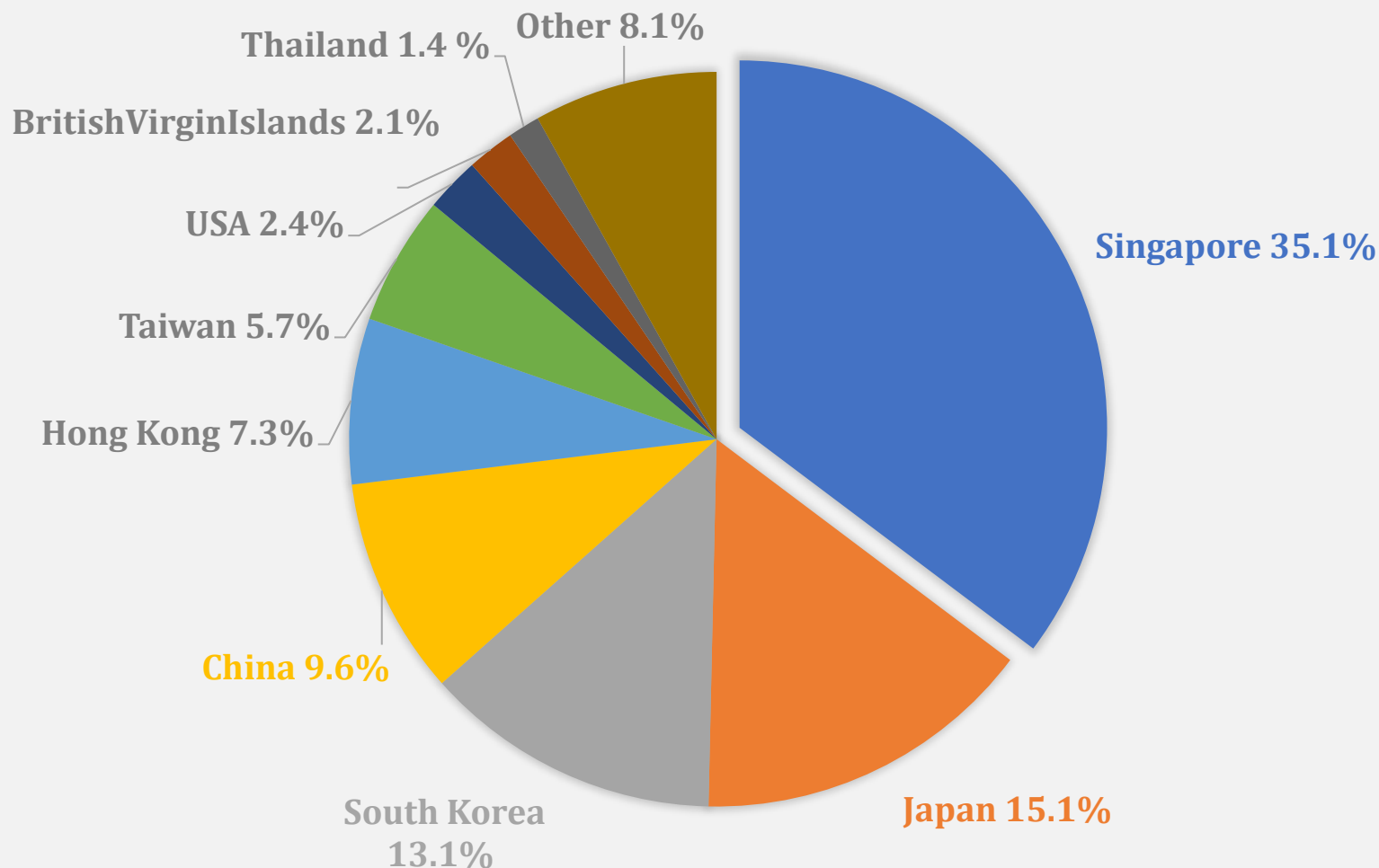
- Member | ICC Task Force on ADR (Track 4)
- Mediator | JIMC Kyoto, MHJMC, HIAC & VMC.



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1. INVESTMENT BY JAPAN

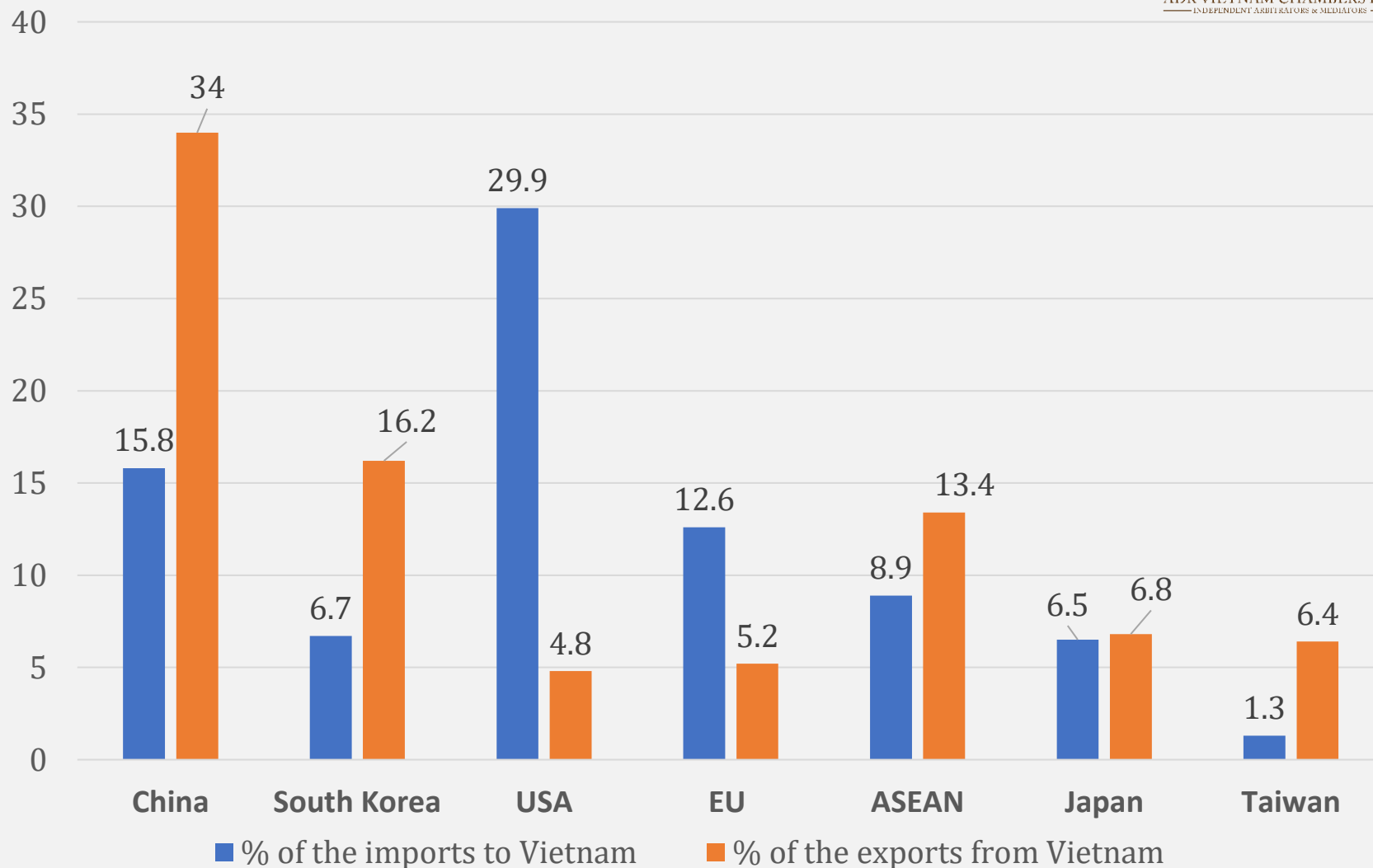
Foreign direct investment to Vietnam by country as of July 2021





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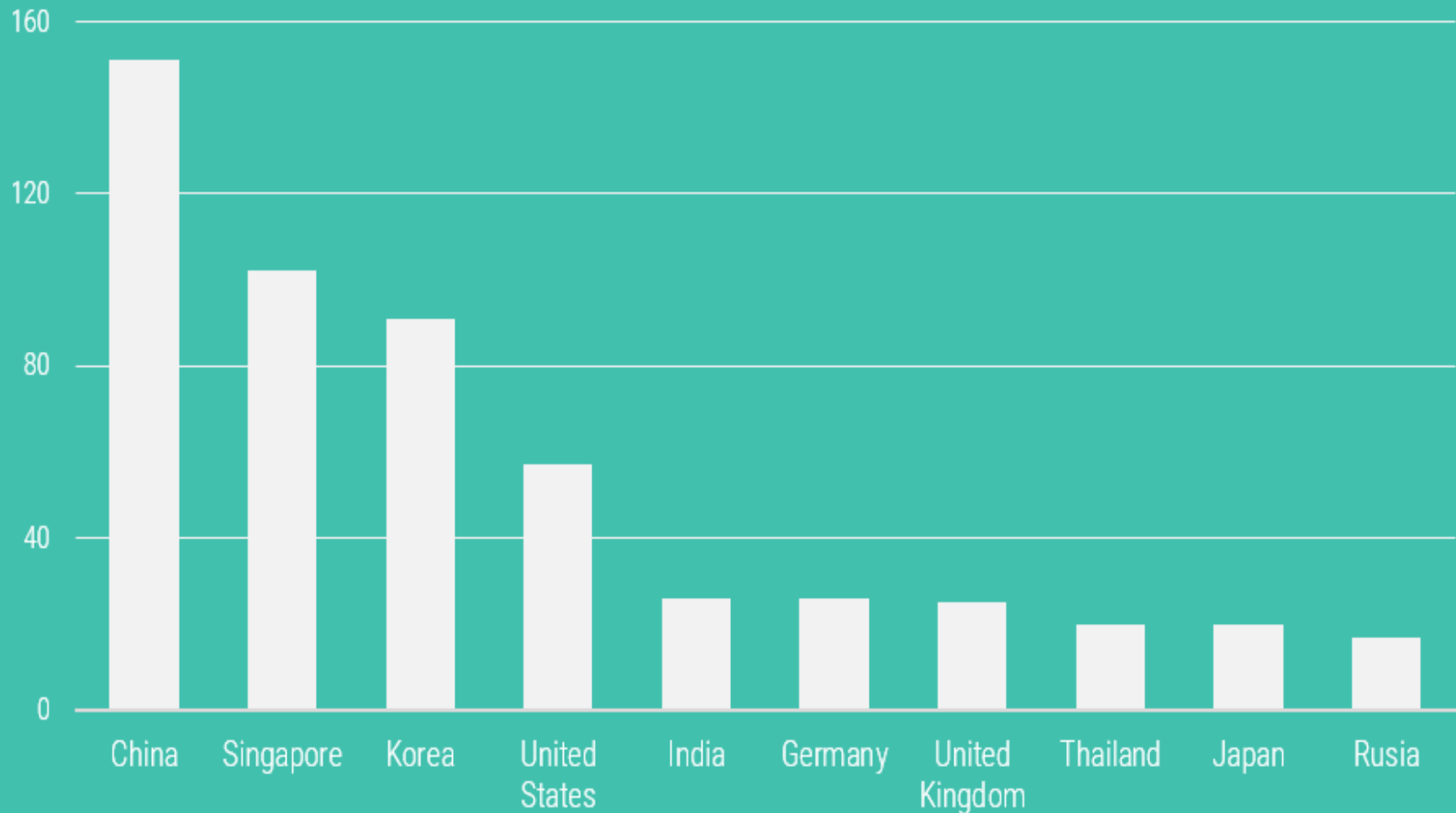
2. TOP TRADING PARTNERS OF VIETNAM IN 2021





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3. TOP 10 FOREIGN USERS AT VIET NAM ARBITRATION CENTER -VIAC (1993 – 2018)



4. COMMERCIAL MEDIATION

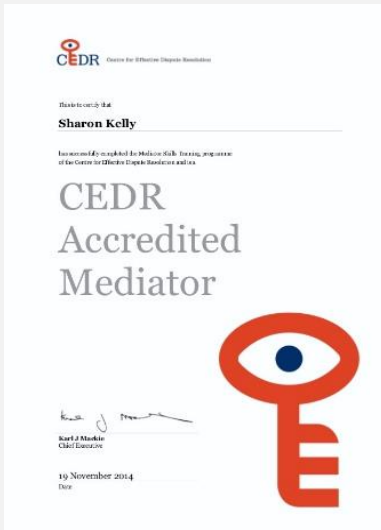


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72
CEDR
accredited
mediators

15+8 licensed
mediation centers

Over 100
Registered ad-hoc
mediators

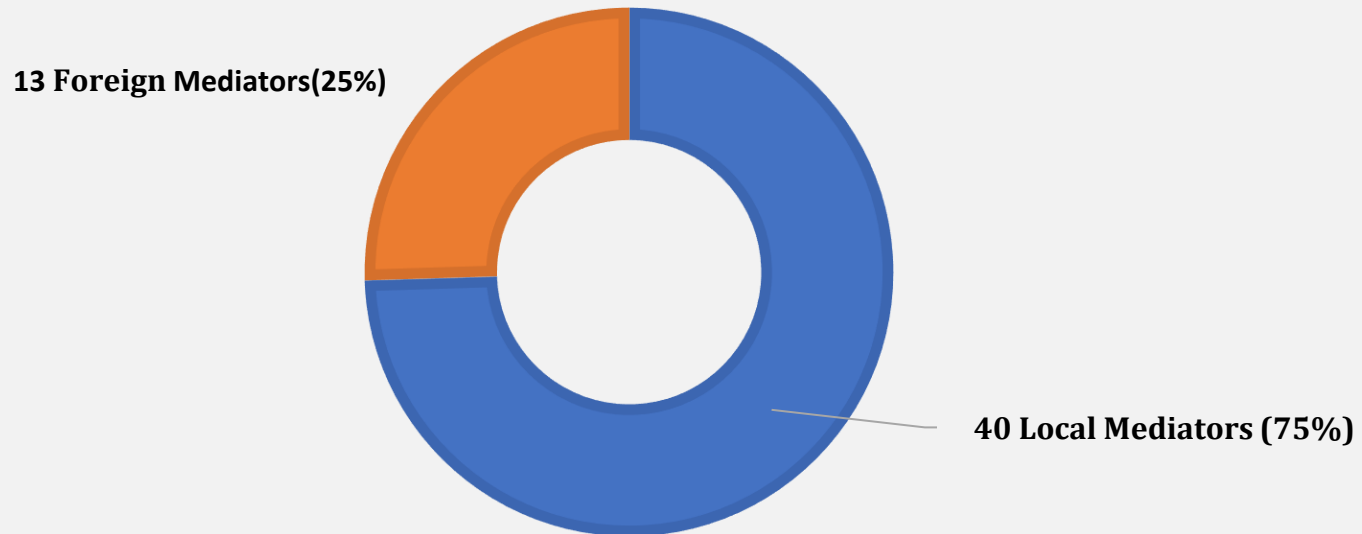


5. VIETNAM MEDIATION CENTER (VMC)-A DIVISION OF VIETNAM INTERNATIONAL ARBITRATION CENTER (VIAC)



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VMC LISTED 53 MEDIATORS



Platform/guidelines

Virtual mediation rules

Rates/Mediators

6. VMC MEDIATION SERVICE SINCE IT'S ESTABLISHMENT



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statistic

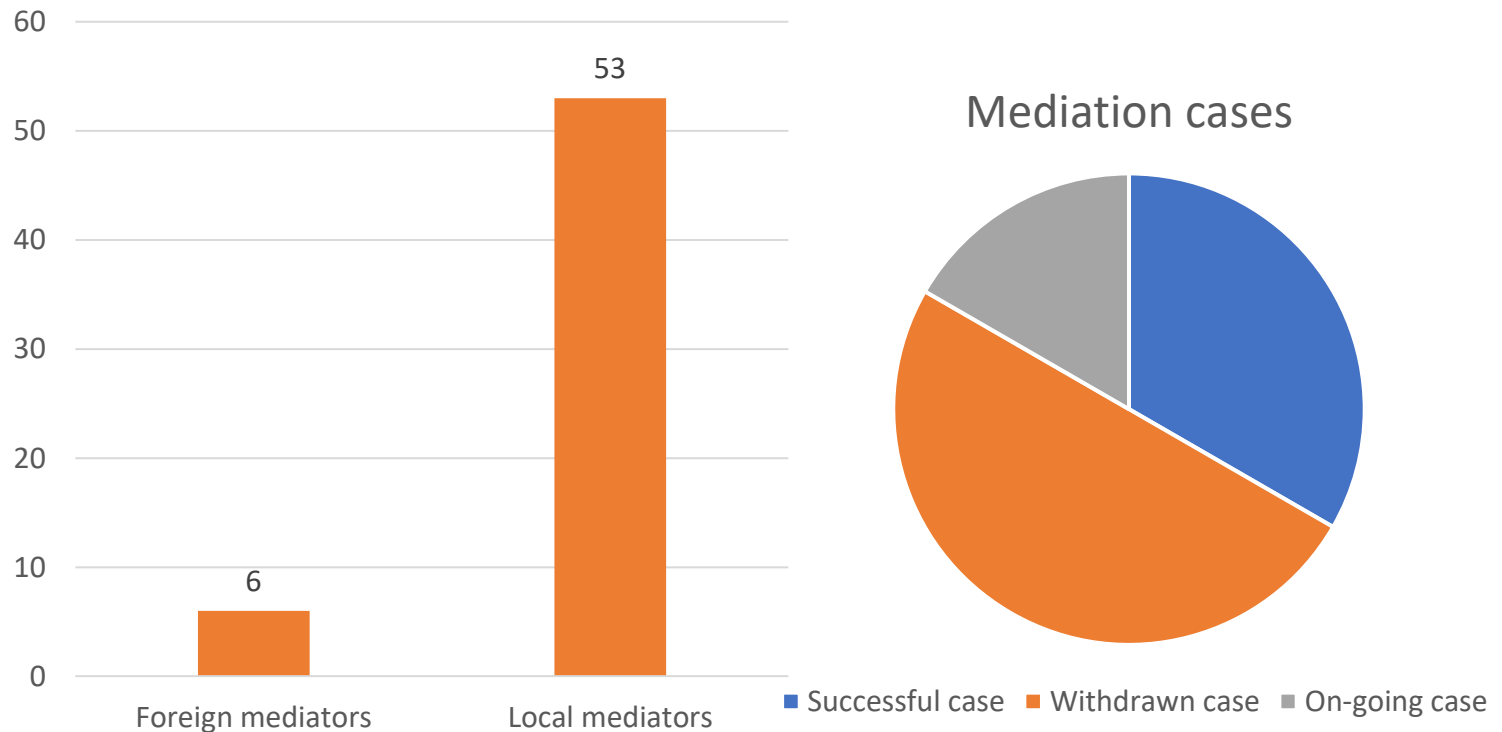
06 cases **~ 934.5** VND billions
40,3 USD millions  construction

Number of cases

Total value in disputes

Sector/Industry

7. VIETNAM INTERNATIONAL COMMERCIAL MEDIATION CENTER (VICMC) UNDER VSIL





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8. REFORMS IN PROGRESS

1. Active participation in UNCITRAL's Working Group III
2. Developing commercial mediation practice and expanding court annexed mediation regime to create a foundation
3. Internationalising dispute resolution practitioners in Vietnam
4. Considering Singapore Convention on Mediation
5. Initiative to draft a new act on commercial mediation

9. RECOMMENDATIONS



ADR VIETNAM CHAMBERS LLC
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1. Utilize the commercial mediation mechanism under Decree No. 22/2017/ND-CP on Commercial Mediation issued by the Government in 2017;
2. Ensure the enforceability of mediated settlement agreement under Chapter 33 of the Code of Civil Procedures 2015 or by Med-Arb mechanism under New York Convention 1958;
3. Enhance the close relation between arbitration and mediation institutes in Vietnam (VIAC/VMC) and Japan (JCAA/JIMC Kyoto);
4. Establish a joint working group and head towards establishing Vietnam-Japan Arbitration & Mediation Committee

10. REFERENCE



ADR VIETNAM CHAMBERS LLC
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1. VMC: <https://medup.vmc.org.vn/en/>
2. VICMC: <https://vicmc.vn/dich-vu/hoa-giai-truc-tuyen/>
3. MOJ: <https://bhttp.moj.gov.vn/Pages/hoa-giai-thuong-mai.aspx>
4. SPC:
<https://vbpq.toaan.gov.vn/webcenter/portal/htvb/chi-tiet?dDocName=TAND161554>

THANK YOU FOR YOUR ATTENTION!



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