



ADR VIETNAM CHAMBERS LLC
— INDEPENDENT ARBITRATORS & MEDIATORS —

ADR VIETNAM CHAMBERS'

NEWSLETTER QUARTER I/2025

INTRODUCTION



ADR VIETNAM CHAMBERS LLC
— INDEPENDENT ARBITRATORS & MEDIATORS —

ADR Vietnam Chambers is honored to publish **the first ADR Vietnam Newsletter**, aiming to bring readers the latest highlights of ADR Vietnam Chambers as well as notable upcoming activities related to arbitration and others alternative dispute resolution in Vietnam and globally from January to March 2025.

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ADR VIETNAM CHAMBERS' ACHIEVEMENTS

1. eBRAM International Online Dispute Resolution Centre

Mr. Nguyen Manh Dzung has been appointed as a member of the Panel of Mediators, the Panel of Arbitrators, and the Panel of Neutrals of the eBRAM International Online Dispute Resolution Centre for a five-year term.



LAWYER AND ARBITRATOR
NGUYEN MANH DZUNG

2. Asia Business Law Journal

Mr. Nguyen Manh Dzung has been named one of Asia Business Law Journal's **A-List** of the Vietnam's legal profession.

Asia Business Law Journal is a prestigious legal magazine that provides in-depth analyses, news, and insights from top legal experts on prominent business law issues in the Asia region. In addition to academic content, the journal regularly surveys legal markets and publishes lists of top law firms and lawyers in the region.

2. Asia Business Law Journal

Arbitrator Nguyen Manh Dzung has been appointed to the panel of the **Singapore Chamber of Maritime Arbitration (SCMA)**. He is the only Vietnamese arbitrator among 158 international arbitrators from over 25 jurisdictions. This not only affirms Mr. Dũng's deep legal expertise – as one of the pioneering lawyers in the fields of Maritime Law and Arbitration in Vietnam – but also reflects international recognition of the significant growth of these sectors in the country.



DISPUTE RESOLUTION ACTIVITIES

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ISSUANCE OF INTERNATIONAL ARBITRAL AWARD

Arbitrator Nguyen Manh Dzung, in his capacity as a member of the Arbitral Tribunal, rendered an arbitral award in a dispute concerning an international sale of goods contract governed by the 1980 CISG Convention, under the arbitration rules of KCAB



LOAN AGREEMENT DISPUTES

Arbitrator Nguyen Manh Dzung has been trusted and appointed as arbitrator in various disputes related to loan agreements.

COMMUNITY ENGAGEMENT



1. Foundation course on Skills for Dispute resolution through arbitration by VIART

Lawyer Nguyen Manh Dzung – Deputy Director of the Vietnam Institute for Arbitration Research & Training (VIART), Director of ADR Vietnam Chambers LLC, and Arbitrator at the Vietnam International Arbitration Centre (VIAC) – served as a lecturer in the **“Skills for Dispute resolution through arbitration”** training course organized by VIART, held on March 7-9, 2025, in Ho Chi Minh City, and March 14-16, 2025, in Hanoi.



With the goal of providing participants with a structured, systematic, and professional understanding of commercial arbitration, VIART's “Arbitration Dispute Resolution Skills (Foundation Course)” is designed with a detailed curriculum tailored to practical needs. The course is delivered by a team of highly qualified instructors.



COMMUNITY ENGAGEMENT



CHUỖI SỰ KIỆN QUẢN TRỊ HÃNG LUẬT TRỰC TUYẾN 2025

“QUẢN TRỊ CÔNG TY LUẬT CHUYÊN NGHIỆP - NHỮNG CÂU CHUYỆN THẬT VÀ HƯ CẦU”



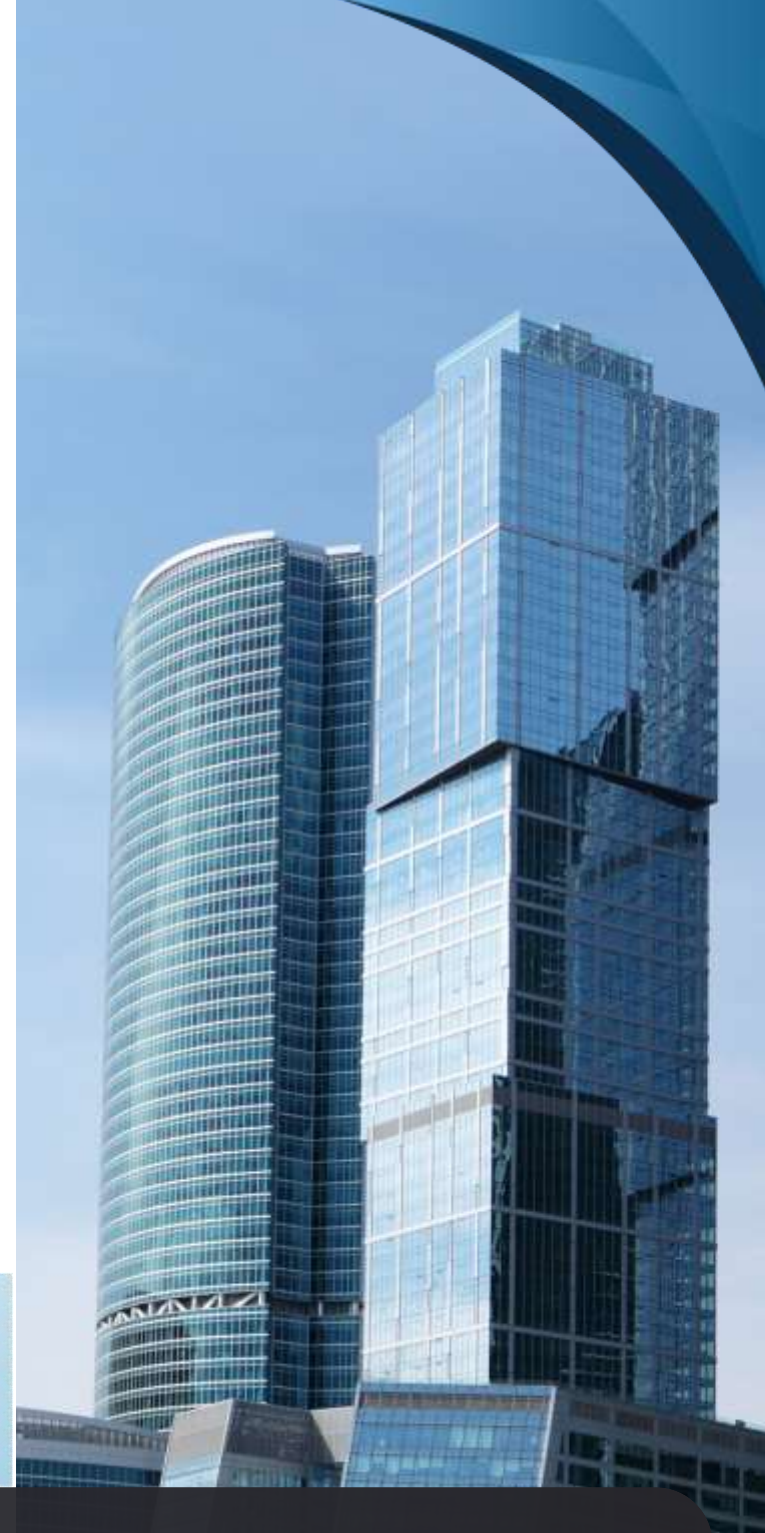
GIỚI THIỆU

Thị trường dịch vụ pháp lý tại Việt Nam đang phát triển mạnh mẽ với nhiều tiềm năng trong bối cảnh hội nhập quốc tế, nhưng cũng đối mặt với không ít thách thức, đặc biệt là trong năng lực quản trị của các tổ chức hành nghề luật sư. Hiện nay, với gần 18.200 luật sư và 5.500 tổ chức hành nghề, phần lớn các tổ chức này hoạt động ở quy mô nhỏ, thiếu sự chuyên nghiệp trong quản trị do chưa được đào tạo bài bản. Do vậy, ADR Vietnam Chambers phối hợp cùng 20 luật sư thành viên (partners) của 17 công ty luật thương mại hàng đầu ở Việt Nam tổ chức chuỗi sự kiện này nhằm hỗ trợ các công ty luật xây dựng và cải thiện các mô hình quản trị hiệu quả hơn theo Sáng kiến Quản trị Công ty Luật của Hiệp hội Luật sư quốc tế (IBA).



2. Webinar Series on Law Firm Management

ADR Vietnam Chambers, in collaboration with Partners from leading commercial law firms in Vietnam – including YKVN, VILAF, A&O Sherman, Lexcomm, Rajah & Tann LCT, LNT & Partners, Dzungsr & Associates, T&G, Indochine Counsel, DIMAC, Nishimura & Asahi, GV Lawyers, Dentons Luat Viet, Bross & Partners, Venture North, Vilasia, and ALV Lawyers – organised the online webinar series titled *“Professional Law Firm Management – Real and Fictional Stories”*. The series took place every Friday from February 14, 2025, to March 31, 2025, attracting a total of 1,184 registrations, with an actual attendance of 812 participants. During each webinar, the organizing committee conducted mini-surveys tailored to the topics discussed. Across the six sessions, a total of 761 responses were recorded.



2. Webinar Series on Law Firm Management



Session 1 (February 14, 2025) “Law Firm Startups and Small Practices”

Designed for managing lawyers, associates, legal assistants, in-house counsel, and other interested participants – especially those planning to start or currently running small law firms. Speakers and attendees shared experiences on launching a law firm, challenges and opportunities faced by small practices. A special guest, Lawyer Tran Thang Nhu Hoang, a representative of the young entrepreneurial generation, joined the discussion to share insights on internationalizing legal services and building a personal brand in the global market.

Session 2 (February 21, 2025) “Law Firm Management and Technology Adoption”

This session explored methods and technologies that optimize law firm management. Participants agreed that artificial intelligence (AI) is profoundly transforming the legal industry, acting as a bridge between small and large firms. The discussion covered the use of technology and software in law firm operations, their advantages and limitations, and speakers introduced useful platforms and tools to the audience.



Session 3 (February 28, 2025) “Business Development and Marketing”

This webinar examined how law firms can attract and retain clients through effective business development and marketing strategies. Moderators and speakers emphasized that, regardless of size, every law firm must focus on client acquisition and retention to sustain operations.

2. Webinar Series on Law Firm Management

Session 4 (March 7, 2025) “Human Resource Management and Leadership Skills”

Discussions centered on key HR management and leadership development aspects within law firms, referencing International Bar Association (IBA) initiatives. Topics included internal training, recruitment and retention, performance management, employee benefits, conflict resolution, career development, and corporate culture.



Session 5 (March 14, 2025) “Strategy & Finance – Billing and Revenue Growth”

This session focused on financial management within law firms, covering cash flow, financial reports, and decision-making based on financial data. Speakers shared insights on key financial reports, cash flow management, business decision-making using financial metrics, and the importance of financial transparency and cash flow statements.

Session 6 (March 21, 2025) “International Expansion Strategies and Legal Frameworks”

The final session discussed law firm governance models, emerging practice areas, strategies for expanding internationally, and necessary legal and financial frameworks. Against the backdrop of proposed amendments to the Law on Lawyers, this session brought together all previous session moderators for a dialogue with Ms. Dang Kim Hoa, Deputy Director of the Department of Judicial Support Services, the moderator of this session.





COMMUNITY ENGAGEMENT

3. Joining Arbitration webinars

(i) Seminar on “Evolving dynamics of ADR in India: Challenges and opportunities”



On 28 March 2025, Mr. Pham Duong Hoang Phuc, Arbitral Assistant at ADR Vietnam Chambers, delivered a presentation at the international seminar themed “Evolving Dynamics of ADR in India: Challenges and Opportunities”. The event was organized by Law Mantra Trust in collaboration with Chanakya National Law University, Patna (India). The seminar focused on recent developments in Alternative Dispute Resolution (ADR), including legal frameworks governing ADR and the practical impact of ADR mechanisms in resolving disputes in commercial and intellectual property fields. It also featured discussions on the integration of technology in dispute resolution, particularly through Online Dispute Resolution (ODR).

During the seminar, Mr. Pham Duong Hoang Phuc presented a paper titled “Application of Online Dispute Resolution – Lessons from China and Singapore.” His presentation introduced the ODR model adopted by the China International Economic and Trade Arbitration Commission (CIETAC), and referred to the UNCITRAL Technical Notes on ODR (2017). Additionally, he discussed the current development of ODR in Vietnam and the existing legal framework governing it.

(ii) Free Masterclass by Lexology: Construction Arbitration in APAC: Trends and Tips



In APAC, construction is one of the sectors in which arbitration is most frequently used despite the region being considered generally less litigious than other parts of the world. While the issues in dispute tend to overlap with those which frequently arise elsewhere (e.g. delay, disruption, or variation), construction arbitration in APAC has several interesting and somewhat unique aspects. In the session, the speakers shared some tips for both owners and contractors in construction arbitration in the region. Key topics included:

- (i) General trends seen in construction arbitration in APAC;
- (ii) Dealing with Asian governments;
- (iii) Typical approach taken by Asian parties in managing issues;
- (iv) How the difference between civil law and common law manifests itself in construction disputes.

IV. RESEARCH ACTIVITIES

ADR VIETNAM CHAMBERS

1. Update publication on World Arbitration Reporter 2024

This respected treatise provides unparalleled guidance to one of today's most complex and diverse areas of legal practice, international arbitration. Extensively revised and updated by leading authorities in the field, the World Arbitration Reporter (WAR) is the only integrated reference work containing detailed commentary and analysis on national legislation from more than 100 countries as well as information on the rules of procedure of more than 100 international and national arbitral institutions and the leading international arbitration treaties and agreements. This work brings together the work of more than 100 internationally renowned experts who have prepared thousands of pages of commentary and analysis, consisting of either reports of national law and practice, or reports on the rules and practice of major domestic and international institutions and concise analyses of major international treaties. The reports are authoritative but accessible, up-to-date and comprehensive. A must for practitioners and scholars alike, WAR is a necessary and required work for every party that has an interest in international arbitration. The team of authors from ADR Vietnam Chambers is honored to have contributed to the 2024 update, which includes revisions and additions reflecting recent legal developments and the latest trends in arbitration-based dispute resolution.



2. ICC Report on Financial Institutions and Arbitration & Research on Promoting Financial Dispute Resolution Through Arbitration

As financial transactions become increasingly diverse, financial disputes are also growing in complexity and frequency. Traditionally, international financial disputes have been resolved by national courts, particularly in England and New York. However, court proceedings have shown certain limitations, while cross-border transactions drive the demand for a dispute resolution mechanism that is swift, neutral, and widely enforceable.

Recognizing this trend, the International Chamber of Commerce (ICC) published its Report on Financial Institutions and Arbitration in 2016 to promote arbitration as an effective means of resolving financial disputes.

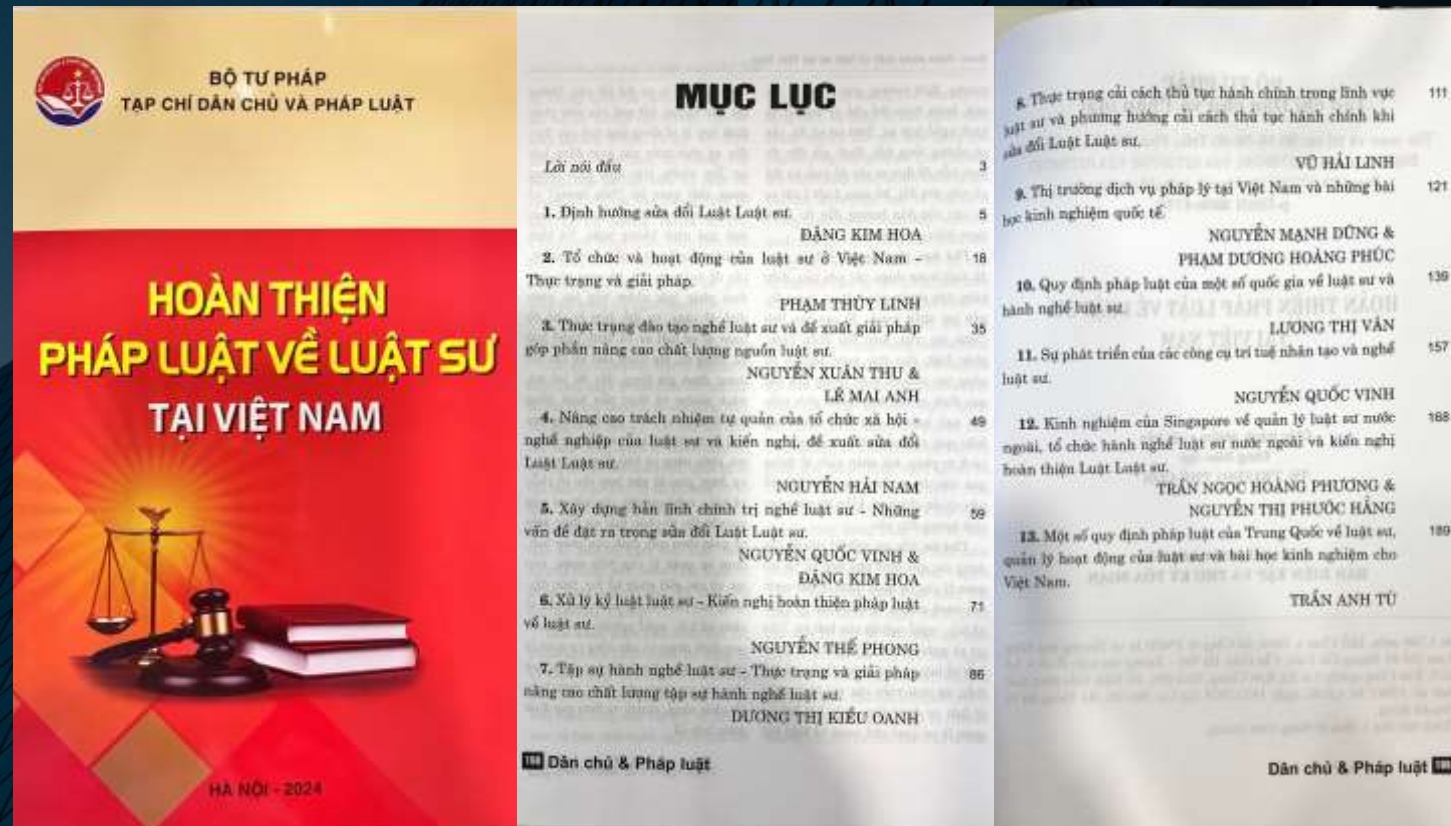
To introduce readers to the role of arbitration in resolving international financial disputes - a field where arbitration remains relatively underutilized - ADR Vietnam Chambers has conducted a study based on the ICC Report, offering insights and recommendations to foster the development of financial arbitration.

IV. RESEARCH ACTIVITIES

ADR VIETNAM CHAMBERS

3. Article on the completion of the legal framework for lawyers in Vietnam - Democracy and Law Magazine, Ministry of Justice, 2024

The team of authors from ADR Vietnam Chambers, including Lawyer and Arbitrator Nguyen Manh Dung and Arbitral Assistant Pham Duong Hoang Phuc, conducted a study titled "The Legal Services Market in Vietnam and International Lessons Learned", which was published in the 2024 edition of "Improving the Legal Framework on Lawyers in Vietnam", a special issue of the Journal of Democracy and Law under the Ministry of Justice. Pursuant to Vietnam's WTO commitments made in 2007, the country has gradually opened its legal services market to foreign law firms, while also amending domestic regulations to align with international standards. This not only creates a new competitive environment for international firms but also promotes the development and enhances the quality of domestic legal services. Based on Report No. 339/BC-BTP dated 16 August 2024 by the Ministry of Justice on the implementation of the Law on Lawyers and the enforcement of the Law on Lawyers 2006 (as amended in 2012) ("Lawyers Law 2006"), the article focuses on analyzing the current state of the legal profession in Vietnam — in terms of quantity, quality, and performance — in the context of a modern legal economy.



IV. RESEARCH ACTIVITIES

ADR VIETNAM CHAMBERS

3. Article on the completion of the legal framework for lawyers in Vietnam - Democracy and Law Magazine, Ministry of Justice, 2024

The article concludes with a comparative analysis of developed legal service markets such as Singapore, the United Kingdom, and China, offering recommendations to further develop Vietnam's legal services market in the future. The proposed solutions are grouped into the following key areas:

- Shifting policy focus from individual lawyers to law practice organizations, with a view toward building a full-fledged legal services market;
- Improving human resources quality through accreditation of university legal education, liberalization of professional training, and closer monitoring of continuing legal education in accordance with international standards;
- Removing market entry barriers and expanding access to the profession (e.g., bar admission, legal start-ups, etc.);
- Enhancing the financial capacity of law practice organizations through access to credit, tax incentives, and direct investment in law firms;
- Professionalizing governance and operations of law firms by diversifying organizational models, adopting business and marketing strategies, improving human resource and office management, and leveraging technology;
- Expanding the scope of legal services, shifting from a predominant focus on criminal litigation and administrative-civil matters to commercial, business, and investment-related legal services;
- Innovating self-regulatory and representative functions, particularly with respect to trainee lawyers, foreign lawyers, and legal support staff.

V.

UPCOMING EVENTS

1. Paris Arbitration Week 2025

The Paris Arbitration Week - PAW is an institution organizing a yearly week of events aimed at connecting, whether in person or virtually, the worldwide community of arbitration practitioners, boosting rich academic debate and promoting Paris as the eternal home of international arbitration.

The Paris Arbitration Week is located (one could say 'seated') in Paris, the historical anchorage of international arbitration, headquarters of the International Chamber of Commerce (ICC) and of Universities, where international arbitration has been taught for over 60 years, in the context of France's pro-arbitration and avant-gardist stance towards arbitration. The Paris Arbitration Week is, however, a truly international and dynamic event, involving practitioners from all over the world, who attend this very special week to build an international network of colleagues, experts, professors and students, to listen to eminent speakers, or to recruit the brilliant young minds that will shape the future of international arbitration or to simply reunite with friends.

With over 25,000 registrations and 187 events, the 2024 edition brought together an excess of 10,000 arbitration practitioners who attended passionate doctrinal debates, enlightened practical workshops and exchanged ideas during relaxing social and networking events.

The Paris Arbitration Week is the result of its members' and the community's passion and commitment. The Paris Arbitration Week's ambition is to remain the leading arbitration hub of the future, showcasing diversity, sustainability, social responsibility and innovation as its core values – for this reason, its partners are required to commit to these same principles and respect them in the organisation of their events.

PAW is a non-profit, apolitical association that connects arbitration and ADR practitioners worldwide by organizing a series of events and exchanges taking place annually during Paris Arbitration Week. We are proud to promote international arbitration and ADR as peaceful means of dispute resolution that ensure access to justice and uphold the rule of law.



V.

UPCOMING EVENTS

2. Ho Chi Minh City International Construction Arbitration Conference (HICAC 2025)

Following the success of HICAC 2024, the Society of Construction Law Vietnam (SCLVN) and the Vietnam International Arbitration Centre (VIAC) are pleased to co-organize the Ho Chi Minh City International Construction Arbitration Conference – HICAC 2025. This year's event focuses on the theme: *“Raising the Bar: Enhancing the Quality in Dispute resolution for Vietnam’s Construction projects – Bridging International expertise and Domestic practice.”*

HICAC 2025 will take place from 10–11 April 2025 at Rex Hotel Saigon, 141 Nguyen Hue Boulevard, District 1, Ho Chi Minh City. Pham Duong Hoang Phuc and Dao Linh Chi, Arbitral Assistants at ADR Vietnam Chambers, have been selected to present papers as speakers in two of the conference sessions

In Session A2 (15:30–17:00) on 10 April 2025 – Alternative Dispute Resolution in Construction: International Experience, Arbitral Assistant Pham Duong Hoang Phuc will deliver a presentation titled: *“The Enforcement of Expert Determination in Construction Disputes: What happens if an Expert goes wrong? Perspectives from Vietnam, the United Kingdom, and Australia.”*

Other speakers and moderators in this session include:

- Ms. Sinyee Ong (Consultant, Chua & Partners, Singapore)
- Ms. Hoang Tran Thuy Duong (Member of the Secretariat, Singapore International Arbitration Centre – SIAC)
- Mr. Maximilian Benz (Valuation Expert and Quantity Surveying Expert, SJA, Singapore)
- Ms. Duong Thi Thu Ha (Managing Partner, CDR Counsels)

HICAC 2025
HO CHI MINH CITY INTERNATIONAL CONSTRUCTION ARBITRATION CONFERENCE
HỘI THẢO TRONG TÀI XÂY DỰNG QUỐC TẾ THÀNH PHỐ HỒ CHÍ MINH

Mr./Ông PHẠM DƯƠNG HOÀNG PHÚC
Arbitral Assistant at ADR Vietnam Chambers
Trợ lý Trọng tài tại ADR Vietnam Chambers

10 – 11/4 April 2025
REX SAIGON HOTEL
KHÁCH SẠN REX SÀI GÒN

In Session D1 (08:30–10:00) on 11 April 2025 – The Role of Experts in Construction, Arbitral Assistant Dao Linh Chi will present a paper titled: *“Expert Evidence in Vietnam-Seated Construction Arbitrations: A Comparative and Procedural Analysis.”*

This session will also feature:

- Ms. Kua Lay Theng (Partner, WongPartnership LLP)
- Mr. Johnny Tan Cheng Hye (Arbitrator/Mediator/Independent Expert)
- Mr. Vivek Malviya (Director, Claims and Contracts, MASIN Consulting)
- Mr. Bui Truong Minh Loc (Contract Manager, SOL E&C)

In addition to the main sessions, HICAC 2025 will also include side events that address pressing and practical topics in the field of dispute resolution related to construction activities.

HICAC 2025
HO CHI MINH CITY INTERNATIONAL CONSTRUCTION ARBITRATION CONFERENCE
HỘI THẢO TRONG TÀI XÂY DỰNG QUỐC TẾ THÀNH PHỐ HỒ CHÍ MINH

Ms./Bà ĐÀO LINH CHI
Arbitral Assistant at ADR Vietnam Chambers
Trợ lý Trọng tài tại ADR Vietnam Chambers

10 – 11/4 April 2025
REX SAIGON HOTEL
KHÁCH SẠN REX SÀI GÒN



UPCOMING EVENTS

3. CI Arb's Roebuck Lecture 2025

The Chartered Institute of Arbitrators (Ciarb) has announced that the 2025 Roebuck Lecture will be delivered by Sir Robin Knowles CBE on 18 June 2025 at Ciarb Headquarters in London. The lecture will also be streamed live online for a global audience. Sir Robin Knowles, a judge of the High Court of England and Wales, is renowned for his contributions to arbitration law, notably presiding over the high-profile case P&ID v Nigeria ([2023] EWHC 2638 (Comm)). His lecture will focus on the topic of damages in arbitration, offering insights into this critical aspect of dispute resolution. The Roebuck Lecture, now in its 15th year, honors Professor Derek Roebuck MCI Arb for his significant contributions to the field. This annual event is a highlight of Ciarb's calendar, bringing together practitioners, academics, and students interested in alternative dispute resolution. Virtual attendance is complimentary with prior registration.

[Back to events](#)

Roebuck Lecture 2025

📅 Wed, 18 June 2025
🕒 18:00 - 21:00 GMT +01:00
📍 London, United Kingdom

[Book now](#)

[Add to calendar](#)



VI. OTHER NOTABLE NEWS

1. Official revised English Arbitration Act 2025

The **Arbitration Act 2025** (the “New Act”) received Royal Assent on 24 February 2025, marking a significant reform of arbitration procedures in England and Wales. The objective of this New Act is to **streamline arbitration proceedings and enhance London’s appeal as a global arbitration hub**, in competition with rivals such as Hong Kong and Paris.

Some notable features of the New Act include:

- A **new default rule** on the law governing the arbitration agreement
- A **duty of disclosure** imposed on arbitrators: Arbitrators are required to disclose, as soon as reasonably practicable, any circumstances they are aware of or become aware of during the proceedings that might reasonably give rise to justifiable doubts as to their impartiality or independence
- **Immunity for arbitrators** in cases of resignation or removal, in accordance with the Arbitration Act 1996
- **Court powers in support of arbitral proceedings and emergency arbitrators:** Courts may provide support for arbitration, including urgent measures such as the preservation of evidence involving third parties
- The procedure for **challenging jurisdiction** under **Section 67** (Lack of Jurisdiction)
- **Summary disposal:** Arbitral tribunals are empowered to issue awards through expedited procedures

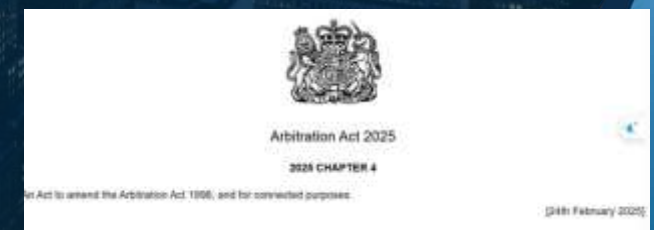
As Vietnam is currently undertaking a reform of its **2010 Law on Commercial Arbitration (LCA 2010)**, the reforms introduced by the UK Arbitration Act 2025 may serve as a valuable reference to **support Vietnam’s efforts to establish itself as an attractive arbitration venue**. Vietnam may consider selectively adopting the following aspects:

- **Default rule on the law governing the arbitration agreement:** Under the New Act, where the parties do not expressly agree on the governing law, the law of the seat of arbitration shall apply. Identifying the law applicable to the arbitration agreement is essential, as it determines answers to key issues such as who is bound by the agreement, whether the dispute is arbitrable, and whether the agreement is valid. Vietnam’s LCA 2010 currently does not provide a clear rule on this matter. As a result, parties may dispute whether the governing law should be that of the arbitral seat or the underlying contract. Under Article 14.2 of the LCA 2010, in the absence of agreement by the parties, the arbitral tribunal may apply the law it considers most appropriate. In practice, if the arbitration is seated in Vietnam, tribunals tend to apply Vietnamese law to govern the arbitration agreement. However, if the arbitration is seated outside of Vietnam, the law governing the arbitration agreement is typically determined as the law of the country most closely connected to the foreign-related civil relation. This may imply the law of the main contract or the seat of arbitration, resulting in legal uncertainty.

- **Judicial intervention in arbitral proceedings:** Referring to the UK’s 2025 reforms may help Vietnam reduce cases where courts intervene too extensively—even reconsidering matters already addressed by arbitral tribunals. This would reinforce the principle already set out under Article 71.4 of the LCA 2010, which prohibits courts from reviewing the merits of the dispute.

However, **certain reforms under the New Act will require further study before being adopted into Vietnamese law**. For example:

- **Liability of arbitrators:** Under Article 49.5 of the LCA 2010, arbitrators may still be held liable for damages caused by interim emergency measures issued by the tribunal, indicating a stricter standard of liability compared to the UK’s exemption.
- **Emergency arbitrators:** Vietnam currently lacks a legal framework for emergency arbitrators. As such, the UK’s reform on court support for emergency arbitrators may not yet be applicable under current Vietnamese legal practice.



VI.

OTHER NOTABLE NEWS

2. IBA's Report on Res judicata in international arbitration

The International Bar Association (IBA) Arbitration Committee Task Force has released a comprehensive report on the application of the Res judicata principle in international arbitration. The report highlights significant inconsistencies in practice and advocates for the development of an autonomous standard tailored to arbitration's unique needs.

Current Challenges in Applying Res judicata includes:

- (i) Choice-of-Law Approaches;
- (ii) Scope of Res judicata; and
- (iii) Domestic Legal Standards.

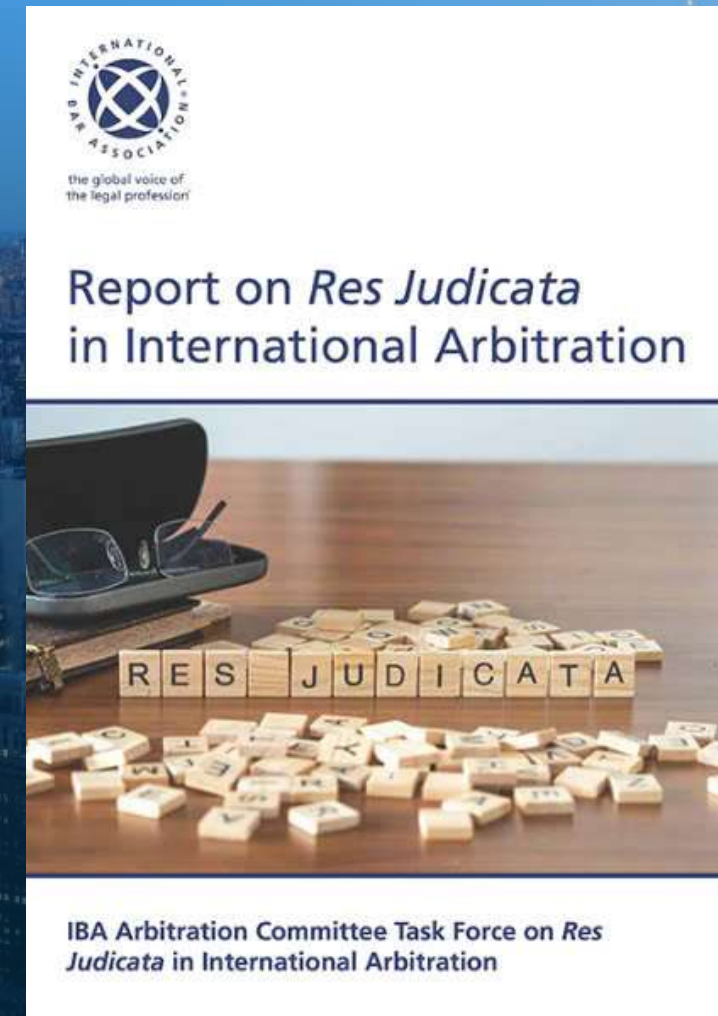
To address these challenges, the Task Force recommends an autonomous standard for Res judicata in arbitration, grounded in: Party Autonomy and Inherent Powers of Arbitrators.

Res judicata in Vietnamese Arbitration Law - Vietnamese arbitration law implicitly recognises Res judicata, particularly under the Law on Commercial Arbitration 2010 (LCA 2010), specifically in **Article 4(5)** and **Article 71** of the **LCA 2010**.

Challenges in Vietnam's Approach to Res judicata
Vietnam faces several challenges that align with the IBA report's findings include:

- **Unclear Scope of Res judicata:** Vietnamese law does not explicitly define whether Res judicata applies only to identical claims or extends to issues that could have been raised in earlier proceedings (i.e., issue preclusion). This ambiguity leads to inconsistent court decisions on re-arbitration or re-litigation.
- **Impact of Award Annulment on Res judicata:** Courts in Vietnam have, on occasion, annulled arbitral awards on public policy grounds, particularly for violating fundamental principles of Vietnamese law. This has led to concerns that Res judicata could be undermined if annulment becomes a means to allow re-litigation.
- **Lack of Explicit Regulation on Parallel Proceedings:** Vietnamese law does not clearly address parallel proceedings – such as a party initiating a new arbitration after a prior award or filing a court case despite arbitration. This opens the door to forum shopping, where parties seek to re-litigate disputes after an unfavorable arbitral decision.

The IBA's report underscores the need for greater consistency in applying Res judicata across different jurisdictions. While Vietnamese arbitration law recognises the finality of arbitral awards, the absence of clear rules on issue preclusion and parallel proceedings poses challenges. A more structured approach – potentially influenced by the IBA's recommendations – could enhance the predictability and enforcement of Res judicata in Vietnam, reinforcing arbitration's role as an efficient and final dispute resolution mechanism.



VI.

OTHER NOTABLE NEWS

3. CIArb's Guideline on the Use of AI in Arbitration

The Chartered Institute of Arbitrators (CIArb) has released the "Guideline on the Use of AI in Arbitration (2025)", offering a comprehensive framework for integrating artificial intelligence into arbitration proceedings. This guideline aims to help arbitrators, parties, and legal professionals leverage AI's benefits – such as enhanced efficiency, improved legal research, and streamlined document analysis – while addressing potential risks like data security breaches, confidentiality concerns, and procedural fairness issues. Key recommendations include maintaining human oversight, ensuring transparency in AI usage, and upholding accountability for decisions influenced by AI tools. The guideline also provides templates for agreements and procedural orders to standardize AI use in arbitration. This initiative reflects CIArb's commitment to guiding the arbitration community through the evolving landscape of legal technology.

ciarb.

Guideline on the Use of AI in Arbitration (2025)



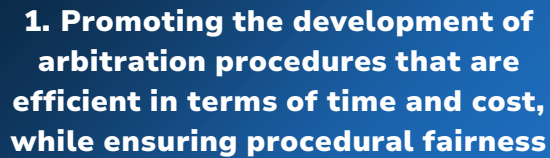


2. Construction arbitration remains a field of significant interest

Statistics and professional events held in Vietnam and internationally indicate that resolving construction disputes through arbitration continues to be a key area of focus within the arbitration community.


3. Improving procedural mechanisms under the 2010 Law on Commercial Arbitration and the procedural rules of arbitral institutions to align with international standards

Both regulations and practice reveal that several procedural mechanisms in Vietnam's arbitration framework are not yet fully or correctly understood and applied in accordance with international practice, such as the principle of Res judicata, emergency arbitrators, etc. Therefore, Vietnam may consider selectively adopting international best practices in the ongoing reform of the 2010 Law on Commercial Arbitration and the procedural rules of arbitral institutions. This would provide arbitral tribunals and disputing parties with a clearer legal basis to make use of such tools and conduct arbitral proceedings more effectively.



1. Promoting the development of arbitration procedures that are efficient in terms of time and cost, while ensuring procedural fairness

Procedural efficiency in terms of time is considered one of the key advantages of arbitration over court litigation. According to the Queen Mary and White & Case Surveys of 2018 and 2021, the duration of proceedings is among the top concerns for disputing parties. As such, time efficiency is increasingly becoming a critical benchmark for assessing the quality of arbitral proceedings. Not only disputing parties but also arbitral institutions and arbitrators are under growing pressure to improve their time management skills to ensure both fairness and overall procedural effectiveness.



VII.

HIGHLIGHTS OF THE NEWSLETTER



REFERENCES

1. Information about the eBRAM International Online Dispute Resolution Centre:

- <https://www.ebram.org/?language=en>

2. Information on the A-list:

- <https://law.asia/asia/lawyers/vietnam-top-lawyers-2024/>

3. Arbitrator Nguyen Manh Dzung's profile on SCMA's website:

- <https://www.scma.org.sg/arbitrator/382>

4. For more information about VIART's arbitration dispute resolution skills training course, visit:

- <https://bit.ly/3XNdXFe>

5. UNCITRAL Technical Notes on ODR 2017 :

- https://uncitral.un.org/sites/uncitral.un.org/files/media-documents/uncitral/en/v1700382_english_technical_notes_on_odr.pdf?fbclid=IwY2xjawJhUXJleHRuA2FlbQlXMAABHkksLCh2ERD7hRQkylzCM0ycJ53azLs18YL6TPug5w-TBnGJ_2MD0fnsZcep_aem_xRngv19Xb7Pd1f4xuEp-cg

6. Information on the Masterclass by Lexology: Construction Arbitration in APAC: Trends and Tips:

- <https://www.lexology.com/Events/Details/19162>

7. Research on Promoting Financial Dispute Resolution Through Arbitration by ADR Vietnam Chambers (Vietnamese):

- <https://lnkd.in/ehSqzYhf>

8. ICC Report on Financial Institutions and Arbitration (English):

- https://lnkd.in/eT_5Shs8

9. Manuscript of the research "The Legal Services Market in Vietnam and International Lessons Learned":

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13. Information and registration for Roebuck Lecture 2025 at:

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15. CIARB's Guideline on the Use of AI in Arbitration:

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CONTACT US



dzung.nguyen@adr.com.vn



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Editor: Nguyen Manh Dzung
Designer: Dao Linh Chi

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