



ADR VIETNAM CHAMBERS LLC
— INDEPENDENT ARBITRATORS & MEDIATORS —

ADR VIETNAM CHAMBERS'

NEWSLETTER QUARTER IV/2025

INTRODUCTION



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ADR Vietnam Chambers is honored to publish the fourth quarter 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 October to December 2025.

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ARBITRATION CASES



LAWYER, ARBITRATOR

NGUYEN MANH DZUNG

1. Q4 2025 at a Glance: An Active Quarter in Arbitration

Arbitrator **Nguyen Manh Dzung** experienced an exceptionally busy fourth quarter of 2025, conducting 5 merits hearings, which resulted in 5 arbitral awards being rendered. The disputes spanned an increasingly diverse range of sectors, including shipping, international sale of goods, insurance, financial disputes, M&A, construction, and others.

The final three months of the year marked a dynamic close to a vibrant 2025 for the arbitration market in Vietnam. Arbitrator Nguyen Manh Dzung extends his sincere gratitude to the business community, legal practitioners, and fellow arbitrators for their trust and collaboration throughout 2025. Looking ahead, we remain optimistic about an even more robust year in 2026 for arbitration and dispute resolution in Vietnam.

1. Seminar on Contributing Feedback to the Draft Law on Specialized Courts at the International Financial Center

The Specialized Court within Vietnam's International Financial Center is one of the newly established dispute-resolution mechanisms under Resolution 222/2025/QH15. It is expected to become a superior legal instrument that enhances the attractiveness of Vietnam's International Financial Center by establishing a transparent, internationally aligned, and highly specialized adjudication system. On October 6, 2025, the Supreme People's Court held a Seminar to gather feedback on the Draft Law, with the participation of the Supreme Court justices, central ministries and agencies, as well as domestic and international experts.

Lawyer Nguyen Manh Dzung contributed opinions on Draft Law's procedural rules and applicable law, proposing that the court be empowered to issue its own detailed procedural rules and incorporate internationally recognized practices such as case management conferences (CMC), cross-examination, and clear disclosure obligations. He also recommended applying the "proper law of contract" principle based on the parties' choice to ensure the Specialized Court operates in line with international commercial adjudication standards.



2. Seminar "Complex Arbitration Disputes and Practical Issues in Financial-Sector Dispute Resolution in Vietnam"

On the morning of October 9, 2025, in Ho Chi Minh City, the Department of Judicial Support under the Ministry of Justice organized a training conference and thematic workshop aimed at enhancing legal knowledge and addressing difficulties in commercial arbitration practice. Speakers, including Lawyer-Arbitrator Nguyen Manh Dzung and Mr. Pham Duong Hoang Phuc, discussed key topics such as the dispute-resolution mechanism under Resolution 222/2025/QH15, international experience from financial centers like DIFC, SICC and CICC, and common types of financial disputes.

The seminar also examined prominent procedural issues, including multi-contract arbitration, multi-party arbitration, consolidation of disputes, third-party joinder, as well as practical issues in determining the validity of arbitration agreements and arbitral jurisdiction in loan-guarantee contract chains. The establishment of the Vietnam International Financial Center and its Specialized Court creates new opportunities to elevate Vietnam's position, while requiring the legal community to strengthen its expertise to meet modern, transparent international dispute-resolution standards.





PUBLIC PROJECTS

3. Event “Vietnam: 2nd International Arbitration & Corporate Crime Summit”

Arbitrator Nguyen Manh Dzung, Director of ADR Vietnam Chambers, participated in the “Vietnam: 2nd International Arbitration & Corporate Crime Summit” organized by Legal Plus on October 17, 2025, at the New World Saigon Hotel, together with distinguished international speakers and scholars. During the first panel discussion, he delivered in-depth analyses on negotiation strategies and the growing adoption of alternative dispute resolution (ADR) methods in Vietnam and the region.

He highlighted the increasingly important role of mediation in the Vietnamese context - despite its still limited recognition within the business community - and shared insights on the future of arbitration, particularly the potential development of Emergency Arbitration and Early Dismissal mechanisms under the new legal framework introduced by Resolution 222/2025.

The event brought together leading regional arbitration experts, offering diverse perspectives on emerging trends in dispute resolution and corporate compliance.



4. Seminar on “Key Issues in the Draft Law on the Specialized Court at the International Financial Center”

On November 22, 2025, the National Assembly’s Committee on Legal and Judicial Affairs held a Seminar named “Key Issues in the Draft Law on the Specialized Court at the International Financial Center”, with the participation of numerous delegates, legal experts, judges, and lawyers for in-depth discussion on the model. At the seminar, Mr. Nguyen Manh Dzung was honored to be invited as a keynote expert, presenting on Common Law principles in the resolution of disputes arising within an International Financial Center – including the role and status of judges, lawyers, parties to the proceedings, and procedural aspects of the Specialized Court. Building upon his previous contributions during the development of the proposal, Mr. Dzung offered insights and perspectives on the application of common law within the Specialized Court model - an unprecedented dispute-resolution mechanism in Vietnam. He further emphasized the role of judges and lawyers, particularly the involvement of foreign judges and counsel in proceedings. Additionally, he highlighted procedural features unique to the Specialized Court compared to traditional courts, including issues of applicable law, proof of foreign law, evidentiary matters, and more.

5. Seminar on Collecting Opinions for the Draft Resolution on the Pilot Establishment of Public Lawyers

On November 20, 2025, the Ministry of Justice organized a workshop to gather feedback on the Draft Proposal and the Draft Resolution of the National Assembly regarding the pilot implementation of Public Lawyers in Ho Chi Minh City.

As an expert delegate, Lawyer Nguyen Manh Dzung presented his views on the necessity of ensuring the independence and self-governance of the legal profession. This is particularly crucial for Public Lawyers - a workforce governed by both the laws on legal practice and the regulations applicable to public officials. In his presentation, Mr. Dzung also emphasized the IBA International Principles on Conduct for the Legal Profession, highlighting them as the global standard for professional ethics in an international environment.

It is hoped that with the attention of competent authorities and the contributions of domestic and international experts, Vietnam will successfully develop a contingent of Public Lawyers that meets the practical needs and demands of the country in the near future.





RESEARCH ACTIVITIES

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1. Research on Joinders and Concurrent Hearings

In arbitration proceedings, disputes do not always arise solely between two groups of parties - the Claimant(s) and the Respondent(s). In practice, the involvement of one or more third parties is entirely possible. Under Vietnam's civil procedure framework, the law provides a mechanism for "persons with related rights and obligations" to participate in the proceedings. However, in arbitration, the inclusion and treatment of third parties give rise to several distinct legal challenges.

Unlike courts, arbitral tribunals only have jurisdiction over the parties to the dispute - those bound by the arbitration agreement. Therefore, when a third party becomes involved, determining their rights and obligations, as well as defining the scope of the tribunal's jurisdiction, becomes a critical legal issue that must be addressed.

In international arbitration practice, the rules of major arbitral institutions such as the ICC, SIAC, and HKIAC incorporate joinder mechanisms to deal with these complex situations. In Vietnam, however, the 2010 Law on Commercial Arbitration and the procedural rules of institutions such as VIAC do not yet provide corresponding provisions, which creates certain limitations in fully addressing multi-party or multi-contract disputes.

In the context of ongoing amendments to the 2010 Law on Commercial Arbitration and the reform of VIAC's Arbitration Rules, this article compares the approaches adopted by several international arbitral institutions (SIAC, HKIAC, ICC, LCIA) and relevant case law, and on that basis, proposes recommendations for improvements to Vietnam's legal framework.





2. ADR Vietnam Chambers' Vietnamese Translation of the CI Arb Mediation Guidance Materials

The materials comprise the following documents:

1. Mediation Rules

This is the core instrument governing the entire CI Arb mediation process, from commencement and appointment of the Mediator to the Mediator's role, professional ethics, termination of the mediation, and costs. The Rules are designed to ensure transparency, fairness, and professionalism in mediation proceedings.

2. Practice Guideline 1: Confidentiality in Mediation

This guideline affirms a very high standard of confidentiality, covering all information related to the mediation. It also narrowly defines the circumstances in which a Mediator may disclose information.

3. Practice Guideline 2: Selection and Appointment of the Mediator by the Institute

This guideline sets out the criteria and procedures for the Institute's appointment of a Mediator, including suitability in terms of expertise, experience, language skills, and availability. It requires the Mediator to declare independence and to comply with the CI Arb Mediation Rules and the CI Arb Code of Professional and Ethical Conduct.

4. Practice Guideline 3: Termination of Mediation

This guideline clarifies the circumstances and grounds for terminating mediation, including the achievement of a settlement, notice by the parties, or a decision by the Mediator where mediation is no longer appropriate or where there are breaches of ethics or law.

5. CI Arb Model Mediation Agreement

This document provides a template agreement to formally structure the mediation process, incorporating provisions on confidentiality, costs, the Mediator's responsibilities, and the parties' obligations.



The translation aims to standardize and enhance the professionalism of mediation practice in Vietnam in line with international standards; clarify key practical issues; strengthen business confidence; and serve as a valuable reference resource for mediators, lawyers, and ADR institutions in Vietnam.



3. Research on Early Dismissal in Arbitration

Commercial arbitration has long been regarded as an effective and flexible alternative dispute resolution mechanism compared to traditional court litigation. However, in recent years, commercial arbitration has increasingly faced criticism for the significant costs and delays borne by parties to the proceedings. In order to ensure procedural fairness and minimize the risk of arbitral awards being set aside by courts, arbitral tribunals are often required to consider all claims and allow the parties to fully present their arguments. This, however, has inadvertently resulted in unnecessary cost and time delay.

Early dismissal procedure empowers tribunals to render an early decision on one or more issues of a case if those issues manifestly fall outside the tribunals' jurisdiction or are manifestly without merit. This research examines the framework governing early dismissal under the UK Arbitration Act 2025 as well as the rules of prominent arbitral institutions, including SIAC, HKIAC and LCIA. In conclusion, it offers recommendations for amending the 2010 Law on Commercial Arbitration of Vietnam and suggested potential adoption in the arbitration rules of Vietnamese arbitral institutions.



IV.

NOTABLE EVENTS

1. The National Assembly officially passes the Law on Specialized Courts

On 11 December 2025, the National Assembly of Vietnam passed the Law on Specialized Courts with an approval rate of 92.60%, formally establishing Vietnam's first International Commercial Court. This model is designed to effectively resolve disputes arising from financial transactions conducted within the International Financial Centre (IFC) under Resolution No. 222/2025/QH-15.

The Law was developed with the involvement of numerous experts and legal practitioners with extensive international experience. Mr. Nguyen Manh Dzung, Director of ADR Vietnam Chambers and LL.M. (Queen Mary University of London), worked closely with the National Assembly's Committee on Legal and Judicial Affairs and the Supreme People's Court in providing input and contributing to the refinement of the draft Law.

The Law on Specialized Courts reflects Vietnam's move toward international litigation best practices, permitting party autonomy in choosing English law and the common law system, establishing an internationally qualified judiciary, and introducing a distinct procedural framework. While opening significant opportunities, the new model also underscores the need for Vietnamese lawyers to enhance their competitiveness in an increasingly integrated legal market.



IV.

NOTABLE EVENTS

2. Hong Kong Arbitration Week 2025



Held from October 19 to 24, 2025, the Hong Kong Arbitration Week 2025 simultaneously marks the 40th anniversary of the establishment of the Hong Kong International Arbitration Centre (HKIAC). The week-long program solidifies Hong Kong's position as a premier center for resolving international commercial disputes, particularly in the Asia-Pacific region.

A key highlight of the week is the “ADR in Asia” Conference, a flagship event held on October 22 at the Four Seasons Hotel Hong Kong. In addition to this main conference, the week features a wide range of official and affiliated events, including seminars, workshops, and networking receptions. These gatherings covered a diverse array of topics, from the use of technology and artificial intelligence in arbitration to the role of environmental, social, and governance (ESG) factors in dispute resolution. The celebration includes the annual GAR Live, Hong Kong Arbitration Charity Ball and other social events, fostering collaboration among leading lawyers, scholars and arbitrators.

IV.

NOTABLE EVENTS

3. IBA Annual Conference 2025 at Toronto

The IBA Annual Conference is a major event for legal professionals worldwide. It took place from November 2 to November 7, 2025, at the Metro Toronto Convention Centre in Toronto, Canada.

This conference is one of the premier global gatherings for lawyers, attracting over 5,000 attendees from more than 130 jurisdictions. The program featured over 200 sessions covering a wide range of critical topics in the legal field. Key themes included the impact of artificial intelligence (AI) on legal practice, international tax law, and business' ethical obligations. The event aims to foster professional development, networking, and will showcase Toronto's dynamic and multicultural business landscape to the international legal community.

As a member of the IBA, Mr. Nguyen Manh Dzung has been actively contributing to the Association's research projects and general activities. Currently, he is a member of the Working Group researching the influence of arbitrators' nationality on their independence, impartiality, and fairness.



4. New York Arbitration Week

NYAW2025 is organized by the New York International Arbitration Center (NYIAC) and the New York Branch of the Chartered Institute of Arbitrators (CIArbNY) from 17 to 21 November 2025. Drawing on New York's position as a global city, NYAW2025 will engage both local and global practitioners, in-house counsel, scholars, and thought leaders to showcase New York City as a leading destination for the international arbitration community. This year's edition adopts the theme "Searching for the North Star", reflecting the international arbitration community's pursuit of guidance amid rapid change. The theme highlights efforts by all stakeholders to address pressing issues of legitimacy, transparency, diversity, efficiency and sustainability in arbitration.



5. 38th LAWASIA Conference

From 11 to 13 October 2025, LAWASIA and the Vietnam Bar Association jointly hosted the 38th LAWASIA Conference in Hanoi, Vietnam.

As LAWASIA's flagship annual event, the conference serves as a premier platform for bar leaders, jurists, professional organisations, and individual lawyers from across the Asia-Pacific. The 2025 program highlighted key regional legal developments, with discussions on judicial practice, legal education, cross-border business and investment law, and cross-border dispute resolution. This landmark gathering underscores LAWASIA's commitment to fostering dialogue and collaboration among the region's legal professionals.



6. Seoul ADR Festival 2025

The SAF 2025 edition was held in Seoul, South Korea from 27 to 31 October 2025. It brings together leading arbitration and ADR practitioners, academics, judges, and in-house counsel from around the world. The Festival features a full week of high-level events, including a Welcome Reception, the Asia Civil Law Summit, the 14th Asia-Pacific ADR Conference, and multiple thematic conferences, panel discussions, workshops, and partner events. The 2025 program focuses on current developments in international arbitration and mediation, emerging dispute resolution technologies, procedural innovation, and cross-border dispute trends, while offering extensive networking opportunities across the global ADR community.



1. ICCA Congress 2026



The ICCA Congress is one of the world's most prominent international commercial arbitration events, held biennially and bringing together scholars, practitioners, arbitrators from judicial bodies and international organizations to discuss emerging trends, legal reforms and global dispute-resolution practices. Renowned for driving the development of international arbitration, the Congress serves both newcomers and experts in the field. The 27th ICCA Congress will take place in Madrid from 12 to 15 April 2026.

The theme for the 2026 Congress is "International Arbitration: Local, Global or Both?" This edition will explore how the international arbitration system balances harmonization with localization to maintain global standards while adapting to diverse legal and cultural contexts. The Congress highlights how such diversity enhances flexibility, adaptability and the wider acceptance of arbitration worldwide.

2. 11th ICC APAC Conference on International Arbitration

The 11th ICC Asia Pacific Conference on International Arbitration will be held on 26 June 2026, with a preparatory advanced-training day organized by ICC Institute of World Business Law on 25 June 2026. This flagship event gathers arbitrators, mediators, corporate counsels, practising lawyers and academics across the Asia-Pacific region.

ICC APAC is recognized for its high-quality programme combining cutting-edge panels, case studies and networking opportunities, making it a must-attend event for anyone involved in international arbitration in Asia. The Conference offers a platform to track the latest trends, share practices and engage in regional dialogue on arbitration's future.



3. International Congress of Maritime Arbitration (ICMA XXIII) in Singapore



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ADR Vietnam Chambers is honored to collaborate with the Singapore Chamber of Maritime Arbitration (SCMA) in promoting the 23rd International Congress of Maritime Arbitrators (ICMA XXIII), which will be held in Singapore from March 22 to 27, 2026.

Established in 1972, the International Congress of Maritime Arbitrators (ICMA) provides a forum for maritime arbitrators and lawyers from around the world to exchange views and news of professional interests. It serves as a cornerstone event in the calendar of maritime arbitrators and maritime professionals globally.

ICMA has expanded significantly since its first Congress, typically hosting delegates from an average of 26 countries and featuring approximately 100 or more presented papers.

VI. OTHER NOTABLE NEWS

1. Trends of recognition and enforcement of arbitral awards in 2025

2025 marks a positive shift in Vietnam's approach to the recognition and enforcement of arbitral awards. According to VIAC, in the first half of the year, among 7 applications to set aside an arbitral award, 6 were rejected by the court. This signals stronger judicial support for arbitration.

At the same time, ongoing modernization at VIAC and the wider adoption of digital case-management tools are contributing to fewer risks of awards being annulled and improving procedural efficiency.

Among the six arbitral awards, two were rendered by arbitral tribunals in which Arbitrator Nguyen Manh Dzong served as an arbitrator. In both cases, the grounds most commonly relied upon by the losing parties to seek the setting aside of the awards concerned the credibility of the evidence, the service of procedural documents, and pre-arbitral procedural requirements.



VI. OTHER NOTABLE NEWS

2. VIAC's plan to amend its Arbitration Rules

VIAC is implementing its plan to revise its Arbitration Rules with the aim of updating procedural regulations, enhancing transparency and aligning more closely with international practices. The key topics currently under consultation include the formation of arbitral tribunals, ethical standards of arbitrators and several adjustments to procedural fees.

The proposed amendments are expected to make VIAC's commercial dispute resolution process more flexible and transparent for the parties involved, especially in the context of increasing digitalization of arbitration procedures. The draft is being finalized and will be publicly released once all feedback has been fully reviewed and incorporated.



1. The Influence of Common Law on Commercial Litigation in Vietnam – The Establishment of Vietnam's First International Commercial Court

The enactment of the Specialized Court Law marks a decisive turning point, ushering in a strong trend of internationalization in commercial litigation in Vietnam. This mechanism is expected to create a transparent litigation framework, compliant with global practices, particularly through allowing the participation of an international panel of judges and the potential application of common law procedures and precedents.

This necessitates that the domestic legal sector quickly enhance its expertise and intensify research into international commercial litigation. This trend also signals a new competitive environment where Vietnamese lawyers will have to directly compete with international barristers.

2. Vietnam on the path to becoming an arbitration-friendly seat in the region

The continuous increase in the number of complex commercial disputes resolved through arbitration demonstrates the growing confidence of the business community in this mechanism. More importantly, the trend of the courts recognizing and enforcing arbitral awards - evidenced by the dismissal of the majority of applications to set aside awards - has strongly reinforced the finality and reliability of the arbitration method.

Concurrently, the fact that VIAC is in the process of drafting amendments to its Rules to incorporate advanced international standards, notably provisions regarding the joinder of third parties, reflects Vietnam's efforts to standardize procedural rules, making them increasingly aligned with international practice.

Resolution No. 222/2025/QH15 on the International Financial Centre in Vietnam also marks a new milestone. Article 30 of the Resolution recognizes the parties' agreement to waive the right to set aside arbitral awards within the IFC, thereby encouraging voluntary enforcement by the parties and reinforcing the finality of arbitral awards.

VII.

HIGHLIGHTS OF THE NEWSLETTER



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YEAR IN REVIEW AND VISION

As we approach the end of the year and welcome the New Year, ADR Vietnam Chambers is honored to present to our Valued Clients and Partners:

Year-End Recap Video: A look back at a meaningful year, highlighting key milestones and the signature activities of ADR Vietnam Chambers.

Research Ebook & International Resources: A special publication featuring in-depth studies and essential translations of international documents made by ADR Vietnam Chambers.

Ad Hoc Arbitration Services (Launching 2026): ADR Vietnam Chambers officially announces the upcoming launch of ad hoc arbitration services, expanding our range of flexible and effective dispute resolution solutions.

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