

# RECAP

ICCA 2024  
HONG KONG

DAY 1 - 6 MAY 2024





## MEMBERS OF ADR VIETNAM CHAMBERS AT ICCA CONGRESS 2024

Last week, members of ADR Vietnam Chamber, Arbitrator Nguyen Manh Dzung và Tribunal Clerk Ha My Linh participated in the 26th ICCA Congress Hong Kong from May 5th to May 8th 2024. This year Congress, with the theme ***“International Arbitration: A Human Endeavour”***, attracted more than 1400 arbitration practitioners from around the world, marking this as the largest arbitration event in the history of ICCA Congress.





# IMPACT ON VIETNAM'S ARBITRATION PRACTITIONERS

According to Vietnam International Arbitration Center (VIAC) statistics, in 2023, VIAC handled 427 cases.<sup>[1]</sup> According to Singapore International Arbitration Center (SIAC) report, Vietnam is one of the top SIAC's users. In 2023, SIAC handled 22 disputes in which one of the parties are Vietnamese and two cases are expedited procedures.<sup>[2]</sup>

According to statistics from Ministry of Justice, Vietnam has around 1000 arbitrators and 100 mediators.<sup>[3]</sup> More specifically, there are 198 VIAC arbitrators, 162 Vietnamese arbitrators và 36 foreign arbitrators from the UK, the US, France, South Korea and Singapore.<sup>[4]</sup> In 2023, top 3 SIAC arbitrators come from common law jurisdiction, namely Singapore, the UK and Australia.<sup>[5]</sup> On the contrary, the majority of Vietnamese arbitrators are judges and lawyers that are familiar with procedures in civil law jurisdictions.



Therefore, issues discussed in Panel 2, 3, 5 and 6 are of pivotal importance to practitioners in Vietnam because of the Golden Rule in arbitration, **“Know Your Tribunal”**. Speakers from different jurisdictions holding different positions such as counsels, arbitrators, judges provide diverse viewpoints in the roles and responsibilities of an arbitrator and aspects influencing the decision-making process of the arbitral tribunal, for example, culture, trust and impartiality. In addition, discussions regarding the recognition of arbitration agreements and enforcement of foreign arbitral awards under New York Convention in Singapore, China and Hong Kong and interpretation of public order in each jurisdiction. However, the common difference between these countries and Vietnam is using public order instead of basic principles in Vietnamese law. More importantly, the differences in culture and legal background between counsels and arbitrators should be highlighted to tailor a more suitable arbitral proceeding.

[1] VIAC Annual Report 2023

[2] SIAC Annual Report 2023, [https://siac.org.sg/wp-content/uploads/2024/04/SIAC\\_AR2023.pdf](https://siac.org.sg/wp-content/uploads/2024/04/SIAC_AR2023.pdf)

[3] Ministry of Justice's internal report

[4] Ms. Hang Vu's presentation, "Arbitration at VIAC – Effective Dispute resolution method for business", 23 Feb 2023

[5] SIAC Annual Report 2023, [https://siac.org.sg/wp-content/uploads/2024/04/SIAC\\_AR2023.pdf](https://siac.org.sg/wp-content/uploads/2024/04/SIAC_AR2023.pdf)



THANK YOU

# ADR VIETNAM CHAMBERS

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