

Nguyen Ngoc Minh

**Partner, Head of Hanoi Office and
Co-head of Dispute Resolution
Practice Group**

Minh read law at Hanoi Law University, Vietnam (LL.B) and at Monash University, Australia (LL.M). He leads a team of six fee-earners specialising in Commercial Arbitration, Litigation and International Trade.

Minh has represented clients in international arbitrations conducted under the Rules of e.g. the ICC, SIAC and HKIAC to resolve cross-border disputes involving Vietnamese elements. He has also acted in arbitrations at the Vietnam International Arbitration Center (VIAC) and in recognition and enforcement proceedings before the Vietnamese courts.

Matters in which Minh has acted are oftentimes high-profile, covering a wide range of legal and factual questions, in e.g. Oil and Gas; Construction and Real Estates; Corporate and Joint Venture; M&A; Sales of Good; Insurance; and Information Technology. Many of his cases at the VIAC are also first-of-their-kinds in Vietnam.

In addition, Minh regularly advises on issues of Vietnamese insurance law. They cover questions of different legal natures, e.g. coverage, recovery, cancellation of policy and claim allocation, and arise out of diverse types of policies, e.g. hull, cargo, liability, construction and general property. His clients include well-known names, both international and local, in the insurance industry.

Minh is recognised as an *"Up and Coming"* Dispute Resolution Lawyer by Chambers 2020 and is praised as a *"very responsive, always available" lawyer who provides "very practical and spot-on advice."* Also, Legal500 2020 commends him as follows:

'Minh and his team are top-class counsel in Vietnam, making very good arguments and very diligent in their work.'

'Nguyen Ngoc Minh's advice is sound and practical. He responds quickly and in depth, and advises practical solutions where appropriate. He is a lawyer of utmost professional integrity.'

YEARS OF EXPERIENCE 12

**ACADEMIC AND
PROFESSIONAL
QUALIFICATIONS**

- BA, Hanoi Law University, Vietnam
- LL.M, Monash University, Australia
- CEDR Accredited Mediator
- Admitted to the Hanoi Bar

- AIAC Arbitration Panelist
- VICMC Mediator

LANGUAGE

- English: Excellent
- Vietnamese: Native

NOTABLE MATTERS

International Commercial Arbitrations:

- An ICC arbitration of under USD 500 million involving an oil and gas contract;
- A dispute of over USD 130 million involving the construction of one of the tallest and most well-known skyscrapers in Vietnam
- A USD 10 million dispute between a Korean contractor and its employer, one of the largest State-owned commercial banks in Vietnam, on a dispute involving the construction of the bank's headquarters
- Proceedings relating to an ICC arbitration between a Japanese contractor and a government authority on an infrastructure project in Ho Chi Minh City
- A USD 40 million dispute between a very well-known foreign invested retailer and the lessor of one of its supermarkets
- A USD 7 million VIAC arbitration on a share purchase contract between an international fund and a large Vietnamese company
- The first ever VIAC maritime arbitration involving cross-claims arising out of a collision
- An ICC arbitration between a Vietnamese corporate shareholder and a US investor
- A dispute on a construction contract between a Vietnamese and a Malaysian company
- A dispute on an equipment fabrication contract between a Vietnamese and a US company
- A dispute on an airline re-insurance policy between two Vietnamese insurers
- Complex proceedings involving foreign investment in a real estate project
- Various disputes between well-known retail groups and local companies on real estate
- Multiple disputes involving international sales and distribution contracts

Litigation:

- Lawsuits against his clients, the subsidiaries of two major

Japanese commercial banks in Vietnam, for the enforcement of US\$ 8 million performance and refund bonds in connection with a USD 50 million ICC arbitration

- A significant lawsuit arising out of a construction contract
- An insurance dispute arising out of an all risk policy between one of the largest insurers in Vietnam and a local clinker producer
- A lawsuit between an international ride-sharing company against a Vietnamese taxi company
- Various cases of insurance, construction, maritime and sales of good natures

Recognition and Enforcement:

- Around 20 awards rendered by the SIAC, ICAC, ICA , HKIAC, JCAA, KCAB, AIAC (formerly named KLRCA) NYIAC and GAFTA
- Various ad-hoc arbitral awards

Advice:

- An insurance claim involving multiple Lloyd insurers and reinsurers arising in connection with a FPSO insured under institute time clauses hulls
- The cancellation of master and local policies issued to a multi-national corporation to insure director and officer liabilities
- Policy wordings issued to reinsure the construction or operation of wind turbine farms in Vietnam
- A potential dispute between a life insurer and a commercial bank in relation to a bancassurance contract
- A dispute on capital assignment tax between an international energy group and the Vietnamese Government
- A treaty claim against the Vietnamese government in relation to a real estate project in Ho Chi Minh City
- A potential HKIAC construction arbitration
- A potential SIAC arbitration on a joint-venture dispute
- Various enquiries on e.g. construction and commodity trading matters

EVENTS

- Attending the Hong Kong Arbitration Week, 21-24 October 2013, Hong Kong
- Participating as an arbitrator/assessor in the MUTRAP – AMDI Moot Court held at the Hanoi Foreign Trade University, December 2016, Hanoi

- Speaking on “Enforcing Contract in Vietnam” at the APEC EoDB Conference held by the Ministry of Justice of Korea, 27 June 2017, Hanoi
- Attending the CEDR Mediator Training Course, January 2018, Hanoi
- Attending the ICC Institute Advanced level training on “Oral Advocacy in International Arbitration: The good, the bad and the in between”, 26 June 2018, Hong Kong
- Attending the 4th ICC Asia Conference, 27 June 2018, Hong Kong
- Participating as an arbitrator/assessor in the Commercial Arbitration Moot on CISG held at the Hanoi Law University, January 2019, Hanoi
- Participating as an arbitrator/assessor in the Commercial Arbitration Moot on CISG held at the Foreign Trade University of Vietnam, March 2020, Hanoi
- Participating as an arbitrator/assessor in the first ever Virtual Vis East Moot, March 2020

PUBLICATION

- The Vietnam Chapter of Getting the Deal Through 2012 & 2013 Editions (Law Business Research Ltd – Co-author)
- The Vietnam Chapter of the Asia-Pacific Arbitration Review 2020 (Global Arbitration Review – Co-author)
- The Vietnam Chapter of the Asia-Pacific Arbitration Review 2021 (Global Arbitration Review – Co-author)
- Delos Guide to Arbitration Places (GAP) 1st Edition (Delos Dispute Resolution – Chapter Editorial Review)
- The Vietnam Chapter of Recognition and Enforcement of Judgments in Civil and Commercial Matters edited by Anselmo Reyes (Bloomsbury – Co-author)