

## **NGUYEN THI THU TRANG**

### **Special Arbitration Counsel**

Ms Nguyen Thi Thu Trang is an special arbitration counsel in Dzungsr & Associates LLC – Hanoi Office for over 9 years. Her practice focuses on Commercial and Investment Arbitration, Commercial and Enforcement Litigation, and International Business Law. In 2019 and 2020, Ms. Trang has been recognized as one of the “Next Generation Partners” in Dispute Resolution in Vietnam by The Legal 500 Asia Pacific.

She obtained her LL.M Degree in Business, Corporate and Maritime Law with a focus on International Arbitration and Business Law under the supervision of famous arbitration professors Van den Berg and Filip Dely at Erasmus School of Law – Erasmus University Rotterdam, the Netherlands, which is ranked in the top 2% of the world’s best universities. She was also well educated about the carriage of goods by famous lawyers and professors such as Jos van der Meché and Marian Hoeks at Erasmus University and attended many workshops at the Rotterdam port and AKD law firm. Currently, she is a PhD candidate researching on the judicial support of Vietnamese courts in arbitration at the Graduate Academy of Social Sciences in Vietnam.

As a key member of the Arbitration & ADR Group in Dzungsr & Associates LLC, Ms. Trang has extensive experience in many arbitrations arising from construction and infrastructure projects, energy sector, retailers and international trade conducted at ICC, SIAC, HKIAC and VIAC. She has also involved in recognition and enforcement of various institutional and ad-hoc foreign arbitral awards with the total value worth millions USD in Vietnam.

In addition, her knowledge and experiences also enable Trang to resolve disputes following the arrest of ships and handle cases relating to charter parties, bills of lading and other carriage contracts. Trang’s work also involves providing comprehensive, specialist advice to clients in high value shipping projects.

Trang is the co-author of a number of publications on Investor-State Dispute Settlement (ISDS) and also contributed to the draft of the Supreme People Court’s Resolution No.01/2014 guiding law on commercial arbitration in 2014 as well as the draft resolution of the Part VII on Recognition and Enforcement of Foreign Arbitral Awards in the 2015 Civil Procedure Code of Vietnam.

In addition, Trang has actively involved in arbitration moot activities and arbitration training. She has coached students of Diplomatic Academy of Vietnam and Hanoi Law University for arbitration moot competitions and arbitrated in several moot competitions such as CISG and FDI Moot. She also a member of the local steering committee for the first YICCA workshop in Hanoi in 2019 and one of the key moderators of Young Vietnam ADR Group under the auspices of VIAC.

## **ACADEMIC AND PROFESSIONAL QUALIFICATIONS**

- BA- International Law- Diplomatic Academy of Vietnam, Vietnam;
- BA- Hanoi Law University, Vietnam;
- LLM– Postgraduate LLM in Business, Corporate and Maritime Law, major in Arbitration and Business law- Erasmus University Rotterdam, Netherlands;
- PhD Candidate at Graduate Academy of Social Sciences of Vietnam;
- Certificate for participating in the advanced workshop on “Enforcement of international arbitration agreements and awards” granted by Vietnam- Singapore Training Centre in Hanoi, 2011;
- Certificate for participating in the Advanced Summer Course- 2014 session of Arbitration Academy in Paris;
- Certificate for participating the PIDA training on international commercial arbitration of ICC, Ho Chi Minh, Vietnam in April 2019.
- Member of Young ICCA [under the auspices of the International Council for Commercial Arbitration (ICCA)].
- Member – Young SIAC [under the auspices of the Singapore International Arbitration Center (SIAC)]

## **LANGUAGE**

- English:                   Excellent
- Vietnamese:           Native

## **NOTABLE MATTERS**

### **International Commercial Arbitration involving construction, energy, retailers and international sale disputes:**

- An ICC arbitration of under USD 500 million involving an oil and gas contract;
- A VIAC arbitration of over USD 100 million involving the construction of one of the tallest and most well-known skyscrapers in Vietnam;
- A VIAC arbitration of USD 10 million dispute between a Korean contractor, and its employer, one of the largest State-owned company;
- A VIAC arbitration of USD 40 million dispute between a very well-known foreign invested retailer and the lessor of one of its supermarkets.
- A Court Proceedings relating to an ICC arbitration between a

- Japanese contractor and a local government authority on an infrastructure project in Ho Chi Minh City;
- An ICC arbitration regarding an oil-refinery project in the middle of Vietnam;
- A SIAC arbitration between a Korean company and a Vietnamese company regarding a share sale-purchase agreement;
- A SIAC arbitration between a Vietnamese trading company against the international seller in a sale contract.
- Multiple claims involving international sales and distribution contracts at VIAC.

#### **Recognition and Enforcement:**

- More than 10 arbitral awards worth US\$ millions rendered by the SIAC, ICA, HKIAC, KCAB and GAFTA at provincial and high courts in Hanoi, Ho Chi Minh City, Thai Binh, Long An, Binh Duong, etc.

#### **Advice:**

- Commenting for arbitration rules of Vietnam International Arbitration Centre (VIAC), Rules and Charter of Pacific International Arbitration Centre (PIAC);
- Giving opinions on the draft of the Resolution 01/2014 of the Supreme People' Court of Vietnam on guiding some provisions of Law on Commercial Arbitration of Vietnam;
- Commentary on the draft of the Chapter on Recognition and Enforcement of Foreign Arbitral Awards in the 2015 Civil Procedure Code of Vietnam;
- Providing opinion on the draft of Resolution of the Supreme People' Court of Vietnam on Recognition and Enforcement of Foreign Arbitral Awards;
- Many advices regarding the recognition and enforcement of foreign arbitration awards in Vietnam, the arbitration procedures at VIAC and under Vietnamese laws
- Advices regarding the bankruptcy procedures under Vietnamese laws
- Many advices regarding ship arrests, ship finance, and limitation of liabilities of carriers under Vietnamese laws.

#### **EVENTS**

- Participating in the Eighth Willem C. Vis (East) Moot

Competition on International Commercial Arbitration in Hong Kong, 2012

- Participating in the 21st Willem C. Vis Moot Competition on International Commercial Arbitration in Vienna, 2014
- Invited Arbitrators at FDI and CIGS moot courts in Vietnam
- Coaching Vis moot teams of Diplomatic Academy of Vietnam from 2015 to date.
- Moderator of Young Vietnam ADR Group.

## **PUBLICATION**

- Vietnam Chapter in International Handbook on Commercial Arbitration, ICCA & Kluwer Law International, 2020 (Published) (Co-author)
- International Investment Dispute Resolution in Vietnam: Opportunities and Challenges in Julien Chaisse and Luke Nottage, International Investment Treaties and Arbitration Across Asia, Brill Nijhoff, 2018, p. 280-302, (Co-author)
- The Vietnam Chapter on Recognition and Enforcement of Judgments in Civil and Commercial Matters, Anselmo Reyes (ed.), Bloomsbury, 2019, (Co-author)
- Vietnam Chapter in The Asia-Pacific Arbitration Review 2016 and 2018, 2019 and 2021 of Global Arbitration Review, Law Business Research LTD (UK) (Co-author)
- Vietnam Chapter in ICC Guide to National Procedures for Recognition and Enforcement of Awards under the New York Convention, 2018 (Co-author)
- The national report of Vietnam on the concept of “Arbitrability” under the New York Convention, IBA Subcommittee on Recognition and Enforcement of Arbitral Awards, September 2016 (Co-author)
- The national report of Vietnam on the Public Policy Exception under the New York Convention, IBA Subcommittee on Recognition and Enforcement of Arbitral Awards, 2016 (Co-author)
- Vietnam Chapter in Getting the Deal Through – Arbitration 2012 (Published) and Getting the Deal Through – Arbitration 2013 (Published) (Global Arbitration Review), Law Business Research LTD (UK) (Co-author)
- “Treaty Investment Arbitration” in The Workshop “Resolution of International Trade and Business Disputes” in 10 February 2012 within framework of the action of the 2nd component of the EU- Vietnam (Multilateral Trade Assistance Project) MUTRAP III project (Co-author)

- Thực Trạng Pháp Luật Việt Nam Về Thẩm Quyền Hỗ Trợ Tư Pháp Của Tòa Án Liên Quan Đến Áp Dụng Biện Pháp Khẩn Cấp Tạm Thời Trong Tố Tụng Trọng Tài, Tạp Chí Nhân Lực Và Khoa Học Xã Hội, Số 1/2020.
- Các Giải Pháp Nâng Cao Chất Lượng Thực Hiện Thẩm Quyền Hỗ Trợ Tư Pháp Của Tòa Án Việt Nam Đối Với Trọng Tài Thương Mại, Tạp Chí Nhân Lực Và Khoa Học Xã Hội, số 6/2020.