

LUU TIEN DZUNG

Partner
YKVN HANOI

Tel: (84-24) 3934 5410; (84) 90 329 6568

Email: [**dzung.luu@ykvnlaw.com**](mailto:dzung.luu@ykvnlaw.com)

Address: YKVN, V1604-06, Pacific Palace, 83B Ly Thuong Kiet Str, Hoan Kiem, Ha Noi

Place of Residence: Ha Noi, Vietnam

Nationality: Vietnamese

Jurisdiction: Vietnam Bar

Date of Admission: 2002

Sector Specialization: Construction, Sale of Goods, Franchise

PROFILE SUMMARY

Dr. Luu Tien Dzung, formerly a Law Clerk for the Chief Justice of the Supreme People's Court of Vietnam, is a co-chair of YKVN's litigation practice. Dzung has 30 years' experience in handling complex commercial and construction disputes. During his tenure at the Supreme People's Court, Dzung assisted the Chief Justice with the screening of many such disputes to determine whether full review by the Judicial Council of the Supreme People's Court was appropriate and participated in a group supporting the drafting committee of the 1992 Constitution and in drafting the first Civil Code and Civil Procedure Code of Vietnam.

Dzung is currently also serves as a Vice President of the Vietnam Bar Federation, a member of Panel of Arbitrators of Singapore International Arbitration Center (SIAC) and Vietnam International Arbitration Center (VIAC).

Recently in 2023 Dr. Dzung was the first ever legal practitioner nominated by the National Judicial Council to the Supreme Court of Vietnam.

Before that Dr. Dzung was also appointed by UN Secretary General as an UNDP program officer in charge of UN development programs for Vietnam on legal and judicial reforms from 2002-2007.

At YKVN, Dzung has represented state-owned, local and foreign corporations in multi-million-dollar foreign trade and contractual disputes before the Vietnamese courts, as well as under VIAC, SIAC, LCIA, ICC and US GAFTA arbitration procedures. Dzung is also well-



Education

Institute of State and Law, Graduate Academy of Social Sciences, Hanoi, Ph.D. in Law (2011)

Draper Hills Summer Fellow, Freeman Spogli Institute for International Studies, Stanford University, USA (2009)

University of Iowa College of Law, USA, LL.M. (2000)

Kuban State University College of Law, Russian Federation, LL. B. (1989)

Areas of Practice

Dispute Resolution

Arbitration

Franchise

Bar Membership

Hanoi Bar Association

Vietnam Bar Federation (Vice President)

Panel of Arbitrators of Singapore International Arbitration Center

recognized for his defense of a former minister in a complex white-collar banking case.

Due to his wealth of experiences in litigation and arbitration, Dzung is a much sought-after VIAC arbitrator. He was also recently appointed by the ICC International Court of Arbitration as an arbitrator for adjudication of a dispute between a foreign contractor and a government authority of Vietnam.

Dzung is also among the very first Vietnamese mediators recently accredited by the Center for Effective Dispute Resolution. Dzung is also teaching law at Van Lang Law School University.

Dzung has been recognized by Chambers Asia as a first-tier lawyer in dispute resolution in Vietnam for many years, most recently in the current 2022 edition. In 2019, Benchmark Litigation Asia – Pacific honored Dzung as the lawyer of the year and the Grab case led by Dzung was awarded the Regional Matter of the Year.

In 2020, Dzung is the only Vietnam based lawyer ranked as Asia’s Top 15 Litigators by Asian Legal Business (ALB). Also in 2021 and 2022, Asia Business Law Journal (law.asia) lists Dzung in the A-List of the top 100 lawyers practising in Vietnam.

NOTABLE LITIGATION AND ARBITRATION CASES AND DEALS

- Acting as a counsel for Grab in a high-profile dispute with VinaSun – the largest local taxi corporation before Ho Chi Minh City Court and High Court in Ho Chi Minh City.
- Acting as a counsel for Posco VST in a multi-million-dollar commercial dispute before Ha Noi City Court and High Court in Ha Noi.
- Acted as a member of the arbitral tribunal of the ICC in the case initiated by Tokyu against the Ministry of Transport of Vietnam; and Chairman/Member of arbitral tribunals of Vietnam International Arbitration Center adjudicating a number of disputes on construction, sale of goods and services, etc.
- Represented a foreign investor in an arbitration proceeding against a provincial people’s committee over a dispute on FIDIC based BT construction contract on Hai Phong – Quang Ninh highway.
- Represented a main contractor before arbitration and court proceedings against an investor over a dispute on FIDIC based contraction contract on Ha Noi – Hai Phong highway.
- Advised a foreign investment company in the negotiation and settlement of more than US \$40 million following VIAC arbitration procedures in a dispute over a FIDIC construction contract in relation to a complex of luxury hotels and apartments.
- Represented Bachy Soletanche Vietnam before the Supreme People’s Court of Vietnam in a dispute over a FIDIC contract.

Singapore International
Arbitration Center (Panel of
Arbitrators)

Vietnam International
Arbitration Centre (Arbitrator)

Vietnam National Committee of
ASEAN Law Association
(Member)

Mediator accredited by Center
for Effective Dispute
Resolution

Vietnam Mediation Center
(Mediator)

Van Lang Law School
University (Visiting Lecturer)

- Acted as the witness to present opinions on a number of legal issues from the perspective of the Vietnamese law before the High Court of Singapore and Singapore International Arbitration Centre.
- Provided pre-litigation advice to a commercial joint stock bank in a dispute over a US \$100 million bank guarantee.
- Advised Vietnam Machinery Installation Corporation (LILAMA) in a claim against the largest state-owned bank in Russia (VTB Bank) regarding the enforcement of VTB Bank's multi-million dollars first demand guarantee.
- Acted as a counsel before High Court in Da Nang on recognition and enforcement of a foreign court decision in Vietnam.
- Represented a former Minister of Vietnam in a criminal economic case.
- Advised and represented a number of state-owned corporations including the Vietnam National Oil and Gas Group and PetroVietnam Exploration Production Corporation in a number of investment transactions and in the negotiation and settlement of a number of domestic and international disputes.
- Together with a Nigerian firm, acted for the Joint Stock Commercial Bank for Foreign Trade of Vietnam, Hai Phong Branch in an Admiralty in Rem case before Lagos High Court of Nigeria.
- Represented Ben Kien Shipbuilding Industry Company in the successful negotiation and settlement of disputes with the Dutch purchaser of the vessel and the sub-contractor over a shipbuilding contract of over €13 million following London arbitration procedures.
- Co-represented/advised Vietnamese state-owned and private corporations in the settlement of multi-million-dollar commercial, construction, and maritime disputes following SIAC, UNCITRAL, GAFTA 125, VIAC arbitration procedures or foreign court procedures.
- Advised a foreign insurance company in settling an insurance dispute over an oil refinery construction contract.
- Advised and/or represented Standard Chartered Bank, the Joint Stock Commercial Bank for Foreign Trade of Vietnam and HSBC in the settlement of credit and financial disputes.
- Advised McDonald's, Burger King, Domino Pizza, Carter, Illy Coffee, Eurocar, Hachette Filipachi Presse, Sandler Systems, Wyndham Hotel Group and a number of other international investors in their franchise transactions in Vietnam.
- Advised a number of foreign investors and FDI enterprises in Vietnam, such as Intel, Metro Cash, Verizon, P&G, Amtek, Teva Pharmaceutical Investment, Visa, Reuters, Dow Jones, Sheraton, Hilton Corporations, Hanesbrands, Constella Futures, and Ernst & Young on a number of legal issues on business law and labour disputes.

OTHER ENGAGEMENT

- Member of a number of international expert teams building and evaluating a number of Projects supporting and enhancing the capacity for Vietnamese agencies such as the Office of the National Assembly, the Supreme People's Court of Vietnam, the Supreme People's Procuracy of Vietnam, the Ministry of Justice, the Government Inspectorate of Vietnam, Vietnam

Lawyers Association, and Vietnam Bar Federation.

- Lecturer of a number of advanced and specialized professional training courses in a number of areas of law such as Dispute Resolution in the World Trade Organization, Vietnam's International Economic Integration, International Commercial Arbitration, National Legislation of International Commitments, Negotiation and Resolution of Commercial Disputes through Arbitration, etc.

SCHOLARSHIPS AND AWARDS

- Scholar of International Visitor Program of the U.S. Department of State (1997)
- Fulbright Scholarship granted by the U.S. Department of State (1998-2000)
- Carroll Sample Award granted by the University of Iowa Law School (2000)
- Development Policy Research Scholarship awarded by the Secretary-General of the United Nations (2002)
- Recognition Medal for the Development of Vietnam Lawyers Association (2006)
- Draper Hills Fellowship at Stanford University (2009)
- Acknowledgment Certificate granted by Justice Minister for contribution in the legal profession development (2015)
- Recognition Medal granted by Chief Justice of Supreme Court of Vietnam for the contribution in the judicial sector (2015)
- Scholar of International Justice Sector Education and Training Program granted by the U.S. Department of State (2017)
- Recognition as one of Asia's Top 15 Litigators by Asian Legal Business (ALB) in 2020
- Recognition in the A-List of the top 100 lawyers practicing in Vietnam by Asia Business Law Journal (law.asia) for two consecutive years (2020 and 2021)
- First-tier lawyer in dispute resolution in Vietnam recognized by Chambers Asia, Asialaw, and Benchmark Litigation for many years, most recently in the current 2022 edition
- "The 50 Legal Community Exemplary Leaders in Vietnam", an initiative from the Journal of Law under the Ministry of Justice in 2021
- Certificate of merit for his outstanding contributions to two initiatives by the Minister of Justice: "The Lawyer Profession Development Strategy" and "The Development Program of Lawyers for International Economic Integration Up to 2020" (2021)

PUBLICATIONS AND SCIENTIFIC RESEARCH PAPERS

Book/Chapters in books

1. *Vietnamese Case Law – Analysis and Commentaries*, Volume 2 (from Case Law No. 44 to No. 70), Justice Publishing House: 2023 (forthcoming).
2. *Commentaries to Selected Issues of the Civil Procedure Code of Viet Nam* (First Edition with revision and supplement), Justice Publisher: 2022, 418 pages, (Co-editor).

3. *Vietnamese Case Law – Analysis and Commentaries*, Volume 1 (from Case Law No. 01 to No. 43), Justice Publishing House: 2021.
4. *First 37 Judicial Precedents of Viet Nam – Analyses and Commentaries*, Justice Publisher: 2020, 728 pages, (Author).
5. *Commentaries to Selected Issues of the Civil Procedure Code of Viet Nam*, Hong Duc Publisher: 2020, 418 pages, (Co-editor).
6. *Refinement, Perfection and Enforcement of Laws in the Era of 4.0 Revolution*, Information and Communication Publisher, Ho Chi Minh City: 2019 (Article “Refinement and Enforcement of Laws – a Look from a VinaSun vs Grab Case”; pp.73-83 (Co-author)).
7. *Judicial Independence for the Rule of Law in Vietnam*, Judicial Publisher, Hanoi: 2012.
8. *Scientific Commentaries on Law on Promulgation of Legal Normative Documents*, Judicial Publisher, Hanoi: 2006 (co-author).
9. *Legal Aids in Vietnam: Current Status and Development Orientations*, Judicial Publisher, Hanoi: 2005 (co-editor).
10. *Evaluation of the Current Status of International Cooperation in the Legal Sector in Vietnam*, Judicial Publisher, Hanoi: 2005 (co-editor).
11. *Evaluation of the Capacity of Local Justice Officials*, Judicial Publisher, Hanoi: 2005 (co-editor).
12. *Vietnam and the United Nations Convention against Corruption*, Judicial Publisher, Hanoi: 2004 (co-author).
13. *Certain fundamental Issues on the Prevention and Fighting against Corruption in Vietnam*, Judicial Publisher, Hanoi: 2004 (co-author).
14. *Settlement of the Commercial Disputes in Vietnam*, Griffin’s View on International and Comparative Law, Vrije Universiteit, Netherlands, Volume 4, Number 2, June 2003; pp. 98-106.
15. *Judicial Independence in the Transitional Countries*, UNDP Oslo Governance Center Publication (January 2003), 44 pages; available online at: <http://www.undp.org/oslocentre/docsjuly03/DungTien%20Luu.pdf>.
16. *Legal Drafting for Social Advancement and Democracy* (by Ann Seidman, Robert B. Seidman and Nalin Abeysekere), National Political Publishing House, Hanoi: 2003 (co-translator).
17. *Judicial Independence in Vietnam*, *Status Quo Juridisch faculteitsblad*, Netherlands: June 2003, pp. 6-12.
18. *Legal Needs Assessment in Vietnam – Building Ownership and Partnership for Legal Reforms (Case Study)*, UNDP Asia-Pacific Access to Justice Initiative, 2003.
19. *Scientific Commentaries on the Civil Code*, National Political Publishing House, Hanoi: 2002 (co-author).
20. *Scientific Commentaries on Certain Fundamental Issues of the Civil Code*, National Political Publishing House, Hanoi: 1996 (co-author).
21. *Scientific Commentaries on Japanese Civil Law*, National Political Publishing House, Hanoi: 1995 (co-translator).

Articles

22. “The exclusive jurisdiction of the Court related to rights to real estate located in Vietnam: Judicial practice, *People’s Court Review*, No. 17, 2023.
23. “Explanation and application of the damage due to delay clause in the red volume FIDIC model contract under Vietnamese law”, *People’s Court Review*, No. 14, 2023.
24. “The seat of the counsel in the court room – a factor ensuring a constitutional principle on adversarial litigation”, *People’s Court Review*, Special Edition, No. 24, 2021.
25. “Adjudication of the request for invalidating the notarized documents under the proceeding of civil dispute or civil case”, *People’s Court Review*, No. 10, 2020.
26. “Acceptance and adjudication of claims on determination of co-ownership, allocation of joint assets for enforcement of court decisions and the disputes involving assets subject to enforcement of court decisions”, *People’s Court Review*, No. 10, 2020.
27. “Recognition and enforcement of civil judgments and decisions of foreign courts and foreign arbitration awards in Vietnam – Practice, findings and recommendation”, *People’s Court Review*, No. 12, 2019.
28. “Judicial Independence in the Vietnam Code of Ethics and Professional Conducts for Judges”, *People’s Court Review*, Special Edition, No. 9, 2018.
29. “Judicial Power in the Draft Amended 1992 Constitution”, *Communist Review*, No. 8, 2013.
30. “Suspension in Civil Procedures”, *Jurisprudence Magazine*, Ho Chi Minh City University of Law, 1(44), 2008.
31. “Law Interpretation in Adjudicating Activities in Vietnam”, *People’s Court Review*, No. 9, 2008.
32. “WTO Accession – A Thought on Legal Education Innovation in Vietnam”, *People’s Court Review*, No. 4, 2007.
33. “Courts Need Judicial Independence”, *Tia Sang Magazine*, No. 11, 2007.
34. “Competition Law from the Perspective of Dispute Resolution”, *People’s Court Review*, No. 22 (November), 2005, pp. 2-11.
35. “Promulgation of the Legal Normative Documents of the Supreme People's Court and Supreme People's Procuracy”, *People’s Court Review*, No. 11 (June), 2005, pp. 12-16.
36. “Discussion on the Application of Law in Adjudication”, *People’s Court Review*, No. 10 (May), 2005, pp. 10-14.
37. “Publicity and Transparency in the Process of Promulgating Legal Normative Documents”, *Legislative Studies Magazine*, No. 3 (March), 2005, pp. 27-34.
38. “Publication of Court Judgments and Decisions – A Counsel’s Perspective”, *People’s Court Review*, No. 2, 2005.
39. “Roles of Precedents in the Common Law and Civil Law Systems”, *Judicial Science and Information Magazine*, No. 5, 2003, pp. 3-18.
40. “Initial and Continuing Trainings of Judges over the World”, *People’s Court Review*, No. 2, 1996, pp. 23-25, and No. 8, 1996, pp. 16-23.

41. “Invalid civil transactions”, *People’s Court Review*, No. 6, 1995.
42. “A number of Issues on Inheritance of Heirs Independent of Wills”, *People’s Court Review*, No. 5, 1994, pp. 18-20.
43. “Bankruptcy”, *People’s Court Review*, No. 12, 1993, pp. 10-14 and No. 1, 1994, pp. 7-10.
44. “Some Issues on Amendment and Withdrawal of the Grant for Cert Petitions”, *People’s Court Review*, No. 7, 1992, pp. 21-22.
45. “Liabilities for Damages Caused by Juveniles”, *People’s Court Review*, No. 3, 1992, pp. 7-10.
46. “Liabilities Holders for Damages Caused by Highly Dangerous Sources”, *People’s Court Review*, No. 9-1991, pp. 8-11.
47. “The People’s Procuracy’s Roles in the Court’s Proceedings”, *People’s Court Review*, No. 7, 1991, pp. 15-16.
48. “Conditions for the Rise of Non-Contractual Liabilities”, *People’s Court Review*, No. 4, 1991, pp. 9-12.
49. “Certain Comments on Ordinance on Housing and Ordinance on Civil Contracts”, *People’s Court Review*, No. 11, 1991, pp. 2-5.
50. “Settlement of Economic and Commercial Disputes”, *Trading Magazine*, No. 12, 1991, pp. 11-12.
51. “Invalid Contracts”, *Business and Law Magazine*, No. 1, 1991; pp. 13-15.

Research Papers

52. “Settlement of Disputes between Consumers and Business Entities and Entrepreneurs under Simplified/Summary Procedures”, University-level Scientific Research, Law University of Ho Chi Minh City, 2013.
53. “Modalities of Civil Procedures in the World”, Research of the Office of the Steering Committee for Central Judicial Reform, 2013.
54. “Case Precedents Schools in the World”, Ministerial-level Scientific Research of the Supreme People’s Court of Vietnam, 2011.
55. “Functions, Duties and Powers of the Chief Judges of the Local People’s Courts”, Ministerial-level Scientific Research of the Supreme People’s Court of Vietnam, 2011.
56. “The US Legal System – A View from Aspects Related to Implementation of the United States and Vietnam Trade Agreement”, Ministerial-level Scientific Research of the Ministry of Justice, 2003.
57. “Roles of Precedents in the Common Law and Civil Law Systems”, Ministerial-level Scientific Research of the Supreme People’s Court of Vietnam, 2001.
58. “Recognition and Enforcement of Civil Judgments and Decisions of Foreign Courts and Foreign Arbitration Awards”, Ministerial-level Scientific Research of the Supreme People’s Court of Vietnam, 1996.
59. “Role of the Courts in Implementation of Civil Obligations”, Ministerial-level Scientific Research of Ministry of Justice, 1996.
60. “Certain Aspects of Foreign Civil Procedures”, Ministerial-level Scientific Research of the Supreme People’s Court of Vietnam, 1995.