

Curriculum Vitae

Dr. Hop X. Dang

Personal Information

Nationality: Vietnamese / Australian
Date of Birth: 6 July 1972

Current Occupation

Arbitrator
Academic

Contact Details

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91 Nguyen Khuyen Street, Dong Da District, Hanoi,
Vietnam
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Areas of Expertise

Law on investment, joint venture, construction, financing, sale of goods, government contracts, project finance, choice of law, arbitration, mediation.

Common law systems, Vietnamese law and international commercial law.

Education

Brasenose College, University of Oxford

DPhil – 2008. Thesis title: International law as the governing law of state contracts

The National University of Singapore

Graduate Certificate of International Arbitration - 2005

The University of Melbourne

Master of Laws - December 2002

Bond University, Australia

Bachelor of Laws – 1999 (first class honours)

Duke Law School, North Carolina, USA

Exchange student from Bond University, 1998

Law Faculty, Hanoi National University, Vietnam

Bachelor of Laws - 1996

Hanoi University for Foreign Language Teachers, Vietnam

Bachelor of Arts (English) – 1994

Main Academic Awards

- Clarendon Scholarship, University of Oxford
- Law Gold Medal, Bond University (*best graduate of the year* – 1999)

Professional Memberships/Qualifications

- Alternate Court Member, ICC Court of International Arbitration
- Fellow, Chartered Institute of Arbitrators
- Fellow, Singapore Institute of Arbitrators
- Court Member, the Permanent Court of Arbitration, the Hague
- Member, Arbitrator Panel of Hong Kong International Arbitration Centre
- Member, Arbitrator Panel of Singapore International Arbitration Centre
- Member, Arbitrator Panel of Vietnam International Arbitration Centre
- Member, Arbitrator Panel of Chinese Arbitration Association, Taipei
- Member, Arbitrator Panel of Shanghai Arbitration Commission
- Member, Arbitrator Panel of Korean Commercial Arbitration Board
- Former Chairman, Vietnam Business Lawyers Club (VBLC)
- Founding Fellow, International Academy of Construction Lawyers (until 2020)
- Solicitor, Supreme Court of Victoria, Australia

Professional History

- **July 2018 – Present**
Arbitrator, Hop Dang's Chambers
- **July 2011 – June 2018**
Partner, Allens, Vietnam
- **September 2008 – June 2011**
Senior Associate, Allens, Vietnam
- **August 2004 – July 2005**
Visiting Senior Fellow, Law Faculty, National University of Singapore
- **July 2002 – August 2004**
Lawyer, Phillips Fox, Vietnam.
- **2001 – February 2002**
Associate to The Honourable Mr Justice Alex Chernov
Court of Appeal, Supreme Court of Victoria, Australia.
- **1999 – 2000**
Articled clerkship, Phillips Fox, Melbourne
- **1994 – 1996**
Legal assistant, Phillips Fox Hanoi
- **1993 – 1994**
Translator, Ministry of Planning and Investment of Vietnam

Notable Transactional Experience

- Lead partner advising on US\$ 9 billion Nghi Son Refinery (in charge of investment, project financing, construction (EPC matters), offtake and all other legal issues) (2008 – 2018).
- Advising on US\$ 2 billion Vung Ang II BOT power plant (in charge of investment, financing, regulatory issues) (2008 – 2018).
- Advising British Petroleum on a US\$1.4 billion LNG sales contract from Indonesia to Korea (2004).
- Advising British Petroleum on US\$600 million investment in a power plant in Korea (2003)
- Advising PetroVietnam on US\$ 2 billion EPC Contract of Dung Quat Refinery.
- Advising British Petroleum on US\$309 million project finance of Phu My

3 power plant in Vietnam (2002-2003)

- Advising British Petroleum on US\$ 1 billion Nam Con Son gas project (1999 – 2001)

Notable Dispute / Arbitration Experience

- Arbitrating (as sole arbitrator, presiding arbitrator or tribunal member) about 90 cross-border commercial disputes concerning investment, construction, joint ventures, sale of goods and other commercial disputes governed by English law, Vietnamese law and Singapore law (2008 – 2023).
- See attached list for main cases.

Academic Appointments

- Senior Fellow, Law Faculty, University of Melbourne
- Adjunct Assistant Professor, National University of Singapore (2004 – 2018).
- Visitor, Law Faculty, Kyushu University, Japan (2015-2017).
- Visitor, Law Faculty, Nagoya University, Japan (2013-2014).
- Lecturing in the Diploma of International Commercial Arbitration, Chartered Institute of Arbitrators, 2011 – 2013.
- Visiting Senior Fellow, Law Faculty, University of New South Wales (2009 – 2013).
- Honorary Associate, Centre for Energy, Petroleum, Mineral Law and Policy (CEPMLP), University of Dundee (2008).
- Tutor in Equity and Trusts, University of Melbourne and Monash University (2002).
- Tutor in Commercial Contracts, La Trobe University (2002).

Subjects Taught

- Investment Deals and Disputes in Asia (Melbourne).
- Economic and Business Law in Asia (Melbourne, Shanghai)
- Foreign Direct Investment Law and Practice in Asia (Singapore, Shanghai)
- Choice of Law for International Contracts in Asia (Singapore, Shanghai)
- International Commercial Arbitration (Vietnam)
- Contract Law (Singapore, Australia, Vietnam)
- Singapore Legal System (Singapore)
- Fundamentals of the Common Law (Australia)
- Equity and Trusts (Australia)
- Legal Ethics (Vietnam)

Other academic activities

- Founding and chairing the Globalised Era Scholarship foundation in Vietnam to select the best students and arrange for mentoring/training and jobs at the best law firms in Hanoi and Ho Chi Minh City (since 2010). See <http://younglawyersclub.wordpress.com/ges/> for more information.
- Founding and managing weekly law student mentoring sessions on <https://www.facebook.com/VietnameseLawStudentChatRoom>
- Founding and managing Youtube Channel posting weekly videos introducing the common law to Vietnamese law students on <https://www.facebook.com/DaddySonAndTheLaw>
- Coaching, judging annual moot competitions.
- Supervising and examining masters and doctoral theses in law.

Main Publications

- *A Question of Nationality, The Resolver*, Chartered Institute of Arbitrators, Spring Issue 2020.
- *The Vietnamese Law on Commercial Arbitration 2010 Compared to the UNCITRAL Model Law on International Commercial Arbitration 2006* in Bell (Ed), *The UNCITRAL Model Law and Asian Arbitration Law*, Cambridge University Press (2018).
- *Arbitration Law and Practice in Vietnam: Fundamental Changes over the Past 20 Years and Potential for the Future* in Reyes & Gu (Ed), *The Developing World of Arbitration* Hart 2018.
- *Legal Issues in Vietnamese FDI Law*, in Nottage and Bath(Ed), *Foreign Investment and Dispute Resolution Law and Practice in Asia*, Routeledge, 2011.
- *The Vietnamese Legal System, the Past 25 Years, the Present and the Future* in Bell & Black (Ed), *Law and Legal Institutions in Asia*, Cambridge University Press 2011.
- *Illegality of State Contracts under International Law* (2011) Monash University Law Review 37(2) 114.
- *Ultra Vires State Contracts under International Law*, Hong Kong Law Journal, Vol 42, Part 1.
- *Applicability of International Law as Governing Law of State Contracts*, Australia International Law Journal, 2011.
- *Jurisdictional Clauses in State Contracts Subject to Bilateral Investment Treaties*, International Arbitration Law Review, 2011.
- *International Law as the Governing Law of State Contracts*, DPhil Thesis, University of Oxford, 2008.
- *Towards a Stronger Arbitration Regime for Vietnam*, Asian International Arbitration Journal Vol 3, No. 1, 2007.
- *Legal Education in Asia* (joint authors), Asian Journal of Comparative Law, Vol 1, Issue 1, 2006.
- *Practical Problems in the Vietnamese Enterprise Law*, Dong A Journal of International Economic Law, Vol 1 2009.
- *Vietnamese draft arbitration law placing more faith in arbitration*, The Arbitrator, SIAC, January 2009.

Community Work

In 2005, my wife and I founded a charity supporting poor cancer patients in Hanoi. This has been on-going for 18 years. Currently, every day we support about 200 cancer patients with food, medical fees and other support, as well as providing scholarships for children of poor cancer patients.

Languages

Vietnamese: Mother tongue
English: Working language
French: Intermediate
Mandarin and Japanese: Basic

APPENDIX 1 – MAIN ARBITRATION EXPERIENCE

1. Singapore International Arbitration Centre (SIAC)

- Co-arbitrator in a construction dispute. The claim value is about US\$ 25 million.
- Co-arbitrator in a coal supply dispute between a Vietnamese buyer and an Indonesian supplier. The claim value is about US\$ 2 million.
- Co-arbitrator in a tax dispute between two international banks. The governing law is Vietnamese law. The claim value is about US\$ 5 million.
- Sole arbitrator in a steel sale and purchase contract dispute between a Thai buyer and a Singapore seller. The governing law is Singapore law. The claim value is about US\$ 1 million.
- Co-arbitrator in a steel supply sale and purchase contract between a Chinese buyer and Singapore seller. The governing law is Singapore law. The claim value is about US\$ 2 million.
- Sole arbitrator in a dispute arising out of a management contract between a Japanese party and a Thai party. The governing law is Thai law. The claim value is about US\$ 2 million.
- Co-arbitrator in a dispute arising of a coal supply agreement between a Vietnamese buyer and a Singapore seller. Governing law is Singapore law. Dispute value is about US\$ 3 million.
- Sole arbitrator in a mining joint venture dispute between a Singapore party and a Hong Kong party arising out of an investment in Indonesia, under UNCITRAL rules and administered by the SIAC. Place of arbitration is Singapore. Governing law is Singapore law. Dispute value is about US\$ 4 million.
- Co-arbitrator in a sale of goods dispute between a Vietnamese buyer and a Singaporean seller under the rules of the SIAC. Place of arbitration is Singapore. Disputed value is about US\$ 4 million.
- Co-arbitrator in a hotel joint venture dispute between a Hong Kong party and a Vietnamese party. Governing law is Vietnamese law. Place of arbitration is Singapore. Dispute value is US\$ 50 million.
- Co-arbitrator in an M&A dispute between a Spanish party and a Vietnamese party. Governing law is Singapore law. Place of arbitration is Singapore. Value of dispute is US\$ 5 million.
- Co-arbitrator in a tax dispute between a Japanese party and a Vietnamese party. Governing law is Vietnamese law. Place of arbitration is Singapore. Dispute value is US\$ 10 million.

- Sole arbitrator in a sale of goods dispute between a Chinese party and a Vietnamese party. Governing law is Vietnamese law. Place of arbitration is Singapore. Dispute value is US\$ 2 million.
- Sole arbitrator in a sale of goods dispute between a Chinese party and a Vietnamese party. Governing law is Vietnamese law. Place of arbitration is Singapore. Dispute value is about US\$ 20,000;

2. Vietnam International Arbitration Centre (VIAC)

- Co-arbitrator in a sale of goods dispute (urea) between a Singapore party and a Vietnamese party. Governing law is Singapore law. Place of arbitration is Vietnam. Dispute value is about \$1 million. Award was first set aside by the court at first instance. The Court of Appeal then reversed the decision of the court at first instance.
- Co-arbitrator in a letter of credit dispute between a Singapore party and a Vietnamese party. Governing law is English law. Place of arbitration in Vietnam. Dispute value is about \$ 1 million.
- Presiding arbitrator in a joint venture dispute between a Japanese party and Vietnamese party. Dispute value is about US\$ 300,000.
- Presiding arbitrator in a sale of goods dispute (scrap steel) between a Singapore party and a Vietnamese party. The dispute value is about US\$ 1.5 million.
- Co-arbitrator in a sale of goods dispute between a Malaysian party and a Vietnamese party. Governing law is Vietnamese law and Singapore law. Place of arbitration is Vietnam. Dispute value is about US\$ 1 million.
- Co-arbitrator in a joint venture dispute between 2 Vietnamese parties. Dispute value is about US\$ 1 million.
- Co-arbitrator in a subcontract dispute between a Malaysian party and a Vietnamese party. The dispute value is about US\$ 50,000.
- Co-arbitrator in a sale of goods dispute (rubber) between a Turkish party and a Vietnamese party. The dispute value is about US\$ 50,000.
- Co-arbitrator in an equipment supply dispute (vehicle manufacturing equipment) between a Chinese party and a Vietnamese party. The dispute value is about US\$ 1 million.
- Co-arbitrator in a joint venture contract dispute (resort development) between 2 Vietnamese parties. Dispute value is about US\$ 1 million.
- Co-arbitrator in a construction dispute (EPC Contract – FIDIC form) between a Korean party and Vietnamese party. Value of dispute is about US\$ 8 million.
- Co-arbitrator in a construction dispute (EPC Contract – FIDIC form) between a Korean party and a Vietnamese party. Value of dispute is about US\$ 5 million.
- Co-arbitrator in a construction dispute (EPC Contract – FIDIC form) between a Korean party and a Vietnamese party. Value of dispute is about US\$ 80 million.

- Sole arbitrator in a leasing dispute between a Hong Kong company and a Vietnamese party. Value of dispute is about US\$ 5 million.
- Co-arbitrator in a guarantee dispute between a Singapore guarantor and a Vietnamese bank. Value of dispute is about US\$ 10 million.
- Presiding arbitrator in a leasing dispute between a Korean party and a Vietnamese party. Value of dispute is about US\$ 1 million.
- Sole arbitrator in a leasing dispute between an Australian party and a Vietnamese party. The value of the dispute is about US\$ 5 million.

3. ICC

- Co-arbitrator in a sale of goods dispute under the ICC rules. Claim value is about US\$ 1.5 million.
- Co-arbitrator in a construction dispute (EPC Contract – FIDIC form) under the rules of ICC. The dispute value is about over US\$ 10 million.
- Co-arbitrator in a construction dispute (EPC Contract – FIDIC form) under the rules of the ICC. The dispute value is about US\$ 6 million.
- Co-arbitrator in a construction dispute between a Vietnamese employer and a Korean contractor. The claim value is about US\$ 10 million.
- Co-arbitrator in a construction dispute between a Vietnamese employer and a Singapore contractor. The claim value is about US\$ 5 million.

4. Others

- Co-arbitrator in a sale of goods dispute (fertiliser) under the rules of the Swedish Chamber of Commerce (SCC). Governing law is Swedish law. Place of arbitration is Stockholm. Dispute amount is about US\$ 10 million.
- Co-arbitrator in a tax dispute between a Finnish party and a Japanese party under the rules of the Finland Arbitration Institute (FAI). Place of arbitration is Helsinki. Dispute value is about US\$ 1 million.
- Member of several dispute adjudication boards under construction contracts between Vietnamese owners and foreign contractors (based on FIDIC forms).

5. Consultancy work

- Member of the working committee under the Drafting Committee for the Law on Commercial Arbitration of Vietnam, enacted in 2010.