

MEDIATOR INFORMATION

BINH, NGUYEN BA *(MR.)*



Dean of the Faculty of International Trade and Business Law,
Hanoi Law University



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Languages: English, Vietnamese

Practice Areas

Commerce, International Commerce, Arbitration, Mediation

Education

2001	Bachelor of Laws, Hanoi Law University
2005	Master of Laws, Hanoi Law University
2013	PhD, The University of New South Wales (Sydney, Australia)
2003	Legal English Course, ESP Resource Centre, University of Foreign Languages (Now, Hanoi University)
2007	“Trade Negotiation Techniques” Course, Singapore
2007	Legal English Training Course at the University of New South Wales, Sydney, Australia

Professional Experience

2002 - Now	Senior Lecturer, Associate Professor in Law (Hanoi Law University), Dean of the Faculty of International Trade and Business Law, Hanoi Law University
2016 - Now	Arbitrator of the Vietnam International Arbitration Centre (VIAC)
2022 - Now	Mediator of the Vietnam Mediation Centre (VMC)
2022 - Now	Member of the Advisory Council of Precedent in Vietnam, The Supreme People’s Court of Vietnam
2023 - Now	Member on the Indicative List of Appellate Body Members of ASEAN

2019 - Now	Member of of Scientific Committee on Laws at Vietnam’s National Foundation for Science and Technology Development (NAFOSTED)
2018 - Now	Member of Editorial Board of Journal of Legal Studies (Hanoi Law University); Reviewer for International Journal of Emerging Markets (the US); Member of International Advisory Board of Asian Journal of Legal Studies
2007 - Now	Legal Expert, Team Leader of Legal Experts for foreign legal assistance projects, including MUTRAP, USAid, Thailand’s Office of State; UNDP, Chiang Mai University, the University of Sydney, etc.
2005 - 2009	Secretary of the Asia-Pacific Law Research Center, Faculty of International Law, Hanoi Law University 2005-2009
2006 – 2009	Member of the Science Council of Faculty of International Law, Hanoi Law University
2007 – 2009	Secretary of the Government project of “Inserting ASEAN Laws into Training Program of Law Universities in Vietnam”
2011 - 2012	Tutor (Australian Business Law), The University of New South Wales, Sydney, Australia
2001 - Now	Member, Chair of Research Projects (of University, Ministry or the Government), including: member of the Research Project of Ministry of Justice entitled “Training Human Resources to Participate in Resolving International Trade and Investment Disputes”; chair of the Research Project of Ministry of Justice entitled “Using Case Law in Training Legal and Judicial Officers in Vietnam today”; chair of the Research Project of Vietnam’s Government entitled “Franchise Model and Legal Model on Franchising: International Experience and Recommendations for Vietnam”.
<u>Membership of professional organization</u>	
2001 - Now	Member of Vietnam Lawyers Association
2014 - Now	Legal Advisor, Legal Consulting Centre of Hanoi Law University
2010 - Now	International Society of Franchising (the US)
2016 - Now	Arbitrator of the Vietnam International Arbitration Centre (VIAC)
2022 - Now	Mediator of the Vietnam Mediation Centre (VMC)
2022 - Now	Member of the Advisory Council of Precedent in Vietnam, The Supreme People’s Court of Vietnam
2023 - Now	Member on the Indicative List of Appellate Body Members of ASEAN

2019 - Now	Member of of Scientific Committee on Laws at Vietnam's National Foundation for Science and Technology Development (NAFOSTED)
<u>Publications</u>	
2003	'The Model for Building Comparative Management Organ in Vietnam', Legislative Research Journal - Parliament Office of Vietnam, No. 7, 2003
2005	'The Interlink of the Objects of the Intellectual Property Right', Legislative Research Journal - Parliament Office of Vietnam, No. 10, 2005
2005	'Industrial Design Protection in Vietnam - Law and Practice', Book, Judicial Publishing House, Hanoi, Sole Author
2006	'1886 Berne Convention - An Effective Tool for Protecting Author's Right', Book, Judicial Publishing House, Hanoi, Co-Author
2006	'Ocean Law and Policy of Vietnam - Strategy of Sustainable Development', Book, Judicial Publishing House, Hanoi, Editor
2006	Textbook: 'Private International Law' of Hanoi Law University, Book, Judicial Publishing House, Hanoi, Co-Author
2006	'Legal Issues On Customs Procedure of Imported and Exported Goods', Book, Judicial Publishing House, Hanoi, (used as a Textbook at Hanoi Law University), Co-Author
2006	'New Legal Documents on Imported and Exported Goods and Transportation Means', Book, Judicial Publishing House, Hanoi, Co-Author
2006	'Franchising - Nature and the Relationship with Technology Transfer and with Licensing', Legislative Research Journal - Parliament Office of Vietnam, No. 2, 2006
2006	'The Accession of Vietnam to the Brussels Convention on Distribution of Signal Carrying out the Satellite TV Programs', Journal of Legal Studies (Hanoi Law University), No. 4, 2006
2006	'Vietnam's Accession to the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks', Commercial Journal - Ministry of Trade of Vietnam, No. 36, 2006
2006	'Civil Relationships with Foreign Elements - Some Ideas on the Application of Part VII of Civil Code 2005', Journal of Legal Studies (Hanoi Law University), No. 10, 2006
2006	'The APEC 2006 in Hanoi, Vietnam', Journal of Legal Studies (Hanoi Law University), No. 10, 2006

2007	'Customs Procedure of Imported and Exported Goods', Book, Judicial Publishing House, Hanoi, Co-Author
2007	'Should We Create a Group of 'International Lawyers'?', Legislative Research Journal - Parliament Office of Vietnam, No.20, 2007
2008	'Some Ideas about Legal Profession', Judicial Publishing House, Hanoi, 2008, Chief-Author
2008	'Intellectual Property Protection of Vietnamese Businesses - Some Ideas about an Overall Strategy', Good and Trade Name Journal (Edition for the Lunar New Year), 2008
2008	'International Sales Contract: Content of Concept and Determination of Legality', Legal Sciences Journal, Ho Chi Minh City University of Law, No. 1(44), 2008
2008	'The Choice of Court and Applicable Law in International Civil Contracts', Legislative Research Journal - Parliament Office of Vietnam, No. 6, 2008
2008	'International Franchising Agreement under Vietnamese Legal System', Jurisprudence Journal - Hanoi Law University, No. 5, 2008
2008	'The Multi-verdict Issue in Civil Cases with Foreign Factors', Legislative Research Journal - Parliament Office of Vietnam, No. 13, 2008
2008	'The Dispute over the Rights of Feeding Children between the Singer Ly Huong and her husband Tony Lam - Some Ideas about it from the View of Private International Law', Legal Professions Review - Ministry of Justice of Vietnam, No. 4, 2008
2008	'The Necessity for Providing the Subject 'Presentation Skills and the Use of the Language' for Law Students', Legislative Research Journal - Parliament Office of Vietnam, No. 1, 2008
2009	'Civil Relations with Foreign Elements'- Chapter 15' in Civil Law in Vietnam (Textbook), ed. Nghi Le-Dinh, The Education Publishing House of Vietnam, vol. 2, pp. 289-299
2009	'Prior Disclosure Obligations under Vietnam's Franchise Law and International Comparisons', Paper at the 22nd Annual Conference of LAWASIA (HoChiMinh, Vietnam 9 - 12th November 2009)
2009	'Accessing the 1993 Hague Convention on Protection of Children and Cooperation in respect of inter-country Adoption', Legislative Research Journal - Parliament Office of Vietnam, No. 5, 2009
2009	'International Franchise Agreements under Vietnam Law', Law Edition Journal of Yunnan University, No.5, 2009

2009	'Vietnam's New Regulatory Regime for Franchising', LAWASIA Journal
2010	'Competition Law in ASEAN Countries (Thailand, Singapore, and Indonesia)' - A Report to Ministry of Justice of Vietnam
2010	'Prior Disclosure under Vietnam's Law', Legislative Research Journal - Parliament Office of Vietnam, No. 2(163), 2010
2010	'The Development of Franchising in Vietnam', Paper at the 12th Westlake International Conference on SMB (Hangzhou, China 23 - 26th October 2010)
2010	'Vietnam's Franchise Law: A Critical Assessment and International Comparisons', Paper at the 2nd Vietnamese Legal Studies Graduate Student Workshop on "Researching and Writing: Vietnamese Legal Change" (University of Melbourne, Australia, 16th December 2010)
2011	'Franchising in Vietnam: Relatively New but Undoubtedly Promising', (September 2011) Vietnam Franchise World
2011	'Good Morning Vietnam! Opportunities and Challenges in a Developing Franchise Sector', (2011) 18 Journal of Marketing Channels
2012	Textbook: International Trade and Business Law (in both English and Vietnamese) which is used at Hanoi Law University (Vietnam) and funded by the Multilateral Trade Assistance Project III (European Union)
2012	'The Contract between VFF and AVG is not a Franchise Agreement', an interview article on the electronic newspaper Bee.net.vn, 23 January 2012
2012	A Critical Assessment of the Franchise Dedicated Legal Framework in Vietnam and the Role of Vietnam's Ministry of Industry and Trade in Administering Franchising (in Vietnamese), 2012 Report to Vietnam's Ministry of Industry and Trade, presented at the Workshop on "Franchising: Opportunities and Challenges" held by Vietnam's Ministry of Industry and Trade and the USAID (Ho Chi Minh City, Vietnam, 12 June 2012)
2012	'The Franchising Road to Integration and Sustainable Development: The Role of Vietnam's Franchise Law', Paper at the 4th International Conference on Vietnamese Studies "Vietnam on the Road to Integration and Sustainable Development" (Hanoi, Vietnam, 26-28 November 2012)
2012	'ASEAN Competition Law and Policy Toward Trade Liberalisation and Regional Market Integration', Paper at the ICIRD 2012 Conference "Towards an ASEAN Economic Community (AEC): Prospects, Challenges and Paradoxes in Development, Governance and Human Security" (Chiang Mai, Thailand, 28-29 July 2012).
2012	'Franchising in Developing Countries', Paper at the 2012 SIBR Conference on Interdisciplinary Business & Economics Research (Bangkok, Thailand, 7-9

	June 2012)
2013	Private International Law (Textbook), ed. Long Huu Hoa, The Judicial Publishing House of Vietnam, pp. 88-99
2013	'Impact of the Legislation on Franchising to the Development of Franchising in Vietnam', <i>Journal of Legislative Research</i> , vol.21:253, pp. 12-20
2013	'Meeting the Challenges to Franchising in Developing Countries: The Vietnamese Experience', Paper at the 27th Annual International Society of Franchising Conference (Zhuhai, China, 13-16 March 2013)
2014	'Franchising Law and Practice in Vietnam', Book, Scholars' Press, Saarbrucken, Germany (the Sole author)
2014	'Commercial Conciliation under the UNCITRAL Conciliation Rules (1980) and UNCITRAL Model Law on International Commercial Conciliation (2002)', Paper at the International Experiences and Practices on Development of Commercial Mediation Regulations (Vietnam's Ministry of Justice and USAid, Ho Chi Minh City, Vietnam, 10 October 2014, and Hanoi, Vietnam, 22 October 2014)
2014	'The Thai Regulatory and Commercial Environment for Franchising under the AEC Integrating Market', Paper at the 27th LAWASIA Conference, Bangkok, Thailand, 3-6 October 2014)
2014	'The Vietnamese Regulatory and Commercial Environment for Franchising under the AEC Integrating Market', Paper at the 27th LAWASIA Conference, Bangkok, Thailand, 3-6 October 2014)
2014	'The Commercial Legal Framework for Doing Business in Vietnam', Paper at the ASEAN Conference on Trade and Investment Laws (Faculty of Law Chiang Mai University, Chiang Mai, Thailand, 7-9 April 2014).
2014	'Vietnam's Commercial Legal Framework for Foreign Investors', <i>Journal of Law and Development</i> , vol.2, pp. 3-12
2014	'Meeting the Challenges for Franchising in Developing Countries: the Vietnamese Experience', <i>Journal of Marketing Channels</i> , vol.21:3, pp. 210-221
2015	'A Dedicated Regulation on Commercial Conciliation of UNCITRAL', <i>Journal of Legislative Research</i> , vol 7, pp. 43-48
2015	'Vietnam's Laws and Regulation on Commercial Conciliation – Practice and Recommendations', <i>Journal of Legislative Research</i> , vol 3&4, pp. 109-114
2015	'Opportunities and Challenges for ASEAN in the Harmonization of Contract Law at Regional Level', Paper at the Seminar on "the Common European Sales Law in the Tendency of the Harmonization of Contract Law at

	Regional Level” (Hanoi Law University, Hanoi, Vietnam, 21 May 2015)
2015	‘Case-law and the Use of Case-law under Australia’s Courts’, Paper at the Seminar on “Legal Norms under Vietnam’s Legal System – Theory and Practice” (Hanoi Law University, Hanoi, Vietnam, 19 June 2015)
2015	‘An Assessment on Vietnam’s Franchise Law’, Paper at the APEC Seminar on “Sharing Good Practices and Experiences on Developing Franchise Regulations” (Ho Chi Minh City, Vietnam, 3-4 June 2015)
2015	‘The Content of the Supervision Activity of Vietnam’s Parliament on the Enforcement of International Agreements of Which Vietnam is a Member’, Paper at the Seminar on “Enhancing the Efficiency of Supervision Activity of the Parliament on the Enforcement of International Agreements of Which Vietnam is a Member” hosted by Vietnam’s National Assembly Committee of External Affairs (Hanoi, Vietnam, 8 July 2015)
2015	‘Viability of Legal Harmonization in ASEAN: the Case of Contract Law’, Paper at the International Seminar on “Legal Harmonisation in the Establishment of the ASEAN Community – Issues for Vietnam and Experiences from the EU” (Da Nang City, Vietnam, 16-17 July 2015)
2016	‘The Economic Legal Institution of Australia’ (Chapter 4, pp. 301-350) in the Monograph entitled “ <i>The Economic Legal Institution of Some Countries in the World</i> ”, The Finance Publishing House, Hanoi, 2016
2016	‘The Regulatory and Commercial Environment for Franchising in Thailand in the Wake of the ASEAN Integrating Market’, (2016) 24(1) <i>IJUM Law Journal</i> , pp. 109-130
2017	“The Research of Vietnam Law and Vietnam Trade and Investment Laws” (191 pages) for and funded by the State Council of Thailand, Team Leader of Vietnamese Legal Experts
2017	‘ <i>Laws on International Commercial Dispute Settlement</i> ’ (Textbook, Chief Editor), The Judicial Publishing House of Vietnam
2017	‘Intellectual Property in the Vietnam - EAEU FTA: a Vietnamese Perspective’, Paper at the International Seminar on “Some Issues in the Vietnam - EAEU FTA”, Moscow Institute of International Relations (MGIMO), Moscow, Russia, 12 October 2017
2018	‘The Possibility of Legal Harmonisation in ASEAN: the Case of Contract Law’, <i>Journal of Legislative Research</i> , No. 22(374), pp.14-18
2018	‘The Need and Solutions for the Short-term Training of Case Law for Legal and Judicial Officials at Vietnam’s Legal Education Institutes’, <i>Legal Professions Review</i> , No. 8/2018, pp. 18-24

2019	<i>'Vietnam Jurisprudence: Current Issues'</i> , The Judicial Publishing House of Vietnam, Hanoi, Vietnam (Co-author of 6 th part (pp.1216-1234))
2019	<i>'How Civil Law is Taught in Asian Universities'</i> (Author of Part II Chapter 3, pp. 121-127), Keio University Publishing House, Tokyo, Japan
2019	<i>'Case Law and Using Case Law in Legal Education in Vietnam today'</i> (Chief Editor), The Judicial Publishing House of Vietnam
2019	'Solutions for Using Case Law in Postgraduate Education at Vietnam's Legal Education Institutes', <i>Hanoi Law Review</i> , Issue 1(224), pp. 92-100
2019	'Case Law in Australia and Some Assessment on Case Law in Vietnam today', <i>Vietnam Legal Sciences Journal</i> , Ho Chi Minh City University of Law, Issue 4(125), pp. 87-96
2019	'Fundamental Issues on Case Law in the Common Law System', <i>State and Law Review</i> , Issue 6(374), pp. 69-79
2020	'The Impact of Vietnam's WTO Accession on Vietnam's Commercial Legal Framework', <i>Hanoi Law Review</i> , Issue 10(245), pp.59-71
2020	'EVIPA's Regulations on Investor-State Dispute Settlement Mechanism', <i>Vietnam Legal Sciences Journal</i> , Ho Chi Minh City University of Law, Issue 4 (134)/2020, pp.83-94
2020	'CPTPP's Regulations on Investor-State Dispute Settlement Mechanism', <i>Hanoi Law Review</i> , Issue 1 (236), pp.3-13
2021	<i>'The Sale of Goods Contract under CISG: Regulations and Cases'</i> , The Judicial Publishing House of Vietnam, Hanoi, December 2021, Chief author
2021	<i>'Improving the Institution of the Socialist Oriented Market Economy in Accordance with the Document of the 13th Congress of the Communist Party of Vietnam: Some Issues in the Practice of Administering Economic and Civil Laws'</i> , The Judicial Publishing House of Vietnam, 2021, (Co-author of the part entitled 'New Generation Free Trade Agreements and the Implementation of Vietnam' (pp.295-315))
2021	Textbook: <i>'Laws on International Commercial Dispute Settlement'</i> of Hanoi Law University, The Judicial Publishing House of Vietnam, Hanoi, December 2021 (2 nd Edition), Chief author
2022	'The Role of Vietnam's Franchise Law in the Development of Franchising in Vietnam', <i>Journal of Legal Studies</i> (Hanoi Law University), Special Issue (in English) - 2022, pp.60-73
2022	<i>'The Regional Comprehensive Economic Partnership Agreement: the Opportunities and Challenges for Vietnam'</i> , <i>State and Law Review</i> , Issue 5

	(409), pp.73-84
2022	'The Fundamental Issues on Franchising under Australia's Laws and Regulations', Vietnam Legal Sciences Journal, Ho Chi Minh City University of Law, Issue 5 (153)/2022, pp.26-42.
2023	'Regulatory frameworks of crowdfunding for startups in Singapore, Thailand, and Vietnam' (Co-author of Chapter 5, in the book entitled 'Innovative Finance for Technological Progress: Roles of Fintech, Financial Instruments, and Institutions', Routledge, London, UK
2023	'Vietnam's Franchising Law: Critical Assessment and Comparisons with the Legal Framework of Franchising in the Republic of Korea and Thailand', Social Science, Volume 12, Issue 5, May 2023
2023	'International Trade Dispute Resolutions in the Context of the Covid-19 Pandemic', Journal of Legal Studies (Hanoi Law University), Issue 1/2023 (in English), pp.129-142
2024	Franchising and Law on Franchising: International Experience and Vietnam's Practice, Monograph, The Judicial Publishing House of Vietnam, Chief editor
<u>Professional Awards</u>	
2006	Certificate of Merit of Minister of Justice for Outstanding Achievements in Work in 2006
2015	Certificate of Merit of Minister of Justice for Outstanding Achievements in Work in the academic year 2014-2015
2019	Certificate of Merit of Minister of Justice for Outstanding Achievements in Research in 2019
2021	Certificate of Merit of Minister of Justice for Outstanding Achievements in Work in the academic year 2020-2021
2022	Certificate of Merit of Minister of Justice for Outstanding Achievements in 10 Years of Training International Trade and Business Law
2024	Merit of the Principal of Hanoi Law University for Guiding Students to Participate in National and International Moot Courts with High Achievements