

NGUYEN HUNG QUANG

CEDR Accredited Mediator

Managing Partner

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EDUCATION WORK POSITION

- MBA, United Business Institute, Belgium (2006-2007)
- LLB, Hanoi Law University (1991-1996).

AREAS OF PRACTICE

- Merge & Acquisition
- Investment
- Corporate
- Energy-Environment
- Construction
- Telecommunication & Communication
- Insurance
- Branding
- Public-private partnership
- Policy Consultancy & Advocacy
- Court & Arbitration Litigation

- 2004 -present: Founder and Managing Partner
NHQuang&Associates, a law firm established in 2004
- 2012-present: General Director of Viet-Pro Consultants Ltd.
- 2013-present: Member of Advisory Board of Transparency International in Viet Nam (Towards Transparency), a Vietnamese non-profit and non-governmental organization (pro-bono).
- 2012-present: Member of Governing Board of the Center for Social Entrepreneurship Development (Spark Center) to help rural businesses, local governments and non-profit organizations to improve their capacities to prosper and scale-up their own solutions and innovations (pro-bono).
- 1996-2004 Lawyer then Deputy Director
Leadco Legal Counsel, one of the very first law firms in Viet Nam.

MEMBERSHIP

- Executive Committee of Viet Nam Business Lawyers Club
 - Ha Noi Bar Association
- The Law Association for Asia and the Pacific
 - Standing Committee of Vietnam Society of International Law

ENGAGEMENT IN TECHNICAL PROJECTS

- **Report on Assessment Index of Administrative procedure compliance cost 2017, Administrative Procedure Control Agency**, the Government Office, on-going project. I am a key consultant of the study, who is assigned to conduct a survey of the implementation situation of 82 administrative procedures in 64 provinces and cities nationwide; measure the cost for administrative procedure compliance for both state agencies and enterprises;

LANGUAGES

Vietnamese: Mother tongue

English: Excellent

ACADEMIC ACTIVITIES

- Mediator Skills Training programme of the Centre for Effective Dispute Resolution, London, UK (January 2018)
 - Wrongful conviction Program, New York University School of Law, USA (November 2017)
- Visiting scholar, Law School of Melbourne University (2014)
 - Guest lecturer, British University of Viet Nam (2014-2015)
- Guest lecturer, Ha Noi Law University for the course “Advanced Lawyering” (2014)
- Visiting Fellow, Business Law and Taxation Faculty, Monash University, Australia (2008)
- Summer Fellow at Stanford Center on Democracy, Development and Rule of Law (CDDRL), United States of America (2006)
- Visiting Scholar: Law School of Melbourne University (1999-2000)
- Visiting Scholar: Business and Law Faculty, Deakin University (2000)

provide recommendations for administrative procedure reform for reducing the compliance cost.

- **Local consultant for advisory services in drafting a Code of Conduct for Insolvency Administrators and supporting the implementation of the Law on Bankruptcy 2014, IFC, 2017.** I was responsible for studying materials, drafting and finalizing the code and report on implementation of the Bankruptcy Law.
- **Policy Impact Assessment (PIA) of the Draft Labor Code (5 policy issues), 2017.** I was assigned to conduct the policy impact assessment of some amended and supplemented contents in the Labor Code. The 5 policy issues include: change of overtime hours; change of regulations on salary scale and employment norm; extension of the right to unilateral termination of contracts; change of the way to determine minimum wage; change of regulation on probation contracts.
- **Review of Bankruptcy Law 2014 toward improving business environment in Viet Nam according to the World Bank ranking “Doing Business”,** Central Institute of Economic Management (CIEM) and Governance for Inclusive Growth Program (GIG), 2015. I was responsible for reviewing the Bankruptcy Law 2014.
- **Review of Current Legislation on Access to Information,** Ministry of Justice and Governance for Inclusive Growth Program (GIG), 2015.
- **Regulatory Impact Assessment on the draft of Law on Administrative Decisions,** Ministry of Justice and Governance for Inclusive Growth Program (GIG), 2015.
- **Regulatory Impact Assessment for the draft of Law on Sea Natural Resources and Environment,** Ministry of Environment and Natural Resources and UNDP, 2015.
- **Justice Index 2015 - Towards a justice system for the people,** UNDP Viet Nam - VBA - CECODES, Vietnam, 2015. I was responsible for conducting the research, formulate the questionnaires and make the report.
- **Public Consultation in Legislative Process in Vietnam,** under Improving the Effectiveness of Public Consultation in the Law making Process in Vietnam, National Library and the Asia Foundation, 2014-2015.

INTERNATIONAL EXPERIENCES

- *Balancing the Roles of Lawyers & Government – Vietnamese experience*, presentation at the international seminar “Lawyers & Access to Justice – Challenging Pro Bono”, National University of Singapore (NUS), 2017
- *Some issues of Contract Law in Vietnam*, presentation at the colloquium “Studies in the Contract Laws of Asia III: Contents of Contracts and Unfair Terms”, National Taiwan University, Taiwan, September 2016
- *Legal Profession Development and Law Reform in Vietnam*, presentation at the international seminar “Law and Development in China and Vietnam”, National University of Singapore, Singapore, 2016
- *Condominium Law and Urban development in Asia*, presentation at the international symposium at Hong Kong City University, Hong Kong, 2014
- *Access to Counsel in Criminal Mandatory cases in Vietnam*, Melbourne Law School, Australia, 2014
- *Environmental Protection Law in Vietnam*, presentation at the international workshop “Legal conflicts happen to Korean enterprises in some South Asian countries”, Youngsan University, Busan,
- **Improvement of Business Environment in Viet Nam under Resolution 19/2014 and 19/2015 of the Government.** I conducted a study for the Central Institute of Economic Management and the Government Office about limitations of laws and implementation practice of bankruptcy and contractual dispute settlement.
- **The Right to Adoption of LGBT in Viet Nam – Situation and Recommendation** a survey in 3 provinces, Ha Noi, Ho Chi Minh city and Can Tho, in Vietnam, under Project of “Support to Strengthen Lesbian, Gay, Bisexual, and Transgender (LGBT) CSOs in Vietnam”, 2014.
- **Assessment of one-year Implementation of Circular 70/2011/TT-BCA and the Regulations on Coordination between the Viet Nam Bar Federation (VBF) and the Supreme People’s Procuracy (SPP)** under Justice Partnership Program (JPP), 2013. This assessment has been conducted in 4 provinces, Ha Noi, Ho Chi Minh City, Ca Mau, and Da Nang, 2013.
- **Survey on Current Situation of Promulgation of Administrative Decisions in Vietnam**, under the Project “Strengthening Access to Justice and Protection of Rights”, sponsored by UNDP Vietnam, chaired by the Administrative and Criminal Law Department, Ministry of Justice, 2013. I formulated the research outline, survey questionnaires and process the data collected by the Ministry of Finance to make the report for the Drafting Committee of the Law on Promulgation of Administrative Decision Project.
- **Assessment of Effectiveness of Reform Administrative Procedures in the Pilot Courts**, Judicial Development and Grassroots Engagement Project (JUDGE) of Cooperative Development Authority of Canada and the Supreme People’s Court, 2013. I cooperated with associates at NHQuang&Associates to study the reform in the tribunal system by quantitative method to make the model for reforming the procedure of receiving petitions, handling and managing cases.
- **Technical Review Of Viet Nam Bar Federation – DANIDA (Viet Nam office), 2013.** I and my colleagues at NHQuang&Associates assessed the current

- Korea, 2010
- *Differences of legal culture between Korea and Viet Nam to cause the labour disputes in Vietnam*, presentation at the international workshop “Legal conflicts happen to Korean enterprises in some South Asian countries”, Youngsan University, Busan, Korea, 2009.
 - *Legal diffusion: the role of non-state actors in shaping the regulatory environment in Vietnam*, presentation at the international workshop “Legal Development in East Asia: China – Viet Nam Compared”, Monash University (Australia) and Hong Kong University, Hong Kong, 2008
 - *Can Private Sector in Viet Nam Aid Democratic Development and the Rule of Law?* Stanford Center on Democracy, Development and the Rule of Law, Stanford, USA, July 2006.
 - *Status of lawyers upon the spirit of judicial reform in Viet Nam – case of Nam Cam*, presentation at the international conference on “The State Of The Law And Rule Of Law In Post-Doi Moi Viet Nam” – Centre d’Etudes et de Recherches Internationales (CERI), Paris, France, October 2003
 - *Independence and professionalism of Vietnamese lawyers – development signs in* institutional capacity of the Viet Nam Bar Federation (VBF) to fulfill its mandate with respect to effectively manage the operations of the VBF, including financial management of the basket funds to achieve the KRAs set out in Component II and implement the VBF’s Strategic Plan.
- **Current Situation of Promulgation of Administrative Decisions in Vietnam**, under the Project “Strengthening Access to Justice and Protection of Rights”, sponsored by UNDP Vietnam, chaired by the Administrative and Criminal Law Department, Ministry of Justice. This survey has conducted 6 provinces including Ha Noi, Ho Chi Minh City, Long An, Da Nang, Hung Yen and Hai Phong for qualitative and 300 mail questionnaires for quantitative, 2013.
 - **Reality of the local Court Governance in Vietnam**, under the Project “Strengthening Access to Justice and Protection of Rights”, sponsored by UNDP Vietnam, chaired by the Secretariat of Judicial Reform Steering Committee. This research assesses the real situation of court administration in Viet Nam through direct interviews and discussions with stakeholders in 6 provinces and mail questionnaire survey over more than 4,000 judges nationwide, 2011-2013.
 - **Justice Index: Assessment of Distributive Justice and Equality from a Citizen-based Survey** coordinated between VLA, CECODES and UNDP, the survey in 63 provinces in Vietnam, 2012.
 - **Justice Index: Assessment of Distributive Justice and Equality from a Citizen-based Survey** coordinated between VLA, CECODES and UNDP, the survey in 21 provinces in Vietnam, 2012 – 2013.
 - **Justice Index: Assessment of Distributive Justice and Equality from a Citizen-based Survey**, coordinated between VLA, CECODES and UNDP, 2012 – 2013, under the Project 42690 and Project 58492. I was in charge of structuring the research, making the questionnaires, monitoring quality of the survey in 21 provinces in Vietnam, and making the report.
 - **Improving competition capacity for café & warehouse sector through reforming legal issues and administrative procedures**, the International Finance Company (a subsidiary of World Bank) (2009-2013). In

judicial reform in Vietnam,
presentation at the
international conference on
“Socialism in Asia” –
Melbourne Law School and
Deakin Law School,
Melbourne, Australia, 2003

- *Independence of the court system
of Vietnam,* presentation in
two symposiums on
“Independence of Judicial
System in Asia” – Asian
Development Bank – Manila,
Philippine, July 2002 and July
2003

PUBLICATIONS

- **Chapter IV - Buying and
Selling enterprise,** Nguyen
Hung Quang et al, Lawyer
Handbook volume 3 (skills and
knowledge for commercial
law), VBF
- **Chapter 17 - Independence,
Impartiality and Integrity of
the Judiciary in Vietnam,**
Pip. Nicholson and Nguyen
Hung Quang, Asia-Pacific
Judiciaries, Independence,
Impartiality and Integrity,
H.P.Lee, Marilyn Pittard
(Ed.), Monash University,
Victoria, 2017
- **Diagnosis of Viet Nam’s
economic growth,** Nguyen
Hung Quang et al., Central
Economic Committee, 2016
- **Justice Index 2015 - Towards
a justice system for the
people,** UNDP Viet Nam -
VBA - CECODES, Vietnam,
2015
- **An Historical Overview of**

the program, I and my associates at NHQuang&Associates studied the practical situation of café & warehouse enterprises and related agencies; revised related legal documents to identify barriers and advantages; recommended solution for reform in order to improve competition capacity of stakeholders; provided a credit line for Techcombank and/or make equity investment into warehouse in agriculture sector business in Vietnam, seeing it as way to improve the competitiveness of the agriculture business sector in Vietnam; provided advisory services to improve the use of warehouse, standard, performance of warehouse to improve the quality of agriculture products.

- **Review and Recommendation for Legal Status of Corporate Seal in Vietnam,** under the Prime Minister’s Task Force for Administrative Procedure Reform established under the Prime Minister’s Project 30 in coordination with the International Financial Company (IFC), 2012.
- **Legal Assessment and Proposals for delineation, demarcation and planning of Protected Area Functional zones and Buffer Zones,** under the Project “Conservation of biodiversity in forest-ecosystems in Vietnam”, Ministry of Agriculture and Rural Development and the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), 2012.
- **Regulatory Impact Assessment for Mineral Law,** Ministry of Environment and Natural Resources, 2010-2011. I conducted the impact assessment report for the Mineral Law
- **Access to Justice in Vietnam from a People’s Perspective - An Updated Survey sponsored by UNDP Vietnam (2010).** I acted as the Team Leader to conducting an in-depth-survey over 1,000 people in 6 selected provinces; provide the final Report on “Access to Justice in Vietnam from A People’s Perspective” which gives assessment of the results of the 2003 Survey, assessment of major changes in economic, political and social conditions that may affect access to justice, assessment of changes in people’s perception on access to justice as surveyed; and the development of methodology to measure the status of access to justice through survey of people’s perception.
- **Study of Laws governing M&A in Viet Nam – Project 00057741, the Task Force for implementation of the**

- Land Law and Land Disputes in Vietnam**, Nguyen Hung Quang and Toan Le, Resolving Land Disputes in East Asia: Exploring the Limits of Law, Hualing Fu & John Gillespie (Ed), Cambridge University Press, 2014
- **Justice Index - Assessment of Distributive Justice and Equality from a Citizen-based Survey** in 2012, UNDP Viet Nam, 2013.
 - **The Right to Counsel in Vietnamese Criminal law and practice**, report for UNDP Viet Nam, 2012
 - **Legal diffusion: the role of non-state actors in shaping the regulatory environment in Vietnam**, Nguyen Hung Quang in "Legal Development in East Asia: China – Viet Nam Compared), Routledge Publishing House, Albert Chen and John Gillespie (Ed.), 2010
 - **Public-Private Partnership for the Poor**, Nguyen Hung Quang & Tim Dyce, National Politics Publishing House, 2009
 - **Needs Of District Courts Nationwide**, Nguyen Hung Quang and the research team, Judicial Publishing House, 2007
 - **Lawyers and Prosecutors under Legal Reform in Vietnam: The Problem of Equality**, Nguyen Hung
 - **Law on Enterprise and the Law on Investment**. Acting as the Team leader, I and other lawyers at some other law firm studied the legal framework for merger and acquisition of Vietnam; recommending some legal changes for promoting the activities in Viet Nam and proposed recommendations for legal changes to promote M&A activities in Vietnam.
 - **Administrative Procedure Reform** - the Task Force for Administrative Procedure Reform established under the Prime Minister's Project 30 in coordination with the International Financial Company (IFC), 2009 - 2011. I was involved for building up the method and methodology for simplifying administrative procedures (method for calculating compliance cost for administrative procedures), training the key state officials of the new method for application nationwide. I also made pilot assessment of some administrative procedures and formalities as a model for reviewing other administrative procedures (including simplifying licensing procedures in Clean development mechanism (CDM), transportation, advertising, and mining).
 - **GIZ/MARD Project "Biodiversity conservation in forestry ecology system in Vietnam" (Phase I: From August 2010 to June 2013)**. I and my associates at the firm conducted two studies including (i) Study Of The Legal and Institutional Framework For Biodiversity Conservation and management of conservation areas and specialized forests in Vietnam; and (ii) assessment of the status quo and legal regulations on functional divisions of conservation areas in Vietnam
 - **Global Principles for cooperation in International Bankruptcy cases**, American Law Institute & International Insolvency Institute, 2009 - 2010. I and my associates studied the legal frame of Vietnamese laws on insolvency as the basis for the study of the possibility for cross-national cooperation in settlement of bankruptcy cases.
 - **Provincial Justice Index (Justice Module in PAPI)** - UNDP and VBA (Project 42690), 2010. I was involved in formulating the pilot questionnaires serving the survey of justice module at provincial level in Vietnam.
 - **Appointed Counsel in Vietnamese Criminal Law and Practice**, VBA under support of Project "Improving

Quang, Vietnam's New Order, International Perspectives on the State and Reform in Vietnam, Stéphanie Balme and Mark Sidel (ed.), 2006

- **Ideology and professionalism: the resurgence of the Vietnamese bar**, Nguyen Hung Quang and Kerstin Steiner, Asian Socialism and Legal Change – The Dynamics of Vietnamese and Chinese Reform, Australian National University, 2005
- **The Vietnamese Judiciary: The Politics of Appointment and Promotion**. Nguyen Hung Quang & Dr. Penelope (Pip) Nicholson, *Pac Rim Journal of Law and Policy*, Volume 14.1, University of Washington, 2005
- **Notes and Commentaries: New Environmental Protection Regulations and Agreements for Vietnam's Coal Industry**. Nguyen Hung Quang and Dr. Thomas Slocum, Dr. Nguyen Si Quy, *Asia Pacific Journal of Environmental Law*, Volume 3, Kluwer Law International Publishing House, 1998.

capacity of Viet Nam Bar Association” sponsored by UNDP (2010). I and my associates at NHQuang&Associates conducted a qualitative and quantitative study of the practising situation as well as the legal basis for lawyers to participate in mandatory case in Viet Nam

- **Global Principles for Cooperation in International Insolvency Cases**, The American Law Institute and International Insolvency Institute, consultant to the reporter, 2009-2010.
- **Review and Recommendation for Consolidation of tax code and business code**, under the Prime Minister's Task Force for Administrative Procedure Reform established under the Prime Minister's Project 30 in coordination with the International Financial Company (IFC), 2009.
- **The Right to Counsel in Vietnamese Criminal Law and Practice** – UNDP, 2008-2009. I conducted the survey and made the report on the right to counsel in Vietnamese Criminal Law and Practice with comparison of international treaties with Vietnam's participation.
- **Assessment on the Real Situation of the Protection of Rights and Interest of Lawyers in Local Bar Associations**, EU Mission and Viet Nam Bar Federation. This research was based on the interviews of 50 lawyers in 5 provinces and 1,000 mail questionnaires to the lawyers and provincial bar leaders.
- **Oriented Transformation Of The Dak To Forestry Company - Process And Lessons Learnt**, under the Programme for the Promotion of Sustainable Utilization and Management of Natural Forest and Marketing of Important Forest Products, MARD and GTZ, 2010. I and my associates at the firm successfully supported to convert DaK To Farm into Dak To Forestry, Agricultural and Industrial Development and Services. The piloted transformation was then duplicated to other farms in the Central Highlands.
- **Study of Legal Gap Analysis on M&A in Vietnam**, the Task Force for implementation of the Law on Enterprise and the Law on Investment, Project 00057741 (2009).

- **Assistance to Establish the National and Provincial SME Support Infrastructure, Project TF/VIE/03/001/17-63 of UNIDO and MPI, 2008 - 2009.** I and my colleagues from various agencies studied the possibility to apply an electronic database of business registration and enterprise management. The study resulted in the formation of the national portal of business registration and the current online tax declaration system.
- **Legal framework study for Public - Private Partnership for the Project “Poverty Reduction through Incorporated Support for Small Enterprise Development” - PRISED VIE/05/M01/SID”, SIDA - VCCI 2009.** I and my associates conducted the study and survey in 4 provinces and simplified the cooperation model for public – private partnership and related legal framework; prepared the survey report and participate in training the trainers within the project frame; supported in completing the training materials and overall report
- **Assessment on the Training Needs of Judges and Court Clerks at provincial and district level (Institutional Support Project for Vietnam), 2008.** As the team leader, I conducted a survey and assessment of the training needs of judges and clerks at local level (provincial and district level) to propose training plans for judges and court clerks in Vietnam.
- **Assessment on the Gender Equality in the Court System and Impact to Human Right Protection,** a survey on all provincial and district courts in Vietnam, DANIDA and Supreme People’s Court of Viet Nam, 2008. I and my firm conducted the relevant survey and the impact to the tribunal system.
- **Study of the Methods, Procedures and Criteria for the Dissemination of Court Judgments in Vietnam,** DANIDA and Supreme People’s Court of Viet Nam. I and the international consultant conducted an overall study of the methods, procedures, and criteria for dissemination of court judgments for recommending measures of judgment dissemination in Vietnam.
- **Assessment on Land Access for Small Medium Enterprises (SMEs) in Hung Yen Province,** under the SME Development Programme, Ministry of Planning

and Investment and GTZ, 2007.

- **Public-Private Dialogue in Vietnam, Program for the Development of Small and Medium Enterprises: Ministry of Planning and Investment (2007).** I formulated the sample model for public - province consultation between provincial leaders and business corporates.
- **The Needs of District Court Nationwide**, a survey on all district courts in Vietnam, UNDP. This research was based on field survey of 116 judges at all levels, officers of provincial Communist Party Committees and People's Committees, Fatherland Front Committees, prosecutors and policemen in district level in 9 provinces of Viet Nam and 2,000 mail questionnaires to the judges at district level, 2006.
- **Cost Burden Analysis on Administrative Procedures in Commercial Law and Bankruptcy Law**, "Private Sector Development" Programme, Ministry of Planning and Investment and EU, 2005.
- **Review on Current Regulations on Environmental Protection and State Inspection in Vietnam**, under the Project Code No. VIE 52.1/0-A Project of SIDA (SWEDEN) and National Environment Agency: "Strengthening of the Environmental Management Authority of Vietnam" (SEMA), 2003.
- **Review on Legislations relating to environmental protection and mining and agreements for environment protection in Quang Ninh**, under the Project Code No. VIE/95/003: "Reducing Environmental Impacts from Open-Cast Coal Mining", UNDP, 1998.