




## ARBITRATOR'S CURRICULUM VITAE

<b>KIEN, Nguyen Duc (Mr.)</b>		
	Deputy Director – Department of International Law, Ministry of Justice; Senior Legal Specialist; Member – Management Board of the Interdisciplinary legal assistance program for businesses	
	Hanoi, Vietnam	
	<a href="mailto:kienbtp@gmail.com">kienbtp@gmail.com</a>	
	Languages: English, Vietnamese	
<b>Practice Areas</b>		
Investment, Banking & Finance, International commerce, Construction, Real estate.		
<b>Overview</b>		
<p>Mr. Kien has more than 23 years of experience in the legal field, especially in international financial, commercial and investment transactions such as participating in the issuance of US \$1 billion of the government's 10-year term international bonds, directly involved in negotiating many export credit loan contracts, commercial loan contracts and Government guarantees with big sponsor banks such as HSBC, JBIC, SMBC.. projects such as Vung Ang 1 Thermal Power Plant.; negotiating GGU Government Guarantee and Commitment Agreements for large projects such as the Ca Voi Xanh gas field project chain...; participating in negotiations and providing legal opinions for the set of capital financing contracts for the purchase of 4 Boeing B787-9 aircraft of Vietnam Airlines Corporation with US partners....</p> <p>Mr. Kien is a member of many Government negotiating delegations for international trade, finance and investment agreements such as the Agreement on Investment Promotion and Protection between Vietnam and Canada, the ASEAN Comprehensive Investment Agreement... ; is a member of the Drafting Committee of many Laws and Decrees related to investment, finance and international trade such as the Government's Decree detailing and guiding the implementation of the Investment Law; is the Chairman of the Council to appraise many Government Decrees related to foreign investment, customs, import and export tax...</p> <p>Mr. Kien is directly involved in resolving many international investment disputes (<a href="https://investmentpolicy.unctad.org/investment-dispute-settlement/country/229/viet-nam">https://investmentpolicy.unctad.org/investment-dispute-settlement/country/229/viet-nam</a>) as well as in resolving many disputes regarding trade and investment related to state agencies and enterprises and was honored to receive the Certificate of Merit from the Prime Minister for outstanding achievements in this work.</p>		

## Arbitration Experience

### Investment, Finance, and international commerce

- Participating in preparing documents, providing legal opinions and working with the Guarantee Group including Barclays Capital, Citi, Deutsche Bank in the transaction of issuing 1 billion USD of 10-year term international bonds of the Government in Asian markets (Hong Kong), market European market (London) and American market (Boston, New York) (<https://baochinhphu.vn/phat-hanh-than-cong-1-ty-usd-trai-phieu-quoc-te-10247313.htm>)
- Join the Working Group to handle the Government's preferences for the Project of the Union of Refining and Petrochemicals Nghi Son and the Southern Petrochemical Complex;
- Participating in the negotiation of the Asian Development Bank's Technical Assistance Loan for the Hanoi-Lang Son, Ha Long-Mong Cai and Ben Luc-Long Thanh Expressway Projects.
- Participating in the negotiation team for the Credit Agreement of the Saudi Arabia Fund for projects in Vietnam;
- Participating in the negotiation team to support the Vietnam Oil and Gas Group in negotiating the Loan Agreement Round 1 ECA and Government Guarantee for Ca Mau Fertilizer Plant Project in China;
- Participating in negotiating, assisting the Vietnam Oil and Gas Group in negotiating export credit loan contracts and commercial loan contracts and Government guarantees with banks sponsors such as HSBC, JBIC, SMBC... for Vung Ang 1 Thermal Power Plant Project;
- Participating in negotiations, assisting Vietnam Electricity in negotiating loan contracts and Government Guarantee for Hai Phong 2 Thermal Power Project and Quang Ninh 2 Thermal Power Project in China;
- Participating in negotiations, supporting Ha Tien 2 Cement Company to negotiate credit contract for ECA loan and commercial loan and Government guarantees for Ha Tien 2.2 Cement Line Project;
- Participating in supporting Vietnam Oil and Gas Group PVN in the process of arranging capital for Long Phu 1 Thermal Power Plant Project;

### Investment disputes, international commerce

- Directly involved in resolving many international investment disputes including preparing for strategy, working with leading international law firms and attorneys in the preparation of Self-

defense, directly attending arbitration hearings, etc.

(<https://investmentpolicy.unctad.org/investment-dispute-settlement/country/229/vietnam>);

- Participating in the settlement of many commercial and investment disputes related to government agencies and enterprises.

### Construction & Real estate

- Consulting, drafting, and reviewing EPC general contractor contracts according to the FIDIC form, negotiating with foreign partners for one project with investment capital of thousands of billion dong in Lao Cai province;
- Consulting, drafting, and reviewing EPC general contractor contracts, negotiating with foreign partners a project with investment capital of trillions dong in a northern province
- Consulting, drafting, and reviewing 03 contracts to amend the EPC contract set and negotiate with foreign partners for a project with investment capital of thousands of billions dong;

Consulting, drafting construction and M&E contracts, leveling and embankment construction contracts, company establishment agreements, etc. for a project with an investment of nearly 300 billion VND in Tay Ninh...

### Education

2018	Intensive Course on International Investment Law and Investor-State Conciliation, International Center for Settlement of Investment Disputes (ICSID) of the World Bank (WB), Hong Kong Ministry of Justice and the Institute of ASEAN International Law co-hosted in Hong Kong
2008	Intensive course on international commercial law, International Development Law Organization (IDLO) - an intergovernmental organization held in Australia for 1 month.
2004 – 2005	Master of International Commercial Law, Bournemouth University, UK
1994 – 1998	Bachelor of Law (Economic Law), Hanoi Law University

### Professional Experience

01/2014 – now	Deputy Director - Department of International Law, Ministry of Justice
10/2011 – 12/2013	Deputy Director - General Department of Civil Judgment Execution, Ministry of Justice
12/1999	Expert of the Ministry of Justice

### Publications

2012	Author Chapter 2 Part 3 and Chapter 5 Part 4 Textbook of Business Law and International Trade, Hanoi Law University (1055 pages thick bilingual English Vietnamese published in 2012)
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### Lectures

- Host, organize and directly lecture at the Annual Training on Prevention and Remedy international investment disputes under the Prime Minister's Decision for Ministries, Sectors and direct management agencies on foreign investment in provinces and cities such as the Department of Planning and Investment, Management Board of Economic Zones, Export Processing Zones, Department of Natural Resources and Environment, Department of Construction, Offices of People's Committees of provinces and cities (03 times/year in three regions North Central South)
- Participating in teaching intensive classes on International Investment Dispute Resolution organized by the Institute of Justice organized as a class in Ho Chi Minh City, Binh Thuan for civil servants as leaders of Departments and People's Committees of districts directly related to foreign investment.
- Attend and directly present at the Workshop on Dispute Settlement Mechanism International trade of APEC held in Beijing, China;
- Attend the Conference on International Investment Arbitration organized by the Regional Center for International Arbitration Kuala Lumpur held in Malaysia.
- Attend the 3rd ASEAN Legal Forum on International Trade Law formulation between ASEAN countries held in Thailand.

### Academic Awards

2023	Certificate of Merit from the Chairman of Ho Chi Minh City People's Committee on excellent record in international investment case settlement
2021	Certificate of Merit from the Prime Minister for outstanding achievements in resolving international investment disputes in the past 5 years
2017	Certificate of Merit from the Minister of Justice for outstanding achievements in international investment litigation