



## LECTURE'S CURRICULUM VITAE

### **TUYET, Dinh Anh** (Ms.)

 Founder & Managing Partner

 Hanoi, Vietnam

 anhtuyet@idvn.com.vn

 English, Vietnamese



### Areas of expertise

**International Trade, Contract, Corporate and M&A, Dispute Resolutions**

### Experiences

- **WTO and Trade Remedies Specialist:** Since 2002, assisting and representing exporters, importers and domestic producers in more than 30 anti-dumping and countervailing investigations and reviews, custom investigations initiated by the Government of Viet Nam, the U.S. Government, the European Commission, the Turkish Government, the Australian Government, the Philippine Government and others.
- **International Arbitration Counsel, Arbitrator and Mediator:** Since 2012, acting as counsel for the Government of Viet Nam in several UNCITRAL – International Investment Treaties cases, the first ISCID (Additional Facility) – ISDS case representing the Government of Viet Nam, counsel for Japanese and Vietnamese companies in commercial arbitration cases at the Viet Nam Arbitration Center, acting as arbitrator (party- appointed arbitrator and president of the Tribunal) in many arbitration cases at the Viet Nam International Arbitration Center (VIAC) and several cases at SIAC.
- **Counsel for foreign and local corporations** in M&A transactions, contracts negotiation and dispute settlement, corporate matters, investment strategies and structures, competition matters, land development, project financing, corporate restructuring, media projects, renewal energy and PPP power projects.

- **Litigator before the Vietnamese courts:** representing individuals and corporations in criminal proceedings, civil and commercial proceedings.
- **Active board member** of the Viet Nam International Business Lawyer Club (VBLC), the Viet Nam International Law Society, the International Commercial Law Faculty of the Hanoi Law University.
- **Senior Consultant** retained by VIAC, agencies, non-governmental organizations such as: UNDP, USAID, and the ASEAN Secretariat, the Ministry of Justice, the Ministry of Planning and Investment, the Ministry of Finance, VCCI to execute research projects, to provide trainings, and to contribute to publications/handbooks for government officials and lawyers on trade remedy practices, ISDS, international treaties, practices on international contracts, investment projects, investment dispute resolution and alternative dispute settlements.

## 1. Experiences relevant to Dispute Resolutions:

### a. Representative Cases concerning ISDS

- Representation of the Government of Viet Nam in a UNCITRAL arbitration initiated by a UK oil company under the 2002 UK-Viet Nam Bilateral Investment Treaty in relation to tax measures;
- Representation of the Government of Viet Nam in a UNCITRAL arbitration initiated by a US investor under the 2000 US- Viet Nam Bilateral Trade Agreement in relation to a large-scale real estate project in HCMC;
- Representation of the Government of Viet Nam in an ICSID Additional Facility arbitration initiated by a Korean investor under the 1993 Korea-Viet Nam Bilateral Investment Treaty in relation to a real estate project in HCMC;
- Representation of the Government of Viet Nam in a UNCITRAL arbitration initiated by a US investor under the 2000 US-Viet Nam Bilateral Trade Agreement in relation to the revocation of a large-scale energy project in Viet Nam;
- Representation of the Government of Viet Nam in a U.S.-Vietnam Trade Agreement litigation initiated by U.S. investors regarding a judicial decision;
- Representation of the Government of Viet Nam in a case under the ASEAN-China Investment Agreement initiated by Chinese investors regarding a judicial decision;
- Representation of the Government of Viet Nam in a case of complaints and requests for conciliation initiated by a Dutch investor under the Vietnam-Netherlands Bilateral Investment Agreement

- Representation of VTV in a defamation lawsuit before the US Court initiated by foreign individuals and legal entities.

#### **b. Representative Cases as Arbitrator and Counsel**

- President of the tribunal at VIAC in a dispute between Vietnamese companies arising from contracts for sale and purchase of corporate bonds;
- President of the tribunal at VIAC to a dispute between two Vietnamese companies arising from the factory lease contract;
- President of the tribunal at VIAC in a dispute arising from contracts for sale and purchase of materials, equipment and repair services;
- President of the tribunal at VIAC in a dispute between a Vietnamese company and a Singapore company arising from a coal supply contract;
- Representing a manufacturer and supplier of heavy crane wholly owned by a Japanese investor in a crane rental contract;
- President arbitrator in a VIAC arbitration related to the joint-venture dispute between a Korean investor and Vietnamese shareholders;
- Co-arbitrator in a VIAC arbitration related to a Consultancy contract on investment project formation and construction design dispute;
- Co-arbitrator in a VIAC arbitration related to a dispute between an Exclusive Online Game Software developer and its business partner;
- Co-arbitrator in a VIAC arbitration related to a dispute between a Korean company and a Vietnamese counterpart arising out of a processing agreement;
- President of the tribunal in a VIAC arbitration related to a dispute between a Japanese Manufacturer and its Vietnamese agent arising out of a dealership agreement;
- Co-arbitrator in a VIAC arbitration related to a dispute between a French Polynesian company and a Vietnamese company arising out of a contract for the shipping of bitumen;
- Co-arbitrator in a SIAC arbitration related to a corporate dispute over a share purchase contract in a project involving a plastic manufacturer in Vietnam;
- Co-arbitrator in a VIAC arbitration related to a corporate dispute over a joint venture agreement in a project involving a Vietnamese real estate development company;
- Representing an individual investor to resolve the issue of late interest payment obligations and redemption of maturing bonds of a large real estate company in Ho Chi Minh City

- Representing a Vietnamese company in a request for reimbursement of investment value on land after the project was withdrawn under the provisions of the Land Law 2003 in Ca Mau province;
- Representing a major Vietnamese exporter in an international goods sale dispute involving the Russian and Cyrus group of companies;
- Representing an Education Group in a lawsuit between an Investor and partners regarding the control and operation of an educational institution arising from a share transfer agreement and a cooperation agreement to operate the educational institution;
- Acting as counsel representing a private company in the case of Tran Phuong Binh violating regulations on banking activities and other activities related to banking activities and abuse of power or position for the appropriation of property in Dong-A Commercial Joint Stock Bank;
- Represent a state-owned company to resolve a dispute with a foreign contractor consortium related to a thermal power plant project with a total disputed value of more than US\$160 million.

## **2. Experience related to Corporate Consulting, Investment and M&A:**

- Advising a Vietnamese corporation on restructuring and expanding its business into industries such as media, beauty, automotive, and recruitment;
- Advising Vietnamese paper manufacturers in issuing new preferred shares to foreign investors, including advising on transaction structure and reviewing and negotiating relevant agreements;
- Advising Vietnamese cement manufacturers in issuing new preferred shares to Filipino investors, including advising on transaction structure and reviewing and negotiating relevant agreements and documents (Share purchase agreement, shareholders' agreement, company charter) and post-transaction support);
- Advising a Vietnamese power plant by-product manufacturer in M&A transactions related to the issuance of new shares to the Singapore branch of a leading European manufacturing company in the field of power plant by-products;
- Advising and representing to negotiate hotel management transactions with reputable international hotel management agency;
- Advising a Chinese education service provider in purchasing shares in an accounting services company in Vietnam;

- Advising a Vietnamese construction enterprise on the purchase of shares of another company in the same industry;
- Advising a Vietnamese project development companies on legal and corporate governance issues in the mining sector (iron, bauxite, zinc), real estate, residential projects, private pay TV projects (corporate/project development), wind power projects and farms, etc;
- Advising on the prevention and dispute resolutions between investors and partners related to the control and operation of the educational institution;
- Advising a Vietnamese real estate company on the dissolution and transfer of a real estate investment project;
- Represent a Singapore enterprise on acquiring shares in M&A transactions valued above VND 2,000 billion in a real estate project in Viet Nam;
- Provide legal advice for a foreign client and their partner (a global logistic provider in Viet Nam) on leasing a bonded warehouse in Viet Nam, including providing legal advice on regulations on the lease of the bonded warehouse, solutions for the client to mitigate the risk upon engaging in the lease.
- Represent a Vietnamese leading enterprise on the aquaculture field to successfully negotiated with a solar developer the solar installation agreement for its plants having the capacity of 8.2 MWp with many favorable terms for our customers;
- Advising an energy enterprise to obtain approval for their BOT capital transfer;
- Advising and representing the parties in the implementation of the economic concentration notification for the acquisition of the leading pre-engineered steel structure module manufacturing company in Vietnam by a group of business enterprises in the Australian construction sector and approved by the competent authority.
- Advising and representing the parties in the implementation of the economic concentration notice for the merger outside the territory of Vietnam of two companies in the energy sector under the restructuring plan of a large Korean corporation and approved by the competent authority
- Advising and representing the parties in the implementation of the economic concentration notice (official appraisal stage) for the acquisition outside the territory of Vietnam of the Danish group in the field of freight forwarding – logistics and approved by the competent authority
- Advising and representing a large Korean corporation in consulting the competent authority on the request to implementation of the economic concentration notice for an

acquisition transaction outside the territory of Vietnam under the group's restructuring plan and has been issued a written response by the competent authority;

- Advising and representing the seller and target company in the implementation of economic concentration notice for the acquisition of a business made outside the territory of Vietnam by a large Taiwanese electronics corporation and a German automobile manufacturer in the field of design and assembly of electrical wiring in automobiles and has been approved by the competent authority.

- **Experiences relevant to International Trade**

Mrs. Tuyet has led her International Trade team representing exporters, Government, importers and domestic producers in more than 30 cases on trade remedies initiated by the US, Australia, Turkey, India, Philippines and the European Union:

- VASEP shrimp exporters (around 30 companies) in the shrimp AD annual reviews initiated by the United States (2003-2004);
- VASEP shrimp exporters (around 30 companies) in the CVD investigation initiated by the United States (2012);
- Viet Nam Plastic Association exporters (around 10 companies) and the Vietnamese Government in the first AD/CVD case brought by the United States (2009);
- VSA and large-scale Vietnamese steel companies in relation to multiple trade cases in the United States;
- PSF exporters in the first CVD investigation brought by the European Union;
- Several Vietnamese steel companies and the Government in recent trade cases in the United States and Australia;
- The Government in AD/CVDs investigations in Australia regarding several steel and aluminum products;
- Antidumping investigation on polyester filament yarn from China (defending Chinese exporter);
- Antidumping investigation on High fructose corn syrup (HFCS) from China and Korea (defending the largest Korean exporter);
- Anti-dumping review of color coated corrugated iron products from China (defending the largest Chinese exporter);
- Anti-dumping Review on Aluminum in China (defending Chinese exporter);

- Antidumping and Anti-subsidy investigation against sugar imported from Thailand (defending the Thai Royal Government);
- Điều tra chống trợ cấp đối với lốp xe khách và lốp xe tải nhẹ (bảo vệ Chính phủ); Anti-subsidy investigations for passenger and light truck tires (defending the Government)
- Countervailing investigation on precise steel tube and pipe.

### Training process

Year	Training content and certification information
1995	LLB, Hanoi Law University
1999	MBA, Université Libre De Bruxelles
2002	LLM, University of Pittsburgh
Other training	CEDR accredited mediator, ICC – PIDA training for arbitrator

### Work history

Time	Position, place of work
1996 – 2003	Legal assistant, Junior associate, foreign counsel working in local and foreign law firms (Viet Nam, United States)
2003 – now	Founding & Managing Partner, IDVN Lawyers
From 2015	VIAC listed Arbitrator, SIAC arbitrator by appointment, Registered Mediator of Viet Nam Mediation Center
2015 – now	<ul style="list-style-type: none"> <li>▪ Visiting lecturer, Hanoi Law University and Judicial Academy.</li> <li>▪ Consultant retained by international and local organizations to provide trainings on WTO – Trade remedy laws and practices, international arbitration law and practices, FTAs, PPP Contracts, mediation and arbitration to local government officials and others.</li> </ul>
2015 - now	Member of Board of Academic Committee, International Trade Law Faculty, Hanoi Law University
2020 – 2021	Chairwoman of The Board of Directors, Viet Nam Business Lawyers Club
2021 – now	Board Member of The Viet Nam Society of International law



2022 – now	Board Member/Former Chairwoman of The Board of Directors, Viet Nam Business Lawyers Club
2022 – now	Team Leader, Working Group on Investment and Trade Consultancy of the Vietnam Bar Federation
<b>Members of professional organizations</b>	
Time	Position, place of work
2003 – now	Lawyer, Hanoi Bar Association
2003 – now	Founding & Managing Partner, IDVN Lawyers
2015 – now	VIAC listed Arbitrator, SIAC arbitrator by appointment, Registered Mediator of Viet Nam Mediation Center
2015 – now	<ul style="list-style-type: none"> <li>▪ Visiting lecturer, Hanoi Law University and Judicial Academy.</li> <li>▪ Consultant retained by international and local organizations to provide trainings on WTO – Trade remedy laws and practices, international arbitration law and practices, FTAs, PPP Contracts, mediation and arbitration to local government officials and others.</li> </ul>
2015 - now	Member of Board of Academic Committee, International Trade Law Faculty, Hanoi Law University
2020 – 2021	Chairwoman of The Board of Directors, Viet Nam Business Lawyers Club
2021 – now	Board Member of The Viet Nam Society of International law
2022 – now	Board Member/Former Chairwoman of The Board of Directors, Viet Nam Business Lawyers Club
2022 – now	Team Leader, Working Group on Investment and Trade Consultancy
<b>Published publications</b>	
2003	Compelling the book “Anti-dumping lawsuit in US Handbook
2015	Compelling Magazine Trade Remedies Quarterly VCCI
2015	Instructing an E-learning program on investment law and dispute settlement, Hanoi Law University
2019 – now	Lecturer for academic programs on the prevention and settlement of international investment disputes held by various Ministries in Viet Nam (MOJ, MOF, MPI)



2019	Compelling on “Lawyers’ handbook skills on trade remedies”
2021	Compelling Handbook on Prevention and Settlement International Investment Dispute
2022	Compelling on “Handbook on Obligations in International Investment Treaties of Viet Nam”
<b>Academic and professional awards</b>	
Time	Form of award, unit of ranking/award.
2020 – 2023	Asialaw - recognized as a notable practitioner for domestic and international dispute settlement and arbitration in Viet Nam
2021	Minister of Justice of Viet Nam - a certificate of merit in 2021 for her contributions to the development of the Vietnamese commercial lawyer community over the past 10 years
2021	Vietnam Bar Federation - a certificate of merit recognized for achievements in building and developing the Bar Federation during the term (2015-2021)
2022	The Legal 500 Asia - recognized as a recommended lawyer for Viet Nam in Tax (Trade Remedies measures)
2022 – 2023	Benchmark Litigation Asia Pacific - recognized as a Litigation Star for Viet Nam in International Arbitration and Top 100 Women in Litigation Asia Pacific
2023	Who’s Who Legal – recognized as a National Leader in Southeast Asia on Trade & Customs