

**NGUYEN HUNG QUANG**

Managing Partner

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**EDUCATION**

- o MBA, United Business Institute, Belgium (2006-2007)
- o Advanced Lawyer Skills, Judicial Training Academy, Ministry of Justice (1999).
  - o LLB, Hanoi Law University (1991-1996).

**AREAS OF PRACTICE**

- M&A
- Finance
- Investment
- Securities
- Energy-environment
- Insurance
- Public-private partnership
- Litigation
- Capacity improvement, legal assistant & public advocacy projects

**ACADEMIC ACTIVITIES**

- o Visiting scholar, Law School of Melbourne University (2014);
- o Guest lecturer, British University of Vietnam, (2014-2015);
  - o Guest lecturer, Hanoi Law University for the course “Advanced Lawyering” (2014);
- o Visiting Fellow, Business Law and Taxation Faculty, Monash

**WORK POSITION**

- 2004 -present: Founder and Managing Partner NHQuang&Associates.
- 2013-present: Member of Advisory Board of Transparency International in Vietnam (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 at LEADCO Law firm

**ADVOCACY, RESEARCH AND DEVELOPMENT ACTIVITIES**

**Corporation and investment:**

- **Review of the Bankruptcy Law 2014 toward improving business environment in Vietnam according to the World Bank ranking “Doing Business”,** Central Institute of Economic Management (CIEM) and Governance for Inclusive Growth Program (GIG), 2015.
- **Regulatory Impact Assessment for Mineral Law,** Ministry of Environment and Natural Resources, 2010-2011.
- **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.
- **Review and Recommendation for Simplifying licensing procedures in Clean development mechanism (CDM),** under the Prime Minister’s Task Force for Administrative

- University, Australia (2008);
- Fellow at Stanford Center on Democracy, Development and Rule of Law (CDDRL) (2006);
- Visiting Scholar: Law School of Melbourne University (2000);
  - Visiting Scholar: Deakin University of Law School (2000).

#### **INTERNATIONAL EXPERIENCES:**

- *Condominium Law and Urban development in Asia*, presentation at the international symposium in City University of Hong Kong, Hong Kong, Dec 2014.
- *Access to Counsel in Criminal Mandatory cases in Vietnam*, Melbourne Law School, Australia, Nov. 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, Korea, 2010.
  - *Differences of legal culture between Korea and Vietnam 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 – Vietnam Compared*”, Monash University (Australia) and Hong Kong University, Hong Kong,

Procedure Reform established under the Prime Minister’s Project 30 in coordination with the International Financial Company (IFC), 2011.

- **Review and Recommendation for Simplifying licensing procedures in Transportation sector**, 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), 2011.
- **Review and Recommendation for Simplifying licensing procedures in Advertising industry**, 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), 2010.
- **FSC – 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.
- **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.
- **Review and Recommendation for Simplifying licensing procedures in Mining industry**, 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.
- **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).
- **Study on Public Private Partnership (PPP)**, Project “Poverty Reduction Through Integrated Small Enterprise Development - PRISED”, Vietnam Chamber of Commerce and Industry (VCCI), 2009.
- **Cost Burden Analysis on Administrative Procedures in Commercial Law and Bankruptcy Law**, “Private Sector

2008

- *Can Private Sector in Vietnam 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 Vietnam – 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 judicial reform in Vietnam*, presentation at the international conference on “Socialism in Asia” –Melbourne Law School and Deakin Law School, Melbourne, Australia, June 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

- **An Historical Overview of 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**

Development” Programme, Ministry of Planning and Investment and EU, 2005.

#### Land

- **Initiatives to Increase Protection of Women’s Land rights in Vietnam, Project “Empowerment of Women to Claim their Land Rights”** under the Project 61404, UNDP. NHQuang&Associates conducted a number of training and legal consultations to women in two remote districts. A Legal Handbook of Equality Rights in Land Access is made by NHQuang&Associates, 2013.
- **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.

#### Access to Justice

- **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, on-going.
- **The Right to Adoption of LGBT in Vietnam – 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.
- **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.
- **Access to Justice in Vietnam from a People’s Perspective - An Updated Survey**, UNDP Vietnam. This research interviewed over 1000 people in 6 selected provinces in 2010.

#### Judicial Reform

- **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 Vietnam through direct interviews and discussions with stakeholders in 6 provinces and mail questionnaire survey over more than 4,000 judges nationwide, 2011-2013.
- **Assessment of Effectiveness of Reform Administrative Procedures in the Pilot Courts**, Judicial Development and Grassroots Engagement Project (JUDGE). This assessment

- 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 – Vietnam Compared*, Routledge Publishing House, Albert Chen and John Gillespie (Eds), 2010
  - **Training Need Assessment of Judges and Court Clerks**, research paper for the Supreme People’s Court of Viet Nam, 2009
  - **Gender Equality in the Court System and in Adjudicating Activities**, research paper for the Supreme People’s Court of Viet Nam, 2009.
  - **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 Quang, *Vietnam’s New Order, International Perspectives on the State and Reform in Vietnam*, Stéphanie Balme and Mark Sidel (eds), 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* conducted at three provincial courts including the People’s Provincial Court in Hung Yen, Thua Thien Hue, and Vinh Long, 2013.
  - **Assessment of one-year Implementation of Circular 70/2011/TT-BCA and the Regulations on Coordination between the Vietnam Bar Federation (VBF) and the Supreme People’s Procuracy (SPP)**, under Justice Partnership Program (JPP). This assessment has been conducted in 4 provinces, Ha Noi, Ho Chi Minh City, Ca Mau, and Da Nang, 2013.
  - **Appointed Counsel in Vietnamese Criminal Law and Practice** – UNDP. This research was based on 100 in-depth interviews with judges, lawyers, policemen, prosecutors and officers of legal aid offices in 8 provinces of Vietnam and 2,000 mail questionnaires to the lawyers in country wide, 2009-2010.
  - **The Right to Counsel in Vietnamese Criminal Law and Practice** – UNDP, 2008-2009.
  - **Assessment on the Real Situation of the Protection of Rights and Interest of Lawyers in Local Bar Associations**, EU Mission and Vietnam 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.
  - **Assessment on the Training Needs of Judges and Court Clerks**, a survey in 3 provinces in Vietnam, EU Mission and Supreme People’s Court of Viet Nam. This research was based on field survey of 50 in-depth interviews with judges and court clerks in 6 provinces of Viet Nam and 1000 mail questionnaires, 2009.
  - **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. This research was based on field survey of 50 in-depth interviews with judges in 9 provinces of Viet Nam and 2,000 mail questionnaires to the judges, court clerks and other court staff, 2008.
  - **Study of the Methods, Procedures and Criteria for the Dissemination of Court Judgments in Vietnam**, DANIDA and Supreme People’s Court of Viet Nam. This research was required to base on desk study. The consultant team still interviewed 20 judges, cultural and information management officers from central, provincial to district levels, 2008.

*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.*

- **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.

#### **Environment, Biodiversity and Climate Change**

- **Regulatory Impact Assessment for the draft of Law on Sea Natural Resources and Environment**, Ministry of Environment and Natural Resources and UNDP, 2015.
- **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.
- **Study Of The Legal, Institutional, And Administrative Framework For Biodiversity Conservation In The Vietnam Protected Area System**, 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), 2011.
- **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.

#### **Legislative Process**

- **Review On 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.

- **Public Consultation in Legislative Process in Vietnam**, under Improving the Effective of Public Consultation in the Lawmaking Process in Vietnam, National Library and the Asia Foundation, 2014-2015.
- **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.