INTERNATIONAL TRADE DISPUTE RESOLUTIONS IN THE CONTEXT OF THE COVID-19 PANDEMIC

Nguyen Ba Binh *

Abstract: The COVID-19 pandemic has been causing many difficulties for the application of international commercial dispute resolution, especially resolving disputes by courts and arbitrations. To overcome these difficulties, courts and arbitrations in countries around the world have been making many changes in the direction of "digitalizing" dispute resolutions. Meanwhile, the settlement of international commercial disputes by courts and arbitration in Vietnam is stagnating, as online court proceedings and online arbitration proceedings are still very primitive and rarely available. The need to quickly implement the "digitalization" of court and arbitration proceedings in Vietnam with a suitable roadmap is inevitable in the context of the pandemic and the general trend in many countries around the world. In particular, the government and arbitration centres in Vietnam need to apply various solutions, including building a technology foundation, improving the law and arbitration rules, as well as building a suitable roadmap for the application of online court proceedings and online arbitration proceedings, in order to bring timely justice to the parties to international commercial disputes.

<u>Keywords</u>: Pandemic; COVID-19; courts; arbitration; international commercial disputes.

Received: 22 February 2022 Editing completed: 26 June 2023 Accepted for publication: 26 June 2023

1. Introduction

The global outbreak of the COVID-19 pandemic over the past two years, with no end in sight, has been strongly influencing the settlement of international trade disputes, especially for dispute resolution methods. The orders of social distancing and blockade of countries to limit and control the pandemic have been applied many times. In such situations, resolving disputes through traditional offline procedures is not always possible. That fact poses

^{*} Associate Professor, Doctor, Hanoi Law University. E-mail: nguyenbabinh@hlu.edu.vn This research is funded by Vietnam National Foundation for Science and Technology Development (NAFOSTED) under grant number 505.01-2020.01.