

VIAC – Questionnaire for Arbitrators

1. **Name:** RICARDO MARIA PALMA GIL ONGKIKO

2. **Citizenship:** PHILIPPINES

3. **Contact information:**

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4. **Current position:** MEMBER, EXECUTIVE COMMITTEE
LITIGATION DEPARTMENT HEAD
SENIOR PARTNER,
SYCIP SALAZAR HERNANDEZ & GATMAITAN

5. **Education:** LL. M. (1992)
UNIVERSITY OF MICHIGAN
ANN ARBOR, MICHIGAN, U.S.A.

LL. B. (1988), *CUM LAUDE*
UNIVERSITY OF THE PHILIPPINES
COLLEGE OF LAW
DILIMAN, QUEZON CITY, PHILIPPINES

AB ECONOMICS (1984), *MAGNA CUM LAUDE*
UNIVERSITY OF THE PHILIPPINES
SCHOOL OF ECONOMICS
DILIMAN, QUEZON CITY, PHILIPPINES

6. **Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?

I have been an arbitrator in TEN (10) arbitrations—THREE (3) international commercial arbitrations and SEVEN (7) domestic arbitrations.

The THREE (3) international commercial arbitrations were all under the NATIONAL ARBITRATION AND MEDIATION (NAM) COMPREHENSIVE DISPUTE RESOLUTION RULES AND PROCEDURES. The NAM is based in New York, New York, USA.

Of the SEVEN (7) domestic arbitrations, FIVE (5) were under the PHILIPPINE CONSTRUCTION INDUSTRY ARBITRATION COMMISSION (CIAC) REVISED RULES OF PROCEDURE GOVERNING CONSTRUCTION ARBITRATION, and TWO (2) were under the PHILIPPINE DISPUTE RESOLUTION CENTER INC. (PDRC) ARBITRATION RULES.

I have been counsel in FOURTEEN (14) arbitrations – NINE (9) international commercial arbitrations and FIVE (5) domestic arbitrations.

Of the NINE (9) international commercial arbitrations, SIX (6) were under the RULES OF ARBITRATION OF THE INTERNATIONAL CHAMBER OF COMMERCE (ICC), and THREE (3) were under the CIAC REVISED RULES OF PROCEDURE GOVERNING CONSTRUCTION ARBITRATION.

Of the FIVE (5) domestic arbitrations, FOUR (4) were under the CIAC REVISED RULES OF PROCEDURE GOVERNING CONSTRUCTION ARBITRATION, and ONE (1) was an ad-hoc arbitration under the Philippine Arbitration Law.

- How often have you acted as Chairman?

I have acted as Chairman in TWO (2) CIAC arbitrations.

- How often have you acted as Sole Arbitrator?

I have acted as Sole Arbitrator in THREE (3) NAM arbitrations.

- How often have you acted as Co-Arbitrator?

I have acted as Co-Arbitrator in FIVE (5) arbitrations—TWO (2) PDRC arbitrations and THREE (3) CIAC arbitrations.

- How often have you acted as Counsel?

I have been counsel in FOURTEEN (14) arbitrations – NINE (9) international commercial arbitrations and FIVE (5) domestic arbitrations.

- How often have you acted in a different function (e.g. Administrative Secretary)?

I have not acted in a different function in an arbitration.

7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):

General:

Speaker on alternative dispute resolution in various Philippine Mandatory Continuing Legal Education programs

Lecturer, Basic Arbitration Seminars sponsored by the Philippine Dispute Resolution Center, Inc. and Philippine Institute of Arbitrators

Lecturer, Construction Industry Mediators and Arbitrators Continuing Education Programme

Accreditations:

Accredited Arbitrator, Kuala Lumpur Regional Centre for Arbitration (KLCA) (2016)

Accredited Hearing Officer, National Arbitration and Mediation (NAM) (New York, USA) (2015)

Accredited Arbitrator, The Philippine Institute of Arbitrators (PIArb)

Accredited Arbitrator, Philippine Dispute Resolution Center, Inc.(PDRC)

Accredited Arbitrator, Philippine Construction Industry Arbitration Commission (CIAC)

Accredited Arbitrator, Intellectual Property Office of the Philippines (IPOP)

Accredited Arbitrator, Philippine Wholesale Electricity Spot Market (WESM)

Seminars and Conferences in Dispute Resolution: (Past 10 Years Only)

Speaker, 8th Construction Arbitrators Accreditation Course, held on April 11-15, 18-20, 2016, in Makati City, Philippines, sponsored by the Philippine Construction Industry Arbitration Commission and the Philippine Institute of Construction Arbitrators and Mediators

Speaker, 2016 International Conference on Ease of Doing Business, held on January 27, 2016, in Seoul, Korea, sponsored by the Ministry of Justice of the Republic of Korea

Speaker, International Commercial Arbitration under SIAC Rules: A User Orientation and Practitioner Workshop, held on October 2, 2014, in Makati City, Philippines, sponsored by the Singapore International Arbitration Centre and the Philippine Institute of Arbitrators

Speaker, 2014 Regional Arbitral Institutes Forum 2014 Conference, held on August 1, 2014 in Singapore

Speaker, HKIAC Roadshow – New Rules and Recent Practice, held on June 25, 2014 in Makati City, Philippines, sponsored by the Hong Kong International Arbitration Centre and Philippine Institute of Arbitrators

Panelist, ICC Mediation Rules 2014 Launch Seminar, held on March 20, 2014, in Makati City, Philippines, sponsored by the International Chamber of Commerce

Speaker, Regional Arbitral Institutes Forum 2013 Conference, held on June 21-22, 2013 in Cebu City, Philippines

Speaker, International Conference on Alternative Dispute Resolution and PPP Opportunities, held on November 8-9, 2012, in Makati City, Philippines, sponsored by the Philippine Dispute Resolution Center, Inc., Philippine Institute of Arbitrators, and the Philippine Institute of Construction Arbitrators and Mediators

Speaker, 2012 International Conference on Ease of Doing Business, held on October, 2012, in Seoul, Korea, sponsored by the Ministry of Justice of the Republic of Korea

Speaker, Introduction to Domestic and International Arbitration, held on March 4-5, 2011 in Cebu City, Philippines, sponsored by the University of Cebu College of Law

Speaker, Basic Arbitration Seminar, held on September 23-24, 2010, in Pasig City, Philippines, sponsored by the Philippine Institute of Arbitrators and the Ongkiko Manhit Custodia & Acorda Center for Legal Education

Speaker, The Law and Practice of Commercial Arbitration, held on April 2-5, 2008, in Makati City, Philippines, sponsored by the Philippine Dispute Resolution Center, Inc.

Participant, Singapore Centenary Conference, held on September 3-4, 2015, in Singapore, presented by the Chartered Institute of Arbitrators Singapore Branch

- Participant, Regional Arbitral Institutes Forum (RAIF) Conference, held in Kuala Lumpur, Malaysia on May 7 to 9, 2015
- Participant, Hong Kong Centenary Conference—A Century – Shaping the Future of Arbitration, held on March 19-21, 2015, in Hong Kong, presented by the Chartered Institute of Arbitrators East Asia Branch
- Participant, Mock International Arbitration for Government Corporate Counsels, held on November 20, 2014, in Manila, Philippines, presented by the Philippine Institute of Arbitrators in cooperation with the Office for Alternative Dispute Resolution
- Participant, Singapore Institute of Arbitrators Commercial Arbitration Symposium, and the Regional Arbitral Institutes Forum (RAIF) Conference, held in Singapore, from July 30 to August 2, 2014
- Participant, Workshop on Mediation of Intellectual Property Dispute, held on May 7-8, 2014, in Taguig City, Philippines, presented by the WIPO-Arbitration and Mediation Center and the Intellectual Property Office of the Philippines.
- Participant, International Council for Commercial Arbitration 2014 Congress, held on April 6-9, 2014, in Miami, Florida, USA
- Participant, ICC Institute Masterclass for Arbitrators, held on 15-17 January 2014, in Singapore, presented by the ICC International Chamber of Commerce
- Participant, Module 4 International Arbitration Award Writing, held from 18 March-22 July 2013, in Singapore, presented by the Singapore Branch of the Chartered Institute of Arbitrators
- Participant, Chartered Institute of Arbitrators Arbitration Surgery Workshop “Emergency Arbitrator Relief”, held on March 15, 2013, in Taguig City, Philippines, presented by the Chartered Institute of Arbitrators East Asia Branch in association with the Chartered Institute of Arbitrators Singapore Branch
- Participant, Settlement of Intellectual Property Disputes Through Arbitration and Mediation Workshop, held on December 12 and 13, 2011, in Taguig City, Philippines, presented by the Intellectual Property Office of the Philippines and the World Intellectual Property Organization (WIPO) Arbitration and Mediation Center
- Participant, 7th CIAC Construction Arbitration Accreditation Course, held from December 18-25, 2011, in Makati City, Philippines, presented by the Construction Industry Arbitration Commission and the Philippine Institute of Construction Arbitrators and Mediators, Inc.
- Participant, Accelerated Route to Fellowship (International Arbitration), held on June 4-5, 2011, in Singapore, presented by the Singapore Branch of the Chartered Institute of Arbitrators
- Participant, Forum on the Philippine Membership in the Permanent Court of Arbitration and International Dispute Resolution, held on March 2, 2011, in Quezon City, Philippines, presented by the Supreme Court of the Philippines Philippine Judicial Academy, in partnership with the Department of Foreign Affairs Office of Legal Affairs, and University of the Philippines Law Center Institute of International Legal Studies
- Participant, Training on Specialized Arbitration for Intellectual Property Disputes, held on December 9-10, 2010, in Quezon City, Philippines, presented by the Intellectual Property

Office of the Philippines, the World Intellectual Property Organization, the Philippine Dispute Resolution Center, Inc., and the University of the Philippines

Participant, IPR Training for Arbitrators, held on October 26-28, 2010 in Quezon City, Philippines, presented by the Intellectual Property Office of the Philippines

Participant, 3rd Regional Arbitral Institutes Forum (RAIF) Conference, held in Hong Kong on June 16, 2009

Participant, Training Seminar on International Arbitration Practice, held on April 16 and 17, 2009, in Makati City, Philippines, organized by the Office of the Solicitor General in cooperation with the Chartered Institute of Arbitrators East Asia Branch

Participant, Two-Day Course on The Practical Management of Contract Claims and The Resolution of Disputes, held on October 25 and 26, 2007, in Makati City, Philippines, presented by International Federation of Consulting Engineers, The Council of Engineering Consultants of the Philippines, and the Dispute Resolution Board Foundation

Participant, Forum on the Use of Dispute Review Board/Dispute Adjudication Board/Dispute Board, held on October 24, 2007, in Taguig City, Philippines, presented by International Federation of Consulting Engineers, The Council of Engineering Consultants of the Philippines, the Dispute Resolution Board Foundation and the Dispute Resolution Center Inc., among others

Participant, Prospects & Perspectives, A Conference on Alternative Dispute Resolution in the Philippines, held on April 25, 2007, in Quezon City, Philippines, presented by the UP Law Center Program on Dispute Resolution

Participant, National Conference on Court Annexed/Referred Alternative Dispute Resolution Mechanisms, held on November 27-28, 2006, in Manila, Philippines, presented by the Supreme Court of the Philippines Philippine Judicial Academy and Philippine Mediation Center

Written Work:

Contributor, Kluwer Arbitration Smart Charts—Philippine chapters, Kluwer Law International

Co-Author, Philippine Chapter, Getting the Deal Through: Mediation 2013 and 2015, published by Law Business Research

Co-contributor, Philippine Chapter, Guide to Privilege in Asia Pacific, published by Herbert Smith Freehills, 2014

Co-contributor, Philippine Chapter, Getting the Deal Through: Restructuring & Insolvency 2014, published by Law Business Research

Contributor, Philippine Chapter, The Guide to Dispute Resolution in Asia, published by Herbert Smith, 2005 – 2013

Co-contributor, Philippine Chapter, A Multi-Jurisdictional Review – Guide to Dispute Resolution in Asia Pacific, published by Herbert Smith Freehills, 2013

Co-Author, Philippine Chapter, Getting the Deal Through: Restructuring and Insolvency 2012, published by Law Business Research

Co-Author, Philippine Chapter, Digest of Commercial Laws of the World, published by Multilaw and Oceana Publications, Inc., 2010 and 2004

Co-Contributor, Philippine Chapter, The Guide to Privilege in Asia, published by Herbert Smith, 2010

Co-Author, Philippine Chapter, The Asia-Pacific Restructuring and Insolvency Guide 2006, published by Global White Page Section

Contributor, Philippine Chapter, Arbitration in Asia, published by Norton Rose, 2005

Co-author, Philippine Chapter, in Winning Legal Strategies: International Litigation: A Country-By-Country Look at Negotiations, Trials, and successful Dispute Resolution in Major Markets Around the Globe, published by Aspatore, Inc., 2005

Contributor, Philippine Chapter, International Civil Procedure, authored by World Law Group Member Firms, published by Kluwer Law International, 2003

8. Membership in arbitral institutions / functions in arbitral institutions/organizations:

Fellow,
The Chartered Institute of Arbitrators (CI Arb)

Member,
International Council for Commercial Arbitration (ICCA)

Member,
Singapore International Arbitration Center Users Council (September 2015)

President (2016-present)
Trustee (2007-present),
Senior Vice-President (2007-2013),
Executive Vice-President (2014),
The Philippine Institute of Arbitrators (PIArb)

Trustee (2007-present),
Assistant Secretary (2009-present),
Member (since 2006),
Philippine Dispute Resolution Center, Inc. (PDRC)

Trustee (2014-present),
Member (2012-present),
Philippine Institute of Construction Arbitrators and Mediators, Inc. (PICAM)

9. Languages

Mother tongue: ENGLISH and FILIPINO

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language): ENGLISH and FILIPINO

10. In which legal system have you trained?

I obtained my Bachelor of Laws (LL. B.) in the PHILIPPINES, where I have practiced for about TWENTY-SIX (26) years already.

I obtained my Masters in Law (LL. M.) in MICHIGAN, U.S.A, and I worked as an apprentice in a US law firm in CALIFORNIA, U.S.A. for THREE (3) months.

11. What is your main jurisdiction of practice?

My main jurisdiction of practice is the PHILIPPINES.

12. Special expertise or specializations (please list a maximum of three):

CONTRACT LAW, CONSTRUCTION LAW, AND CORPORATE LAW

13. Date of birth: JULY 7, 1963

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons and may be put on VIAC's website.

Date and signature

SEPTEMBER 13, 2016