

Philippine International Center for Conflict Resolution

Guidelines for Complaints against Arbitrators

1. The Philippine International Center for Conflict Resolution (“PICCR”) adopts the 1987 IBA Rules of Ethics for International Arbitrators and the 2014 IBA Guidelines on Conflicts of Interest in International Arbitration as its Code of Ethics. To this end, arbitrators sitting in PICCR-administered arbitrations must adhere to such rules and guidelines during the entire duration of the arbitration proceedings.
2. Without prejudice to the right of any party to submit a challenge under Article 14 (Challenge of Arbitrators) of the PICCR Arbitration Rules, any person dissatisfied with the conduct of an arbitrator may lodge a complaint in writing in a form of a Note of Concern (“Note”) with the PICCR Secretariat.
3. The PICCR Secretariat shall acknowledge receipt of the Note and forward the same to a Special Committee, which shall be constituted by the PICCR Board of Trustees for the purpose of reviewing, evaluating and deciding on such Note. Until the Special Committee is formed, any Note filed with the PICCR Secretariat shall be forwarded to the PICCR’s President for review, evaluation and decision.
4. The Special Committee¹ after reviewing the Note, shall decide if it is necessary to seek the comments of the arbitrator against whom the Note is made.
5. If the Special Committee decides to seek the arbitrator’s comments, the Secretariat shall notify the arbitrator of the Note and request that the arbitrator submit a written comment to the Note within fifteen (15) days from notice. As soon as possible after receipt of the arbitrator’s written comment, the Secretariat shall forward the same to the Special Committee.
6. The Special Committee shall decide whether the Note is justified and whether appropriate sanctions should be imposed on the arbitrator, including but not limited to the removal of the arbitrator from the PICCR’s List of Accredited Arbitrators and/or forfeiture or withholding of arbitrators’ fees, as applicable. All decisions made by the Special Committee are final and, to the extent permitted by any applicable law, not subject to appeal.

¹ All references in these Guidelines to the Special Committee shall be understood to refer to the President, in case the Special Committee has not yet been constituted.

7. If the Special Committee is, or becomes, aware of any information which calls into question the listing of an arbitrator in the PICCR's List of Accredited Arbitrators, the Special Committee may at any time review that listing and determine whether or not that arbitrator should be subject to appropriate sanctions.