

## Arbitration in the Philippines: Wave of the Future?

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*52 ATENEO L.J. 1 (2007)*

SUBJECT(S):     *ARBITRATION*

KEYWORD(S):    *ARBITRATION, DISPUTE SETTLEMENT*

Arbitration has been an ancient and common practice of settling disputes. Its purpose is to pre-empt or terminate pending or future litigation for the benefit of a speedy resolution of parties' dispute. That arbitration is gaining ground in light of clogged court dockets indicates that arbitration in the Philippines is indeed the wave of the future.

The Article first examines the state of the judiciary. Statistics illustrating the number of cases filed in multiple low-level courts, as well as the vacancy rates of judges in trial courts and their salaries and allowances, point to an overworked and undermanned judiciary. The Author then traces the developments of arbitration in the Philippines from the first half of the 20th century, to the New Civil Code, under Republic Acts No. 876 and 9285, and the country's accession to the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

The Article also examines *Transfield Philippines, Inc. v. Luzon Hydro Corporation* and *Gonzales v. Climax Mining Ltd.* & as recent jurisprudence on the matter. Finally, the Author provides recommendations for the education of the judiciary involving party autonomy, judicial non-interference and judicial assistance, finality of awards, special courts, filing fees, and rules of procedure.