



OFFICE OF THE DEAN

08 January 2020

The Search Committee for the Deanship of the College of Law

Attention : Professor Dr. LaVerne C. de la Peña
Chairperson

Re : Nomination of Professor Dr. Jay L. Batongbacal for Dean
of the College of Law

Ladies and Gentlemen:

I have the honor to nominate Professor Dr. Jay L. Batongbacal for Dean of the UP College of Law.

I state the qualifying criteria for the position as reflected in the Call for Nominations dated 18 December 2020, and end with my personal summation of the qualifications of the Nominee.

Commitment to academic freedom and values and ideals of the University

Dr. Jay Batongbacal is the foremost academic legal expert on the law of the sea. On the issue of the West Philippine Sea, he has boldly spoken the truth no matter the political consequence. Academics, public officials, journalists, and diplomats both here and abroad consistently seek his views on the maritime issues that impact global geopolitics. He has received threats and warnings for contradicting government position, all of which he wears as a badge of honor, yet such positions have not impeded his ability to provide sanguine advice and opinions solicited by government offices such as the Department of Foreign Affairs, National Security Agency, and Armed Forces of the Philippines.

He has been teaching in the College of Law for a total of some 18 years, and is ranked Professor 6. He is recognized as a teacher with high standards that cause a high attrition rate among the students, yet he is never spoken about in derogatory fashion and has no known detractors, except possibly those whose political agenda he has offended with his legal positions. He currently teaches Civil Law subjects and supervises the legal research projects of Senior students in our Juris Doctor Program.

Beyond the College of Law, Dr. Jay is regularly invited as a primary key informant or resource person by students of the National Defense College of the Philippines, and is often requested by the Armed Forces of the Philippines, notably the Philippine Navy and Philippine Air Force, to give lectures on the various maritime challenges faced by the country. Dr. Jay has also been invited by the Development Academy of the Philippines to assist in the delivery of specialized graduate courses for the Philippine Coast Guard.

The diversity of his teaching and lecturing activities of Dr. Jay is a testament to his academic mettle. He is principled, humble, and has a quality of mind to rival the best the University has to offer.

Distinction or outstanding academic credentials in nominee's chosen field of expertise

The Nominee ranked 9th in the UP Law Class of 1991, garnering the most number of awards in his graduating class. He is one of only two faculty in the Regular Faculty of the College with a doctor of laws degree.

He obtained his masters and doctorate degrees through competitive scholarship programs, including the Canadian International Development Agency in 1996-1997, the Pierre Elliot Trudeau Foundation Scholarship Program (Canada) in 2003- 2007, and the US-ASEAN Fulbright Initiative Research Fellowship in 2014-2015. It is notable that Dr. Jay acquired these scholarship awards entirely on his own initiative and merit, without any grant or intervention from UP or any of its offices or officials.

Among other engagements evidencing the widely-held recognition of his expertise, Dr. Jay is a member of the UNESCO/IOC List of Experts for UNCLOS Annex XVIII Arbitration on Marine Scientific Research, and Corps of Professors of the Philippine Judicial Academy, the Supreme Court training school for justices, judges and court personnel. He has been invited to be a member of an international group of experts revising the San Remo Manual on International Law Applicable to Armed Conflict at Sea, a document that codifies a very highly specialized aspect of international humanitarian law.

Attached is the curriculum vitae of the Nominee that carries a litany of his writings and published works, probably unequalled by any counterpart lawyer in his discipline in the country. The record speaks for itself.

Dr. Jay's trailblazing and continually building on the knowledge on the law of the sea through tireless research, writing, and teaching, and his principled stand on relevant issues that inspire students and teachers alike, speaks indubitably of his academic leadership.

Academically, Dr. Jay is a benchmark to whom others measure.

Leadership qualities and administrative or managerial capability

Dr. Jay was Associate Dean for Research & Development (non-plantilla), then Executive Associate Dean, in the 3-year period that the undersigned was Dean of the College of Law. He continued as the Director of the UP Institute of Maritime Affairs and Law of the Sea, and was further designated Executive Director (non-plantilla) of the LL.M Program.

I have worked closely with Dr. Jay, and vouch for his performance as an administrator and his potential to be an effective Dean.

As Associate Dean for R&D, he discarded the ingrained practice of submitting narrative concept papers that serve as research and budget proposals, and introduced the use of a format that required a more exacting presentation and justification of the project, including milestones, timelines, outcomes, and detailed budget requirements. Dr. Jay proceeded to review more meticulously these project proposals, many times directing that they be improved or revised, or recommending they be denied, on justifiable grounds.

This oversight function of Dr. Jay substantially heightened the concern of our lawyers and REPS towards creating more impactful research proposals and timely completion of their outputs. He was thus responsible for a re-thinking of the function of the UP Law Center as the research arm of the UP College of Law.

He also actively worked with the undersigned in the formulation of the Honorarium Guidelines of the College that sought to rationalize the payment of honoraria and bring to fore the concepts of double compensation, regular work versus special projects, and the integrity of work for its own sake.

As Executive Associate Dean, Dr. Jay took over the administration of a host of day-to-day operations of the UP Law Complex. He engaged the issues of budget, human resources, health protocols arising from the pandemic, work arrangements for the staff, relief for covid19 patients, and UPD representation in behalf of UP Law.

Designated as the Quality Management Representative (QMR) of the UP Law Complex, Dr. Jay helped managed the processes, outputs, and documentation of the Law Complex that eventually led to its successful third party audit and ISO 9001:2015 certification late last year.

During this entire time, Dr. Jay continued as the Director of the Institute of Maritime Affairs and the Law of the Sea (IMLOS), a position he has held since 2013. The IMLOS not only maintained its leadership position as the primary consultant of many government agencies on the law of the sea, but managed to even close a substantial research grant from an international funding facility in 2019. The lawyers of the IMLOS are sought-after speakers and participants in international conventions, consultations, and briefings, obviously engendered by the leadership and reputation of Dr. Jay.

The LL.M Program of the College of Law opened successfully in August 2019 under the direction of Dr. Jay. The Program would reap commendations from all sectors on account of academic content and effectiveness of the faculty, all of which Dr. Jay supervised and for which he provided guidance and direction.

Administrative capability partakes of the ability to identify systemic problems, formulate new systems, and ensure their implementation. In that, Dr. Jay is clearly qualified. One cannot argue with results.

Filipino Citizen/ Must be willing to serve

Dr. Jay is Filipino. His record of service is irrefutable. He serves not only UP, but is in the service of the nation in his work on territorial issues affected by the law of the sea.

Must consider resource generation an important function of the position

Dr. Jay is in the business of resource generation. The IMLOS under his administration enters into partnerships for research grants, providing income to the lawyers and staff, as well as administrative fees to the College and the University.

He also assists the Dean in engaging the alumni of the College into providing substantial support for the non-academic staff of the College, as well as the medical benefits of its faculty.

Dr. Jay is well aware of all the fund drives undertaken by the College for its scholarship program and other needs. He and I have been planning and discussing the institutionalization of the Alumni Relations Office (ARO) as the unit to establish an endowed fund for the needs of the College, particularly for scholarships and students welfare. The total funds directly solicited from the alumni the past 3 years is estimated at over P25Million.

WHY DR. JAY IS THE BEST CANDIDATE FOR DEAN OF THE COLLEGE OF LAW

Dr. Jay is ready and prepared to take over the undersigned with the least disruption and need for transition in the operations of the College. He is the person the outgoing Dean has worked with most closely in all aspects of the current administration. Dr. Jay is aware of the magnitude of the responsibility of the deanship, and has deep understanding and appreciation for all the systems changes that have been introduced in the College guided by the values of transparency and good governance.

He will of course introduce his own brand of leadership when selected, and craft his own means and points of emphasis to further strengthen the academic fiber of the College; build a more competent and competitive faculty; and, ensure the upgrading of employee benefits and the facilities of the College.

Dr. Jay is intelligent, quick to address problems, and has the seasoning of a lawyer who has been in practice over 28 years. He has faced and deliberated with high ranking officials here and abroad on sensitive issues pertaining to security and national interest; managed the IMLOS the past 7 years with much success as measured by its reputation and ever increasing workload; and has grown mature together with many of our colleagues in the faculty of the College of Law. He is acceptable to the students, faculty and staff, and enjoys ascendancy over most of the faculty and lecturers of the College numbering over 160.

I have no doubt that Dr. Jay L. Batongbacal will make an excellent Dean of the UP College of Law, to which office he will bring the honor of his national reputation as a lawyer of honor and excellence.

Thank you very much.

Very truly yours,



Fides C. Cordero-Tan
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