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The Financial Times Innovative Lawyers Global Legal Hackathon Challenge



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Hispanic Dispute Resolution Centre (ADR) in London



UK trade with Spanish-speaking countries amounts to approx £70bn. With travel restrictions set to continue for the foreseeable future, and increased international litigation in Spanish-speaking countries, we are developing a virtual Spanish mediation and arbitration centre in London via our offices based in the Strand.

We have a list of bilingual Spanish and English-speaking lawyers, comprising barristers, solicitors, arbitrators, mediators and abogadas/abogados, as well as former judiciary with an expertise in international arbitration in different markets. We believe that ADR in London provides a tested solution and an opportunity for faster dispute resolutions which to avoid the issues that arise from traditional litigation. The team members organising the Centre are bilingual, which will facilitate the procedure and ensure the smooth handling of the ADR processes from start to finish.

The Del Canto Chambers team



Leon Fernando del
Canto
*Head of Chambers,
Barrister and Abogado*



Josep Galvez
*International
Arbitration, European
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Julio Prieto
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Chenxiao Hu
*Spanish Qualified
Lawyer and Legal
Engineer*

The project



The basis of this project is to give both English and Spanish-speaking clients, who have been affected by the COVID-19 pandemic from a business perspective, an excellent opportunity to resolve their disputes through a dynamic, flexible and economically competitive system.

The background



Spain is the UK's 7th largest trading partner (50.4£bn). Meanwhile, Latin America's largest and fastest-growing economies, including México, Chile and Colombia are major opportunities for post-Brexit world trade. Under the current situation, disputes will increase on many fronts between these countries. The judicial system in these Spanish-speaking countries are on the verge of collapse and in the UK, the delaying of court cases is starting to raise serious concerns.

The solution



“Commercial mediation and arbitration remains the preferred dispute resolution procedure for international transactions and London is the most reputable seat for Alternative Dispute Resolutions. An analysis of 2018 statistics from six major international arbitral bodies shows that only those based in London saw increases in both new case numbers and appointments of arbitrators”

-- **James Clanchy**, Lexis®PSL Arbitration

The beneficiaries



The Center is intended to help affected businesses avoid ordinary litigation before the Courts (time and money are again the main concerns here) by choosing a specialized arbitration institution that will manage their cases with a list of well-known arbitration experts.



The cases and the experts



The Anglo-Spanish Commercial Arbitration Center cases would be managed by litigation and arbitration experts in both Common Law and Continental Law, sharing the knowledge they possess in their respective areas.

The main Arbitration Center



In light of the ongoing COVID-19 outbreak, despite the current situation, the need for flexible centres for mediation and arbitration are in greater demand. Given its importance in the Arbitration sphere, London should be the Hispanic Arbitration Center's main seat.

The London Center



London's primary attractions include:

- Relative contractual certainty offered by English law.
- Reliability, neutrality and impartiality of the English judiciary.
- Support for the arbitral process offered by English courts and the Arbitration Act 1996.
- UK's position as a signatory to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958 (New York Convention).

The virtual hearing - Checklist



Scheduling and timings.

Agree on the timetable and bear in mind any different time zones.

List of participants.

Draw up and circulate a list fully identifying all participants.

IT specifications.

Prepare the technology and equipment needed to facilitate the smooth running of proceedings.

Remote hearing platform.

Agree on a choice of virtual platform.

Document sharing platform.

Ensure that all documents are available in digital form and agree a platform for securely storing and transmitting electronic documents and other files.

Pre-hearing testing.

Conduct tests in advance to ensure compatibility and to minimise technical problems.

Thank you



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