

Lisbon qualified as a safe seat of arbitration in the Guide to Arbitration Places by Delos Dispute Resolution

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Among other reputed arbitral institutions, Delos Dispute Resolution was founded back in 2014, and was introduced as an arbitral institution devoted to respond to the needs of businesses globally for time and cost efficiency in the resolution of disputes through arbitration.

Considering that the seat of the arbitration is one of the most consequential aspects of this particular dispute resolution method, Delos intended to provide its users the information and tools necessary for a conscious choice.

In its efforts to assist with such a choice, Delos recently launched the Guide to Arbitration Places (GAP).

The GAP is a user-friendly guide to the legal framework for arbitration in selected jurisdictions, providing in-house counsel, corporate lawyers, and arbitration practitioners with practical and effective insight into selecting arbitral seats and conducting arbitral proceedings. Significantly, the GAP brings home the point behind Delos Principle 2: «Safe seats, rather than any seat».

With contributions from 56 reputed law firms from around the world, and the editorial support of close to 70 experienced young practitioners, the GAP covers 54 national jurisdictions which Delos considers to be «safe seats» for international arbitration.

Unsurprisingly, Portugal features among those selected safe seats for international arbitration.

In light of the above, Moraes Leitão, Galvão Teles, Soares da Silva & Associados undertook to author the GAP chapter for Portugal, which benefited from the editorial review of «experienced young practitioners» Giulio Palermo and Maria Claudia Procopiak.

Finally, it is worth mentioning that the GAP provides an innovative feature to its user: a traffic light assessment of each jurisdiction.

Briefly, and as stated in the GAP's foreword by Maxi Scherer, whether a jurisdiction qualifies as a safe seat is based on six criteria including its (i) domestic legislation, (ii) judiciary, (iii) legal expertise, (iv)

rights of representation, (v) accessibility and safety, and (vi) ethics.

The traffic light system consists in the attribution of a traffic light for each criterion in regard to each jurisdiction. A “green” traffic light represents a positive review and a “yellow” traffic light indicates caution, while a “red” traffic light denotes an area with major difficulties. Importantly, Portugal received a green traffic light for all the criteria mentioned above.

The GAP Chapter for Portugal is available here: <https://delosdr.org/wp-content/uploads/2018/06/Delo-GAP-1st-edn-Portugal.pdf?pdf=GAP1-Portugal>

