

Administrative Resolution No. 22/22

Related to: Arbitration

Ref.: Disclosure of the composition of the Arbitral Tribunals established in the procedures administered by CAMARB

The President of CAMARB – Chamber of Business Mediation and Arbitration – Brazil, in the exercise of her powers provided for in the Bylaws^[1] and considering:

1. That it is the mission of this Chamber to offer and promote solutions for the extrajudicial resolution of business disputes with agility and efficiency, adopting best practices in the administration of procedures.
2. The principle of transparency, within the limits of confidentiality imposed by items 13.1^[2] of the CAMARB Arbitration Rules of 2019, 9.2^[3] of the CAMARB Labor Arbitration Rules and 10.2^[4] of the CAMARB Expedited Arbitration Rules.
3. The provisions of Article 13, §6^[5], of Law No. 9.307/96 (Arbitration Law), which provides for the independent, impartial and diligent performance of arbitrators.

Resolves that:

4. CAMARB will start publishing information regarding the composition of the Arbitral Tribunals established in the procedures it administers from the effective date of this Resolution mentioned in item 11.
5. The publication will be made on the CAMARB website (camarb.com.br), after signing the Arbitration Agreement, and will contain the following information:
 - i. fictitious number that does not correspond to the numbering assigned internally to the arbitration procedure;
 - ii. full name of the arbitrator;
 - iii. nationality of the arbitrator;
 - iv. if the arbitrator was appointed by one of the parties, by the parties jointly, by the co-arbitrators, by the CAMARB Board of Directors or through another hypothesis not provided for in this Resolution;
 - v. position that the arbitrator assumes in the Arbitral Tribunal (president/co-arbitrator/sole arbitrator);
 - vi. name of the administrative secretary of the Arbitral Tribunal, if any;
 - vii. date of signature of the Arbitration Agreement;
 - viii. status of the arbitration proceedings (active, suspended or terminated).
6. The following information will not be published:

- i. names of the parties involved in the procedure;
- ii. number assigned internally to the arbitration procedure;
- iii. names of the attorneys representing the parties;
- iv. other information not listed in item 5 of this Resolution.

7. Information will not be published unless either party expresses otherwise.

8. The party that does not agree with the disclosure of information about the composition of the Arbitral Tribunal must express its disagreement by means of a motion to be filed in the records of the respective arbitration procedure.

9. By accepting to act as an arbitrator in a procedure administered by CAMARB, the arbitrator agrees to the publication of the information listed in item 5 of this Resolution.

Notes:

10. The CAMARB Secretariat will periodically update information regarding the composition of the Arbitral Tribunals, both due to the establishment of new arbitration proceedings and when there are changes in said Tribunals, without disclosing the reasons for this.

11. This Resolution comes into force on the present date and applies to all procedures requested from that date.

^[1]Art. 19- Without prejudice to other duties provided for in this Statute, the President shall be responsible for:

g) issuing resolutions, regulations or acts on matters relating to the administration of CAMARB or procedures administered by it.

^[2]13.1. The arbitration procedure will be strictly confidential, and CAMARB, the arbitrators, other professionals involved in the case and the parties themselves are prohibited from disclosing any information to which they have access as a result of their work or participation in the process, without the consent of all parties, except in cases where there is a legal obligation to disclose and as provided in these rules.

^[3]9.2. The arbitration proceedings shall be strictly confidential, and CAMARB, the arbitrators, other professionals involved in the case and the parties themselves shall be prohibited from disclosing any information to which they have access as a result of their duties or participation in the proceedings, without the consent of all parties, except in cases where there is a legal obligation to disclose and as provided in these rules. In the event of item 3.8, the CAMARB Secretariat is authorized to inform the names of the parties, the subject matter of the dispute and its value to the professionals it intends to include in the list to be presented to the parties, for the purposes of prior verification of interest, availability, independence and impartiality.

^[4]10.2. The arbitration proceedings shall be strictly confidential, and CAMARB, the arbitrators, other professionals involved in the case and the parties themselves shall be prohibited from disclosing any information to which they have access as a result of their duties or participation in the proceedings, without the consent of all parties, except in cases where there is a legal obligation to disclose and as provided in these rules. In the event of item 3.8, the CAMARB

Secretariat is authorized to inform the names of the parties, the subject matter of the dispute and its value to the professionals it intends to include in the list to be presented to the parties, for the purposes of prior verification of interest, availability, independence and impartiality.

^[5] § 6 In performing their duties, the arbitrator must act with impartiality, independence, competence, diligence and discretion.

Belo Horizonte, November 11, 2022

Flavia Bittar Neves
President