

RESOLUTION n° 09/2021

The President of the Chamber of **Conciliation, Mediation and Arbitration CIESP/FIESP** (“Chamber Ciesp/Fiesp”), in the use of his attributions and powers conferred on section 4 (f) of the Chamber’s Internal Regulation¹, in order to confer greater transparency to the arbitral costs collection practices;

Considering the item 10.6 of the Arbitration Rules of the Chamber Ciesp/Fiesp (“Rules”), which verses on the treatment of the information revealed during the proceeding;

In light of article 37 of the Federal Constitution;

In light of the third paragraph of article 2 of the Federal Act 9.307/96², included by Federal Act 13.129/2015;

Considering that the Presidency’s Resolution, n° 3/2018, versed on the publicity in the proceedings involving the Public Administration;

Considering that the Chamber’s Superior Council discussed and deliberated on the update of the content of Resolution n° 3/2018, recognizing the need for the issuing of a new resolution by the Chamber’s Presidency;

Considering the positioning maintained by the Chamber’s Superior Council and the presented suggestions;

¹ Internal Regulation of the Chamber Ciesp/Fiesp, art. 4: “4. It shall rest on the President of the Chamber: [...] f) to issue procedural and complementary norms, aiming to settle doubts related to the application of this Regulation and other Chamber’s Rules in omission situations”.

² Federal Act 9.307/96, art. 2, §3º: “The proceeding that involves the public administration shall always be at law and will be subject to the principle of publicity”.



Resolves to clarify the application and interpretation of item 10.6 of the Rules concerning the proceedings involving the Public Administration:

1. It shall be published by the Chamber's Secretariat, on the Chamber's website: the existence of the proceeding, the date of the request for arbitration, the name of the Parties, and proceeding numeration.
2. Any additional information shall only be provided, to third parties, upon an enquiry of the Parties and Arbitral Tribunal, in observance of the applicable legal provisions.
3. The Chamber is authorized, by the Parties and Arbitral Tribunal, to publish the arbitral award on its website, periodicals, and academic materials, unless otherwise expressly manifested by either of the Parties.
4. In case the proceeding is terminated, or the Arbitral Tribunal has not yet been constituted, it shall rest on the Chamber's President to decide on the request of access to the acts and content of the proceeding involving the Public Administration.

This Resolution becomes immediately effective, except for the specific provisions stipulated by the Parties in the given case. The present Resolution revokes, in its entirety, the Presidency's Resolution n° 3/2018.

Sydney Sanches
Chamber President