

THE CHAMBER OF CONCILIATION, MEDIATION AND ARBITRATION

CIESP FIESP

PRESIDENT

SYDNEY SANCHES

FORMER JUSTICE AND CHIEF OF
THE FEDERAL SUPREME COURT

VICE-PRESIDENT

ELLEN GRACIE NORTHFLEET

FORMER JUSTICE AND CHIEF OF
THE FEDERAL SUPREME COURT

CENTER

- ▶ Established in **1928**;
- ▶ Over **8000** associated industries;
- ▶ It offers various types of services, such as consultancy in legal, environmental, foreign trade, infrastructure, etc.

FEDERATION

- ▶ Established in **1931**;
- ▶ Encompasses **130** thousand industries, responsible for **40%** of the Brazilian GDP;
- ▶ Legislative power to represent the industries in its administrative area;
- ▶ Represents the industry in various sectors, such as culture, agricultural business, economy, sport, commerce, law, etc.

CIESP

248932



MICROFILME N.º

REGISTRO CIVIL DAS PESSOAS JURÍDICAS - SÃO PAULO

1995

ATA DA REUNIÃO DA DIRETORIA EXECUTIVA DO CENTRO DAS INDÚSTRIAS DO ESTADO DE SÃO PAULO, REALIZADA NO DIA 22 DE MAIO DE 1995, ÀS 16:00 HORAS, PARA O FIM ESPECIAL DE DELIBERAR E VOTAR SOBRE A CONSTITUIÇÃO DA CÂMARA DE MEDIAÇÃO E ARBITRAGEM, CONSOANTE O DISPOSTO NO ARTIGO 1º, INCISO XII DOS ESTATUTOS DO CENTRO DAS INDÚSTRIAS DO ESTADO DE SÃO PAULO.

Aos vinte e dois dias do mês de maio de 1995, na sede social, na Avenida Paulista 1313, 15º andar, às dezesseis horas, reuniu-se a Diretoria Executiva do Centro das Indústrias do Estado de São Paulo sob a presidência do Senhor Carlos Eduardo Moreira Ferreira, presidente. Abrindo os trabalhos esclareceu que a Diretoria Executiva fora convocada, nos termos do artigo 15, incisos I e II, mediante convocação expressa da Presidência, para o fim especial de deliberar e votar a constituição da Câmara de Mediação e Arbitragem consoante disposto no artigo 1º, inciso XII dos Estatutos. A seguir, após verificar a lista de presenças, convidou o Senhor Roberto Nicolau Jeha, para secretariar os trabalhos e o Senhor Daniel Sahagoff, Diretor Titular do Departamento Jurídico, para auxiliar a mesa dirigente dos trabalhos. Instalada a mesa, o Senhor Presidente expôs aos presentes os objetivos da convocação da reunião, e a seguir passando ao exame da pauta da reunião, determinando a leitura da convocação, a saber: proposta da constituição da Câmara de Mediação e Arbitragem, que se regerá por normas próprias e autônomas. Após a leitura o Senhor Presidente salientou que: os institutos jurídicos da mediação e arbitragem estão previstos na nossa legislação, nos artigos 1025 a 1036 e 1037 a 1048 do Código Civil Brasileiro e no Código de Processo Civil artigos 1072 a 1102; é dever de toda a sociedade civil colaborar na administração da Justiça; os meios extrajudiciais de solução de controvérsias devem ser incentivados e difundidos; a utilização da mediação e arbitragem é prática universal e muito contribui para minimizar os problemas que afligem a Justiça Estatal, tais como o volume de ações e a morosidade da Justiça; a instituição da Câmara de Mediação e Arbitragem com a finalidade de administrar mediações e arbitragens propiciará que os objetivos acima preconizados sejam alcançados. Em seguida o Senhor Presidente passou a palavra ao Senhor Daniel Sahagoff, Diretor Titular do Departamento Jurídico, que procedeu a leitura da proposta de Denominação: Câmara de Mediação e Arbitragem de São Paulo, Normas de Funcionamento da Câmara de Mediação e Arbitragem e do

Chamber Ciesp/Fiesp was founded on
May 22, 1995.

"After the reading, Mr. President pointed out that the legal institutions of mediation and arbitration are provided for in our legislation [...]. It is the duty of all civil society to collaborate in the administration of Justice, the extra-judicial means of resolving disputes must be encouraged and disseminated; the use of mediation and arbitration is a universal practice".



Carlos Eduardo Moreira Ferreira



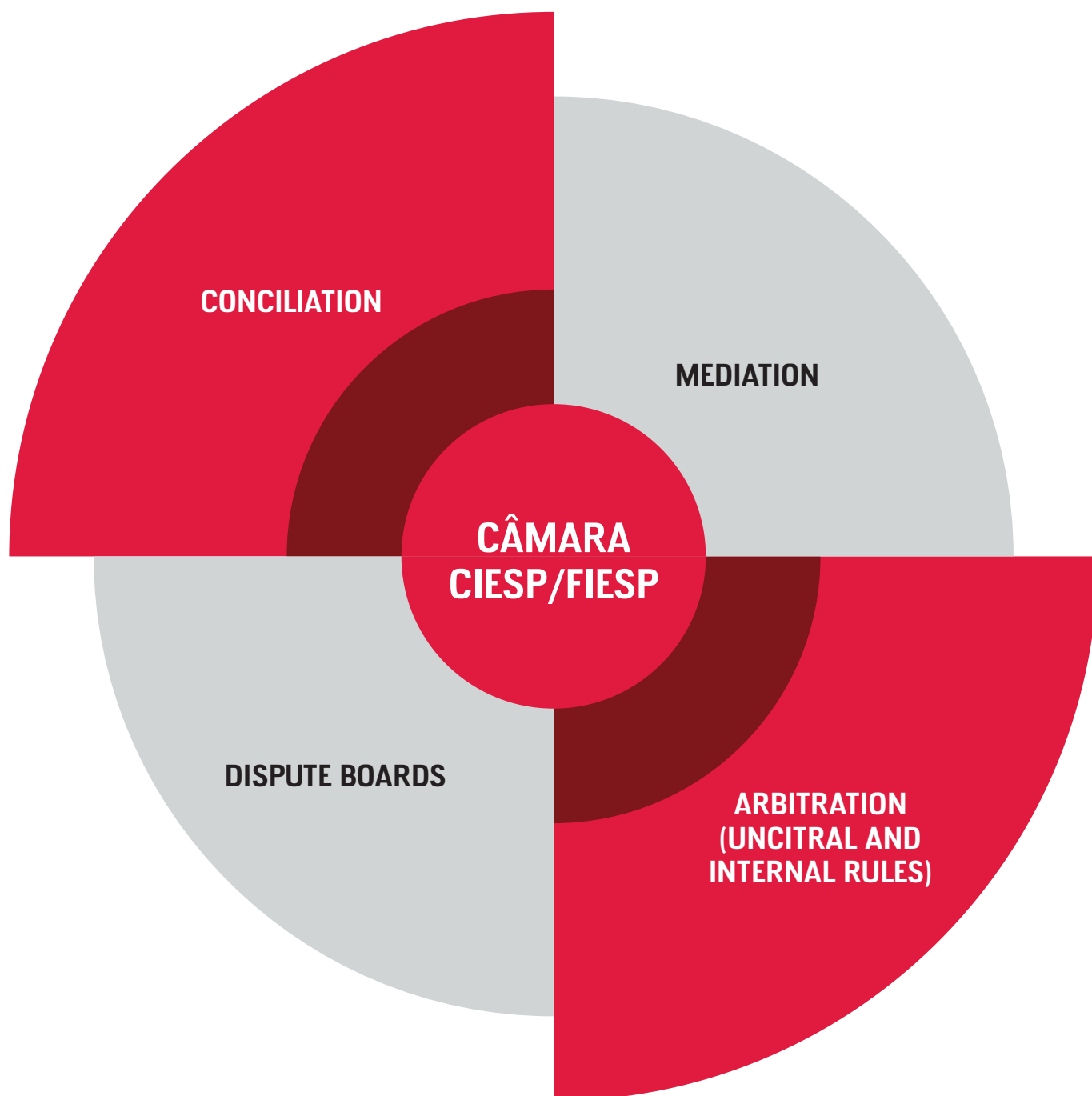
Roberto Nicolau Jeha

548845



SERVICES AND PRACTICE

SERVICES OFFERED BY THE CHAMBER



THE FEATURES OF THE CHAMBER

Modern arbitration, mediation and dispute board rules that are national references, with international recognition.

Experienced team with all the lawyers of the Secretariat fluent in English, for the active and safe management of the cases.

List of arbitrators and mediators, counting with, national and international, household names in the legal and dispute resolution scenarios.

Code of ethics.

Ciesp/Fiesp management
formula – Tailor-Made

Flexible rules and adaptable to the specific case

Centralization of the filing
and record of the proceeding.

Maintenance of the confidentiality
of the proceedings

Dispatch of Notifications
and Communications

Administrative support to all involved agents

Organization of hearings:

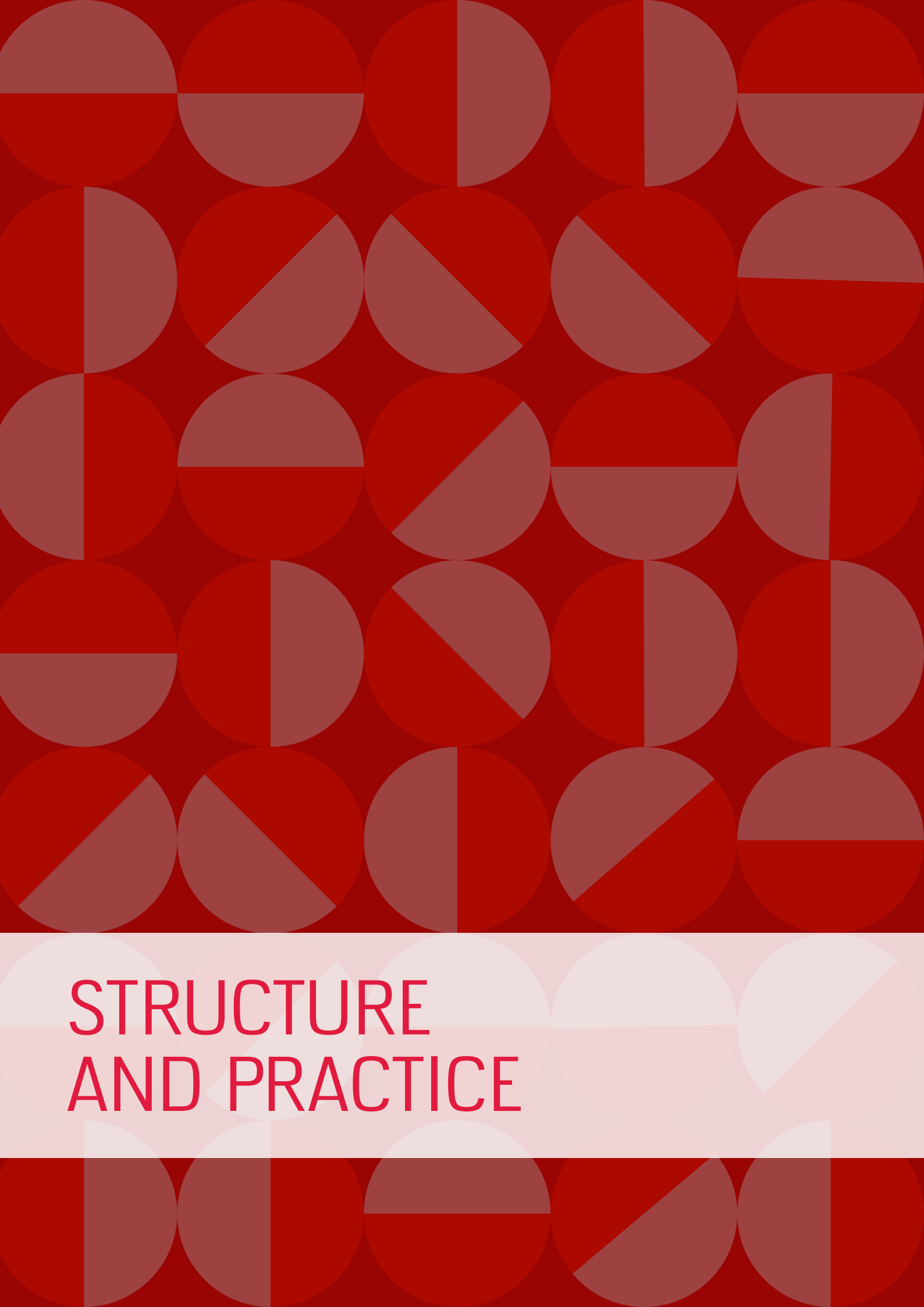
- Meeting room reservation
- Transcription
- Simultaneous translation
- Organization of the case files
- Summons of witnesses

Monitoring of the fund of expenses and
of the advance of the Arbitrator's fees
in cases by hourly rate (up to R\$8M)

Deadline monitoring

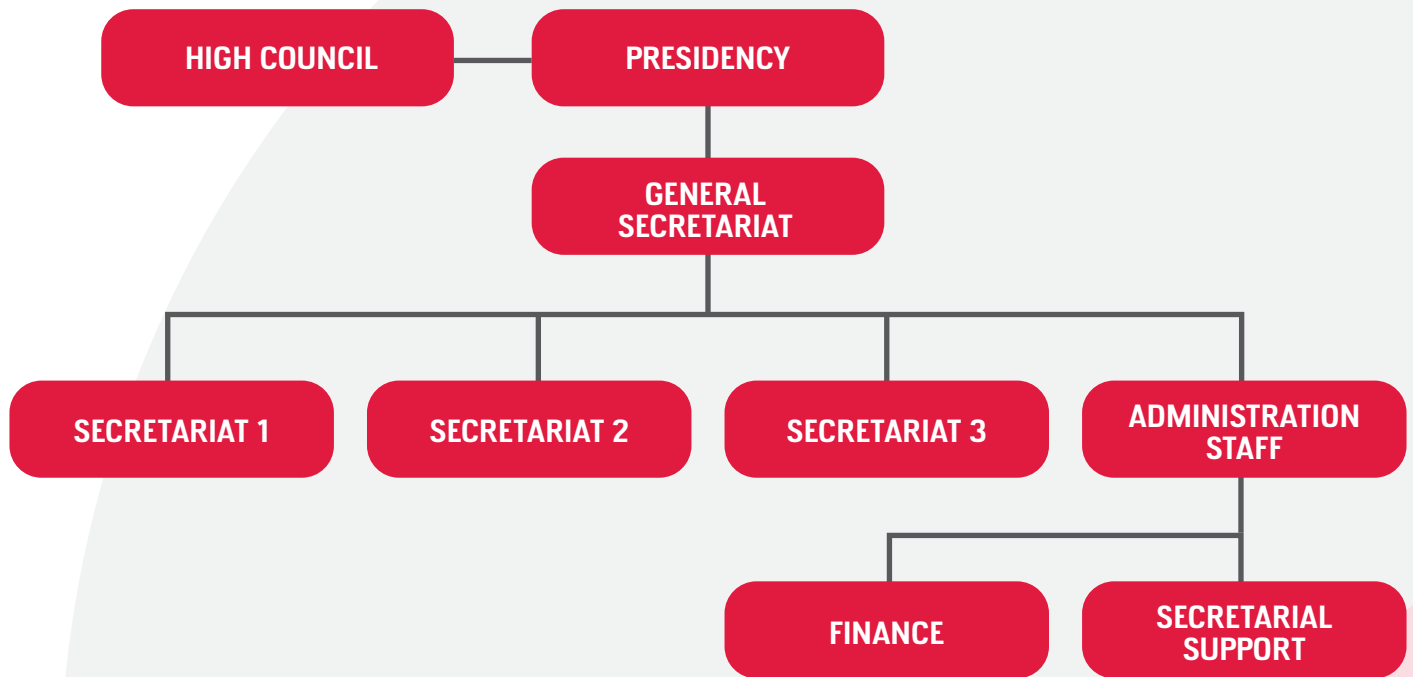
STATE-OF-THE-ART HEARING CENTRE





STRUCTURE AND PRACTICE

CHAMBER ORGANIZATION CHART



PRESIDENCY

Sydney Sanches

President

Ellen Gracie Northfleet

Vice-President

GENERAL SECRETARIAT

Lilian Elizabeth Menezes Bertolani

Secretary General

Jéssica Cacique de Araujo

Deputy Secretary General

Roberto Miller Feliciano

Legal and Commercial Advisor

HIGHER COUNCIL

Kazuo Watanabe

President of the Higher Council

José Carlos Margalhões

Vice-President of the Higher Council

COUNCILORS

Ada Pellegrini Grinover
"in memorian"

Adriana Braghetta

Adriana Noemi Pucci

Antonio Corrêa Meyer

Carlos Alberto Carmona

Debora Visconte

Eduardo de Albuquerque Parente

Fernanda Rocha Lourenço Levi

Giovanni Ettore Nanni

Hélcio Honda

Hermes Marcelo Huck

Luiz Fernando Longi

Martim Della Valle

Paula Andrea Forgioni

Pedro Antonio Batista Martins

Selma Maria Ferreira Lemes



NUMBERS OF THE CHAMBER 2021

NUMBER OF CASES

In its 26 years of practice, by the end of 2021, the Chamber had administered **752** proceedings among arbitration, mediation and dispute resolution boards.

In December 2021, the Chamber currently had **125** arbitration proceedings, **42** mediations and **1** dispute resolution board.

NUMBER OF CASES

Throughout 2021, the Chamber administered **125** arbitration proceedings (**111** by the Chamber's rules, **12** by the UNCITRAL rules and **1** by the expedited proceeding rules), **42** mediations and **1** dispute resolution board. As to the first two, **6** ongoing arbitration proceedings, **1** filed proceeding and **1** mediation have, as one of the parties, entities of direct or indirect Public Administration.

In 2021, **35** arbitration proceedings, **42** mediations and **1** dispute resolution board were commenced in the Chamber Ciesp/Fiesp.

VALUE TICKET OF THE CASES

The average value of the ongoing arbitration proceedings amounted in **R\$ 27.026.768,75**, and the highest amounted in **R\$ 450.000.000,00**.

The average value of the ongoing common procedure meditations amounted in **R\$ 6.361.682,89**, and the highest amounted in **R\$ 150.000.000,00**.

The lowest value in the mediation proceedings was of **R\$ 7.683,46**.

PARTIES

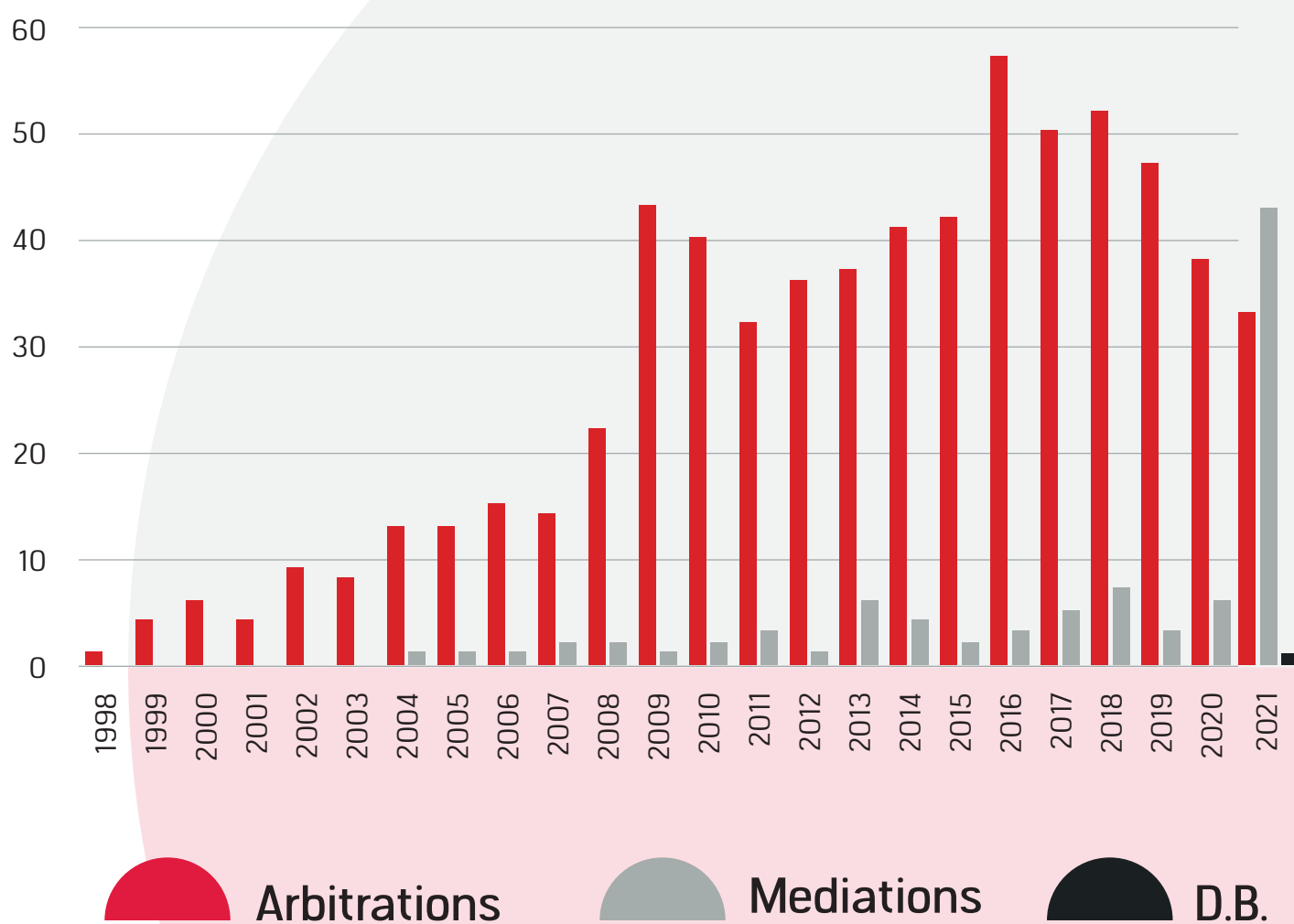
The percentage of multiparty arbitration proceedings, on ongoing in 2021 cases, was of **42,4% (53 cases)** and in the proceedings commenced in 2021, amounted **54% (19 cases)**.

The percentage of individual arbitration proceedings, on ongoing in 2021 cases, was of **20% (24 cases)** and in the proceedings commenced in 2021, amounted **34% (12 cases)**.

NEW CASES INITIATED EVERY YEAR

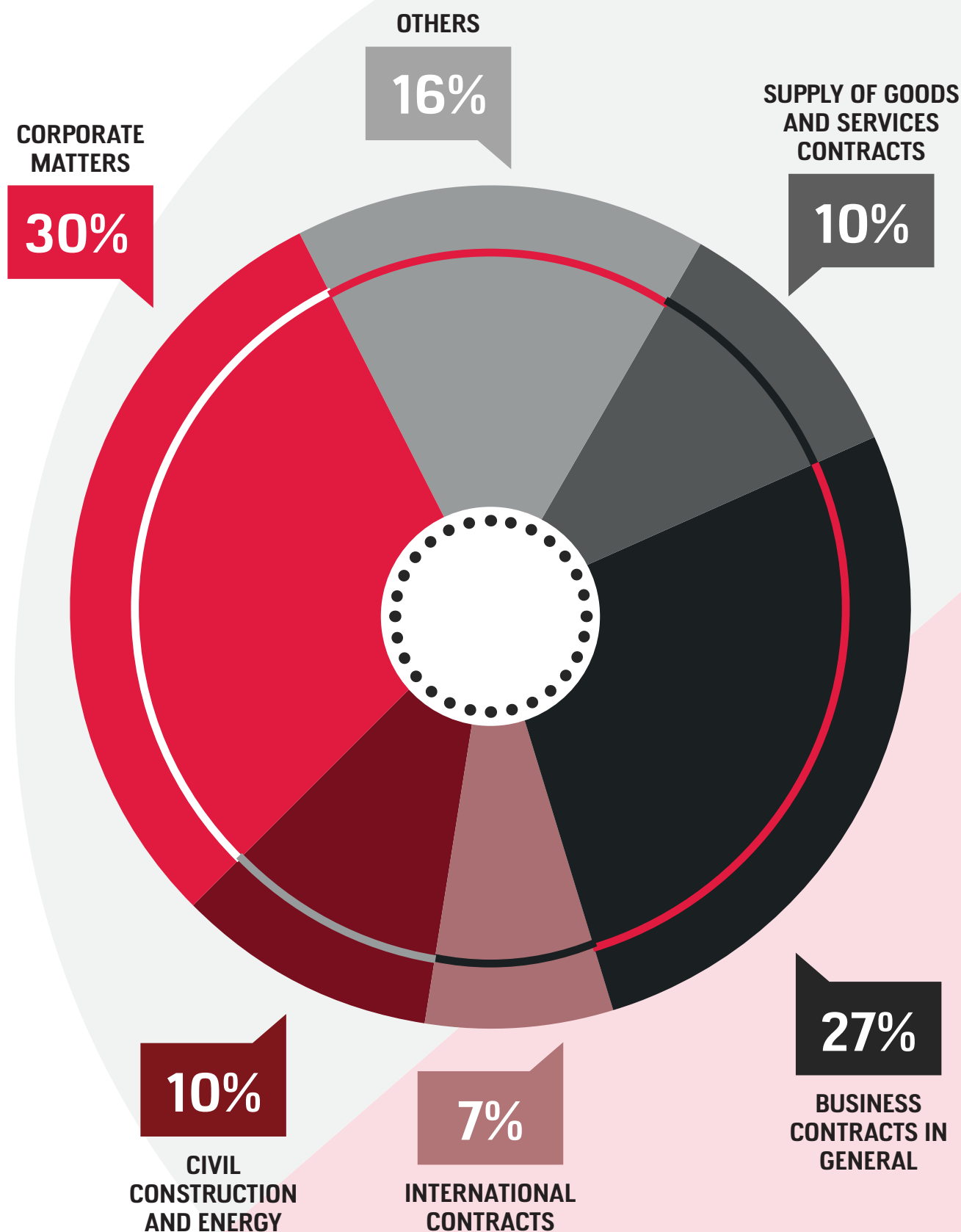
YEAR	ARBITRATION	MEDIATION	D.B.	TOTAL
1998	1			1
1999	4			4
2000	6			6
2001	4			4
2002	9			9
2003	8			8
2004	13	1		14
2005	13	1		14
2006	15	1		16
2007	14	2		16
2008	22	2		24
2009	43	1		44
2010	40	2		42
2011	32	3		35
2012	36	1		37
2013	37	6		43
2014	41	4		45
2015	42	2		44
2016	57	3		60
2017	48	6		54
2018	52	7		59
2019	48	3		51
2020	38	6		44
2021	35	42	1	78
TOTAL	658	93	1	752

NUMBER OF CASES FROM 1998 TO 2021



MAIN SUBJECTS DISCUSSED IN THE ARBITRATION PROCEEDINGS INITIATED IN 2021

CASES 2021 – ARBITRATION PROCEEDINGS BY THE MERITS OF THE DISPUTE



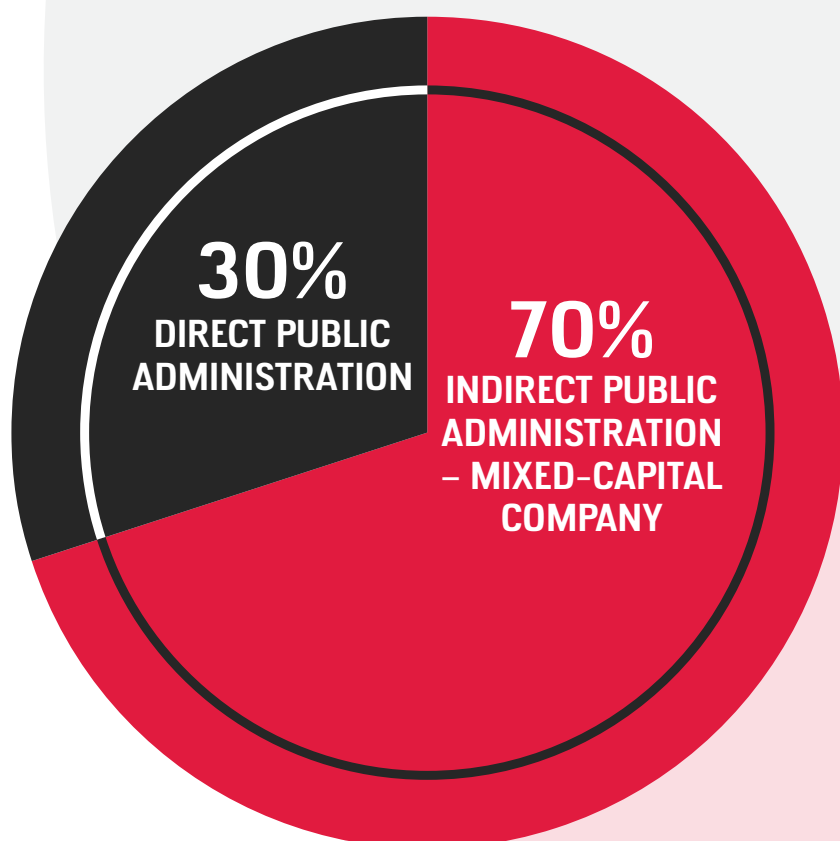
ONGOING ARBITRATION PROCEEDINGS WITH PUBLIC ADMINISTRATION ENTITIES

5 ongoing cases throughout 2021

Average value of **R\$ 186.559.412, 20**

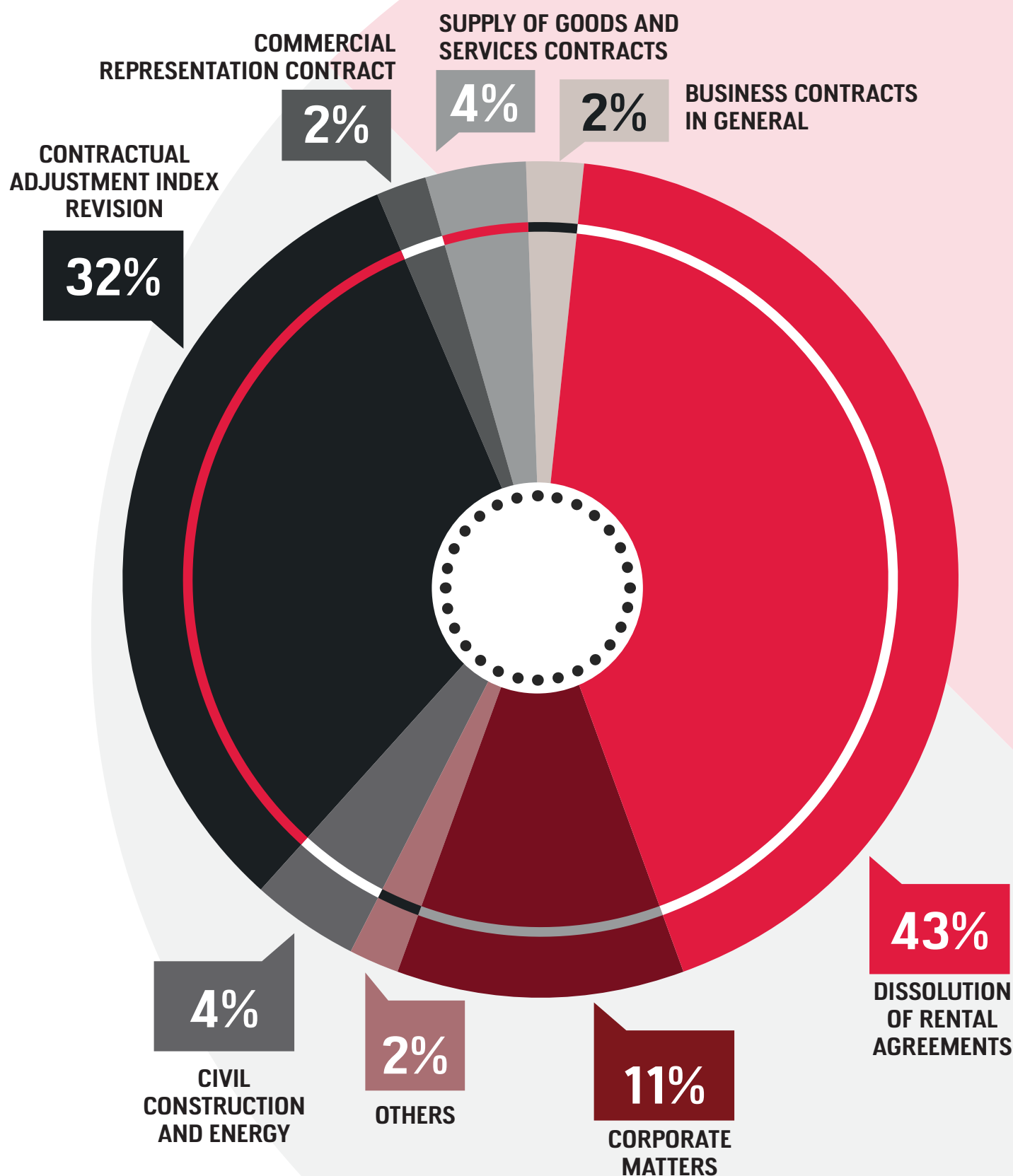
Highest value **R\$ 500.000.000,00**

Total value **R\$ 932.797.061,00**

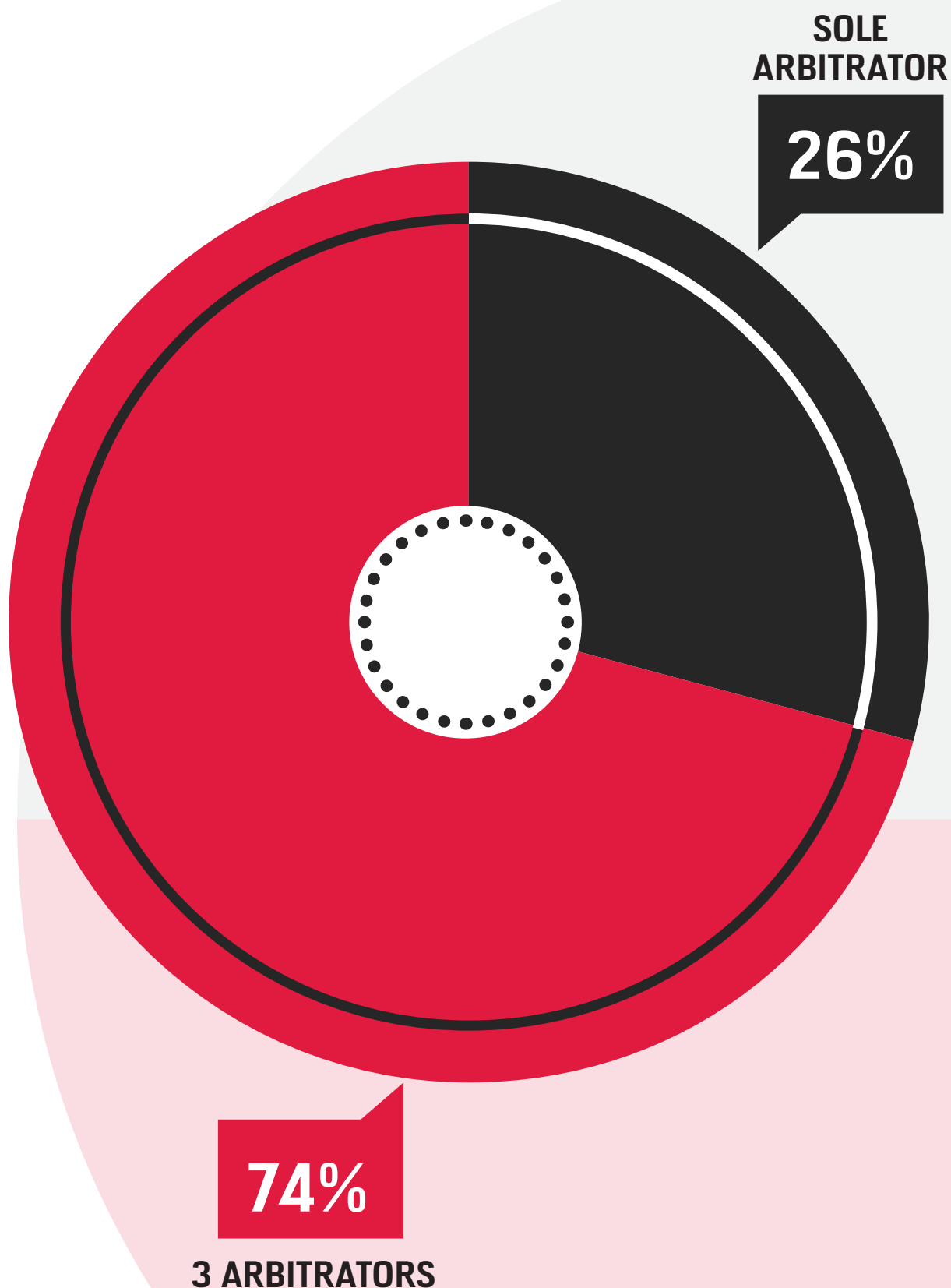


MAIN SUBJECTS DISCUSSED IN THE MEDIATION PROCEEDINGS INITIATED IN 2021

CASES 2021 – MEDIATION PROCEEDINGS BY THE MERITS OF THE DISPUTE



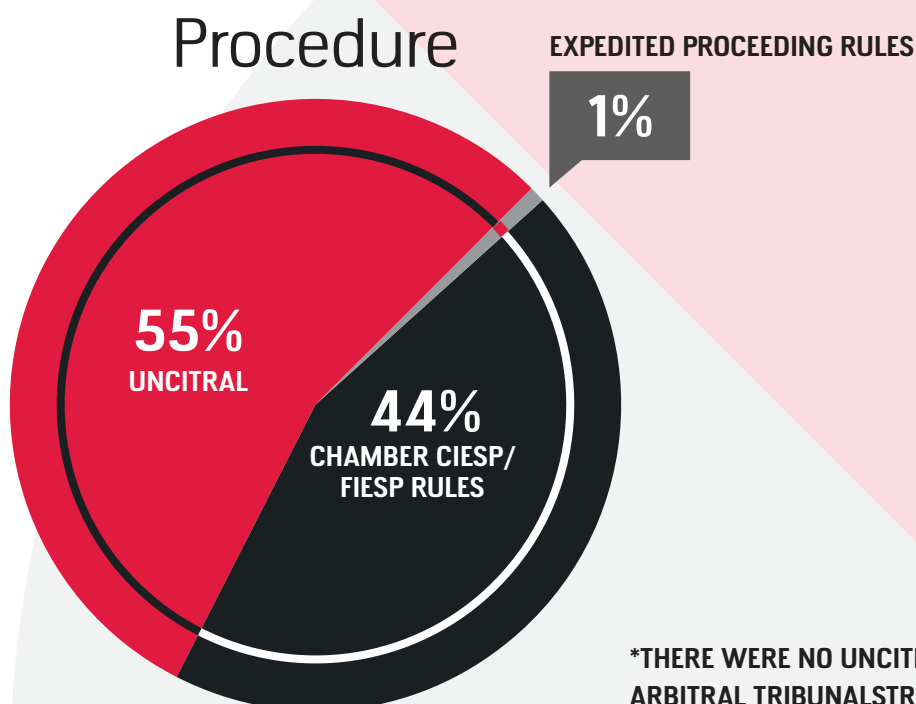
COMPOSITION OF THE ARBITRAL TRIBUNAL IN THE ONGOING CASES OF 2021



COMPOSITION OF THE ARBITRAL TRIBUNAL IN THE ONGOING CASES OF 2021

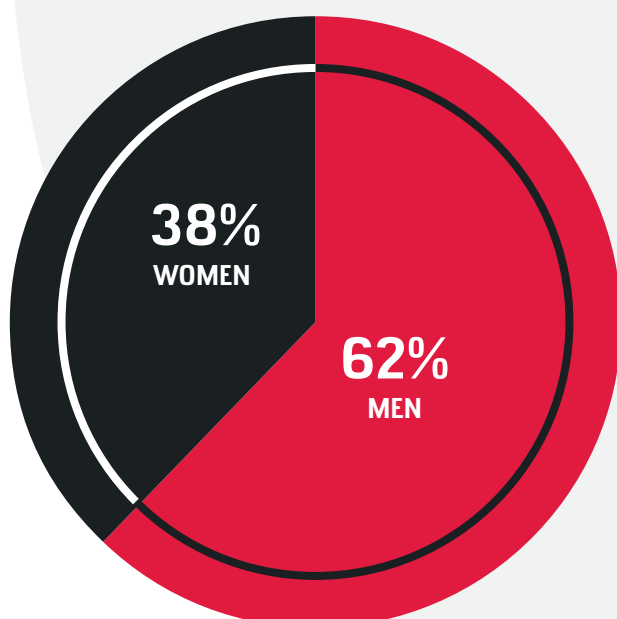
Sole arbitrator

Procedure



*THERE WERE NO UNCITRAL CASES IN THE TRIUNE
ARBITRAL TRIBUNALSTRINOS

Gender

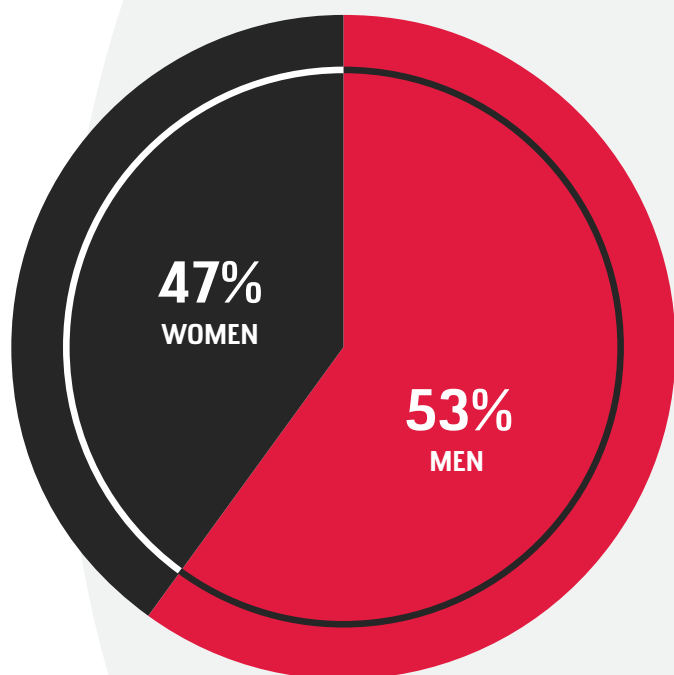


COMPOSITION OF THE ARBITRAL TRIBUNAL IN THE ONGOING CASES OF 2021

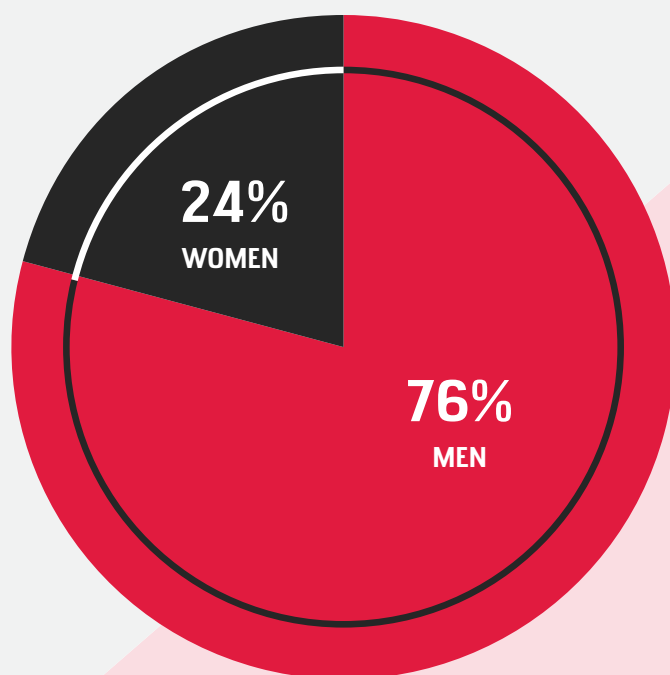
100% of the cases used the
Chamber Ciesp/Fiesp rules

Gender Division:

Presiding Arbitrators



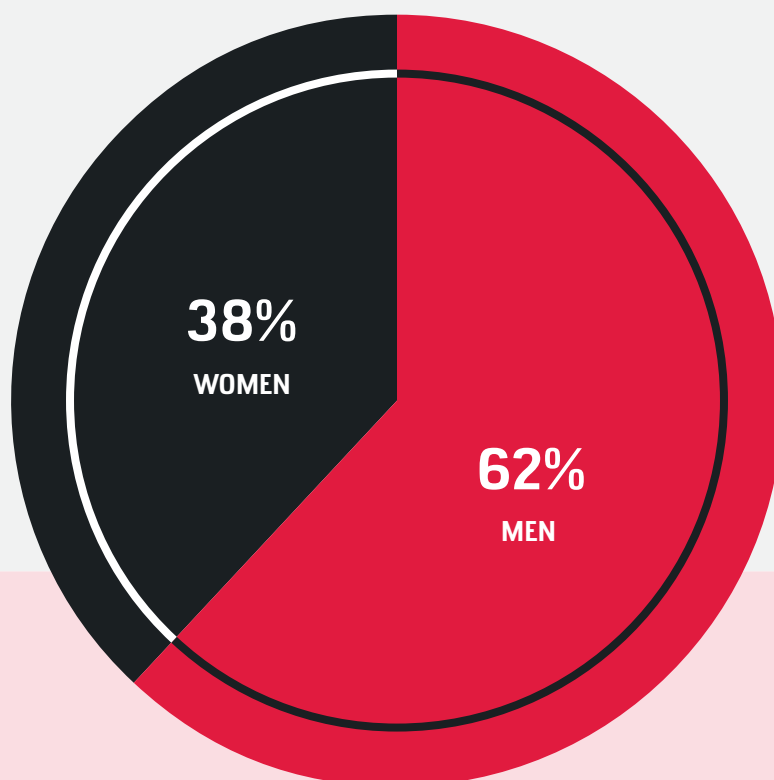
Co-Arbitrators



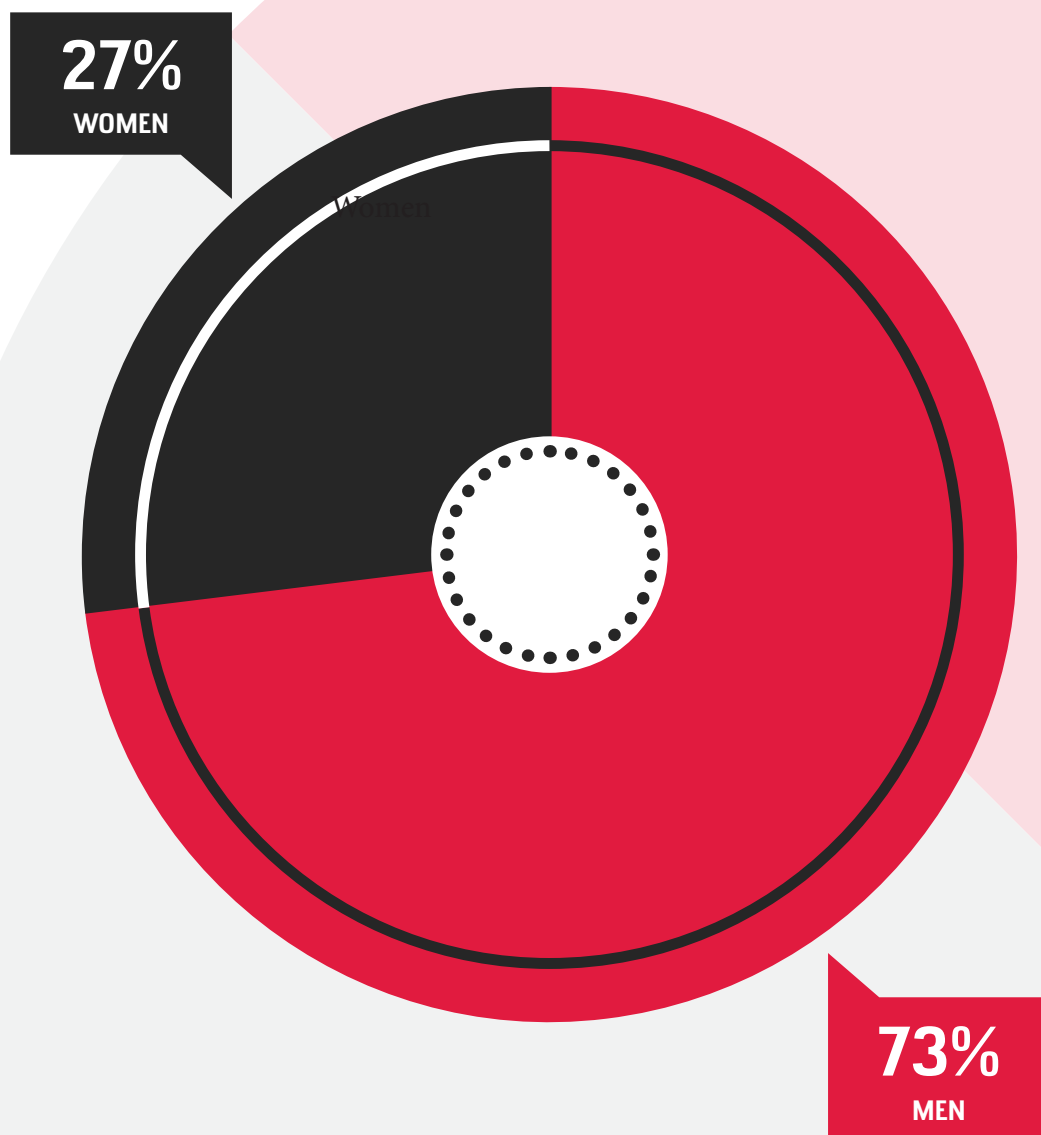
COMPOSITION OF THE TRIBUNAL FOR SOLE ARBITRATOR

100% of the cases used the
Chamber Ciesp/Fiesp rules

Gender division:



GENDER DIVERSITY ON THE TOTAL NUMBER OF ARBITRATORS IN THE ONGOING PROCEEDINGS OF 2021



AVERAGE TIME OF RESOLUTION OF THE ARBITRAL PROCEEDINGS

Cases with no need of Experts

19 months after the signature of the term of reference and **25** months as of the distribution.

The average time of duration of the Arbitral proceedings were:

- 2** years, as of the signature of the term of reference;

- 2** years and **5** months, as of the distribution.

* The most expeditious case was concluded in **44 dias** from the signature of the term of reference.

CERTIFIED USERS



Federal Attorney General;
Federal Consultant General, Core Expertise in Arbitration



PGE
Procuradoria Geral
do Estado de São Paulo

Attorney Geral of the State of São Paulo



RECOGNITIONS





📍 Brazil

📁 Arbitration centers

Ranking 2021

Dispute resolution

Excellent

1

CÂMARA DE CONCILIAÇÃO,
MEDIÇÃO E ARBITRAGEM
CIESP/FIESP

Sydney Sanches



Regional Arbitration Centres - Latin America & The Caribbean

Guide to Regional Arbitration (volume 9 - 2021)

Chamber of Conciliation Mediation and Arbitration of São Paulo (CIESP/FIESP)

23 April 2021



CÂMARA DE
CONCILIAÇÃO,
MEDIÇÃO E
ARBITRAGEM
CIESP FIESP




PRACTICE IN INTERNATIONAL CASES



Experience in the administration of cases governed by the UNCITRAL Arbitration Rules

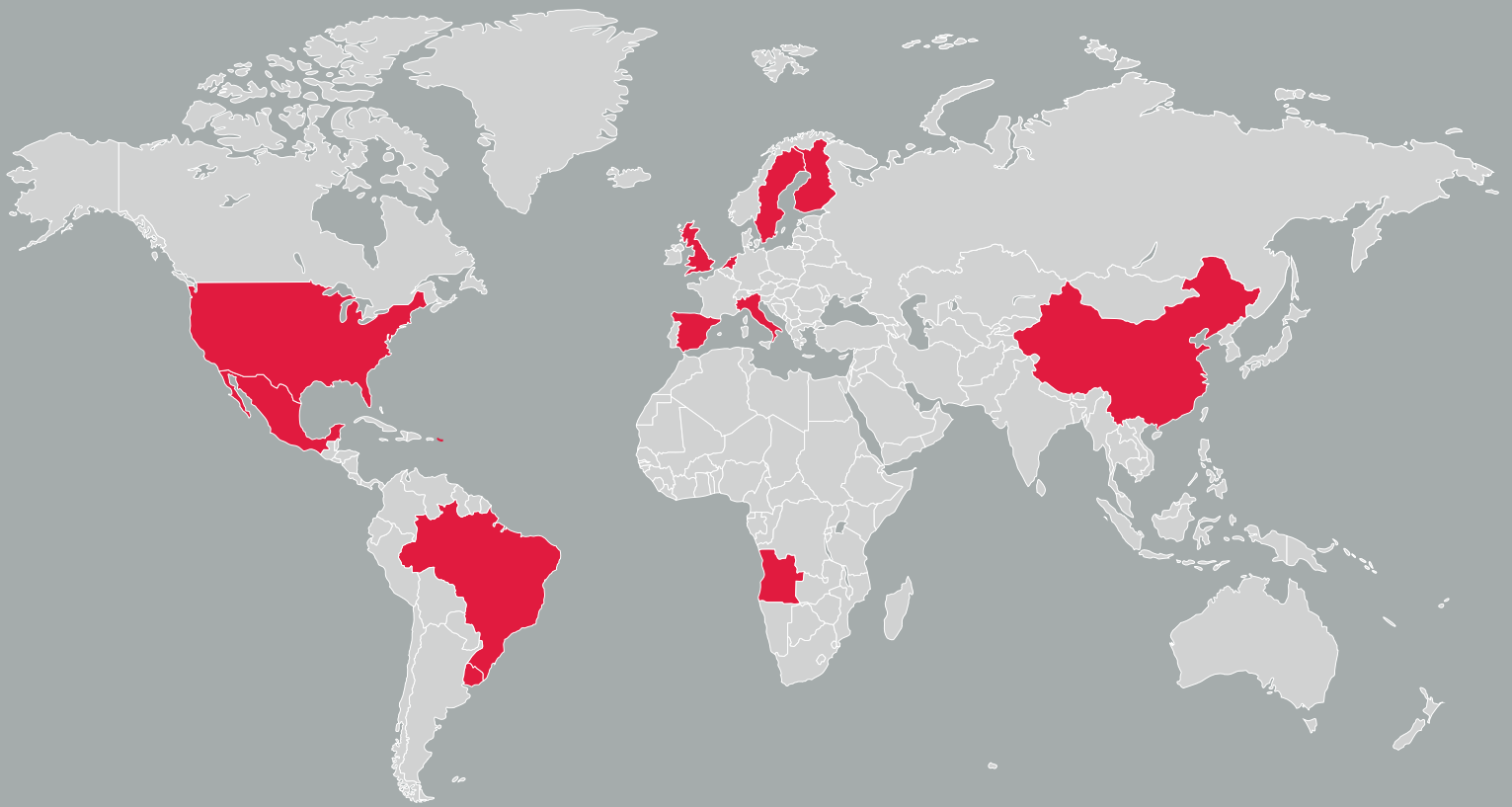


Instructed and capable team to conduct proceedings in English and Spanish



Structure for simultaneous translation and holding of virtual hearings

PARTIES OF 14 COUNTRIES



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Jéssica Cacique de Araújo
Deputy Secretary General

Roberto Miller Feliciano
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