



RESOLUTION 15/2025

Provides updates to the Questionnaire for Verification of Arbitrator's Conflicts of Interest and Availability.

The President of the Ciesp/Fiesp Chamber of Conciliation, Mediation, and Arbitration ("Ciesp/Fiesp Chamber"), exercising the powers conferred upon him by item 4(f) of the Ciesp/Fiesp Chamber's Internal Regulations, and aiming to enhance support for arbitrators in fulfilling their duty of disclosure.

Considering:

- a) The provisions of articles 13, § 6, and 14, § 1, of Law 9.307/1996.
- b) Item 7.2 of the Arbitration Rules of the Ciesp/Fiesp Chamber;
- c) The continuous commitment to improving the Chamber's normative acts; and
- d) The deliberations of the Chamber's Thematic Council and the suggestions submitted.

Resolves:

Art. 1 Establish the new formulation of the "Questionnaire for Verification of Conflicts of Interest and Availability of Arbitrators" (Questionnaire), as per the terms of Annex I of this Resolution.

Art. 2 This Resolution enters into force on the date of its publication, with the new questionnaire effective as of February 1, 2025.

São Paulo, January 26, 2025



THE CHAMBER OF
CONCILIATION,
MEDIATION AND
ARBITRATION

CIESP FIESP

Assinado por:

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Sydney Sanches

President of the Ciesp/Fiesp Chamber



ANNEX I

QUESTIONNAIRE FOR VERIFICATION OF CONFLICTS OF INTEREST AND AVAILABILITY

Arbitral Proceeding CMA [Number]

- I. According to articles 13, § 6, and 14, § 1, of Law 9.307, dated September 23, 1996, and in compliance with items 7.2 and 7.6 of the Arbitration Rules of this Chamber, you are invited to complete this Questionnaire.

- II. The completion of the Questionnaire must comply with the Chamber's Code of Ethics, observing the legal duty imposed on Arbitrators to disclose circumstances that may raise justified doubts regarding their impartiality and independence, a conduct that must be maintained throughout the proceeding.
 - a. When making disclosures, the Arbitrator must consider, from the perspective of a reasonable third party, the nature and relevance of the fact to be potentially disclosed concerning to the proceeding, without the need to record public information.
 - b. Whenever relevant, as per item (a) above, the Arbitrator must extend the conflict check to the professional organization they currently belong to or have belonged to in the past three (3) years.

- III. To answer to the Questionnaire, the following definitions apply:
 - a. Parties – the legal and/or natural persons constituting the Claimant and Respondent in the proceeding.
 - b. Related Persons – the legal and/or natural persons specifically identified by the Parties for extending the Arbitrator's conflict check due to their relevance to the case, by their effective interest/connection with the dispute.



- c. Counsel for the Parties – (i) the attorneys engaged by the Parties, identified in their respective submissions in defense of their interests in the arbitration; and (ii) the law firms to which the attorneys engaged by the Parties belong.

- IV. It is recommended to read the 'Guidelines of the Brazilian Arbitration Committee (CBAr) on the Arbitrator's Duty of Disclosure.'

General Information on the Arbitral Proceeding

General Information on the Arbitrator

1. Arbitrator's Qualifications and Contact:

Name:	
Nationality:	
Profession:	
Professional registration:	
Current professional organization:	
Professional address:	
Contact email:	
Specify whether fees as an arbitrator will be received through a legal entity or directly as an individual:	
Indicate whether the payment will be made via a bank account in Brazil or through a transfer abroad:	
Provide invoice data (Bank, Swift Code, Final Beneficiary, Branch Number, Account Number, Tax ID, IBAN, and Currency):	

2. Do you have the interest and availability to act diligently in the arbitral proceeding?

Answer:



Relationship of the Arbitrator with Parties, Related Persons, and Counsel for the Parties

3. Having been contacted by any of the PARTIES or RELATED PERSONS (directly or through counsel), did you form a preliminary judgment on the issue to be resolved in the arbitration?

Answer:

4. Have you ever acted, in any capacity or form, in defense of the interests of any of the PARTIES or RELATED PERSONS in the past three (3) years?

Answer:

5. Do you know any PARTIES or RELATED PERSONS involved in the proceeding? Which PARTY(IES) / RELATED PERSON(S), and what is or was the degree of the relationship?

Answer:

6. Have you ever been employed, a shareholder with significant participation, a director, a member of administrative/advisory bodies, or acted in any other capacity on behalf of any of the PARTIES or the mentioned persons or entities? If yes, please clarify.

Answer:

7. Have you had any business relationship with any PARTIES, RELATED PERSONS, and/or COUNSEL FOR THE PARTIES in the past three (3) years? If yes, please clarify.



Answer:

8. Has any member of your family (up to the third degree) or your company maintained any significant business relationships with any PARTIES, RELATED PERSONS, and/or COUNSEL FOR THE PARTIES in this arbitration in the past three (3) years? If yes, which family member(s) or company member(s)? With whom, when, and in what way?

Answer:

9. Have you served in the past three (3) years as an Arbitrator, Attorney, Assistant, Witness, or Expert in any arbitral or judicial proceeding involving any PARTIES, RELATED PERSONS, and/or COUNSEL FOR THE PARTIES? If yes, who was involved, and what were the subject matters, if possible to disclose?

Answer:

10. Have you issued more than three legal opinions at the request of any PARTIES, RELATED PERSONS, and/or COUNSEL FOR THE PARTIES in the past three (3) years? If yes, at whose request, when, and what were the subject matters, if possible to disclose?

Answer:

11. Have you been appointed as Arbitrator, Expert, Technical Assistant, or Technical Witness in the past three (3) years, more than three times, by the PARTIES, RELATED PERSONS, and/or COUNSEL FOR THE PARTIES? If yes, please specify the subject matters, if possible to disclose.

Answer:



12. Are you currently serving as an Arbitrator in a panel that includes any COUNSEL FOR THE PARTIES? If yes, please specify the quantity and subject matters, if possible to disclose.

Answer:

13. Have you worked jointly with any COUNSEL FOR THE PARTIES in the past three (3) years?

Answer:

Additional Information

14. Is there any additional comment you wish to make?

Answer:

15. Do you declare that you have read and are aware of the terms of the Chamber's Code of Ethics?

Answer:

By completing and signing this Questionnaire, the Arbitrator accepts the assignment for which they were nominated, considering themselves independent and impartial to act in the case, and confirms having sufficient time to dedicate to the conduct of the arbitral proceeding, conditions which must be maintained throughout their jurisdiction.

By submitting the completed Questionnaire to the Chamber, the Arbitrator agrees and acknowledges that its content, including the personal data indicated, will be recorded in the case file of the arbitral proceeding.



THE CHAMBER OF
CONCILIATION,
MEDIATION AND
ARBITRATION

CIESP FIESP

_____[City]_____, ____[day], [month] of [year].

[Arbitrator's name]