



INTERNATIONAL
ARBITRATION
AND MEDIATION
CHAMBER - CAMINTER

CODE OF ETHICS



Centro de Arbitragem e Mediação Internacional – CAMINTER
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ANNEX III

CODE OF ETHICS

PREAMBLE

The provisions of this Code of Ethics are intended to establish principles to be observed by the arbitrators, the parties, their attorneys and the Center for International Arbitration and Mediation – CAMINTER, in the conduct of the arbitration procedure.

The established principles must also be observed in the phase that precedes the initiation of arbitration.

Without prejudice to the other rules that guide the professional conduct of the arbitrator, this Code of Ethics does not exclude other precepts of conduct, such as acting with independence, impartiality, competence, diligence and maintaining confidentiality regarding the matter dealt with in the arbitration and regarding the parties involved.

The arbitrator must base his behavior on standards consistent with that of a professional with an unblemished reputation.

CAMINTER will deliver a copy of this Code of Ethics to the arbitrators and the parties. The arbitrator will declare in the Declaration of Independence that he has read it and is aware of its content.

1. FUNDAMENTAL PRINCIPLES

1.1. Arbitrators must act diligently and efficiently to guarantee the parties a fair and effective resolution of disputes submitted to them.

1.2. The arbitrators must keep confidential any and all information received in the course of the procedure in which they act.

1.3. Arbitrators must always take into account that arbitration is based on private autonomy, and must ensure that this is respected.

2. IMPARTIALITY AND INDEPENDENCE



- 2.1. Arbitrators must be and remain impartial and independent during the arbitration.
- 2.2. The arbitrator must not maintain a relationship with any of the parties, in order to preserve his independence until the final decision.
- 2.3. The arbitrator must act impartially, forming his free conviction based on the evidence produced in the process.
- 2.4. The arbitrator, although appointed by the party, does not represent its interests in the arbitration procedure and must avoid contacting the parties or their attorneys and any persons involved beyond the strict limits of the arbitration procedure, without the knowledge of the other arbitrators and other parties involved. .

3. DUTY OF DISCLOSURE

- 3.1. The arbitrator must disclose any fact or circumstance that may raise justified doubts about his or her independence and impartiality. The absence of such disclosure may justify the referee's impediment.
- 3.2. The arbitrator's disclosures must cover material facts and circumstances relating to the parties and the dispute being arbitrated.
- 3.3. A fact or circumstance subject to disclosure is understood to be what may give rise to justified doubts as to the impartiality and independence of the arbitrator.
- 3.4. The disclosure must be made in writing and sent to the CAMINTER Secretariat, to be forwarded to the parties and other arbitrators.
- 3.5. The duty of disclosure must be observed in the preliminary phase and during the entire arbitration procedure. Upon becoming aware of a fact that may give rise to justified doubt as to its independence and impartiality, it is the duty of the arbitrator to communicate it immediately.
- 3.6. In the case of corporate groups, it will be up to the party, if it deems it convenient, to provide the names of their member companies, for the purpose of verifying any conflict by the arbitrator.

4. DILIGENCE, COMPETENCE AND READINESS

- 4.1. The arbitrator must ensure the correct and adequate progress of the arbitration proceeding, observing the equal treatment of the parties and the provisions of the Arbitration Agreement.
- 4.2. The arbitration procedure must employ the best efforts of the arbitrator, as well as prudence and efficiency, in order to meet the purposes for which the arbitration is intended.



4.3. Upon accepting the assignment of arbitration, the arbitrator must declare that he has time and availability to dedicate himself to the conduct of the arbitration process, avoiding delay in decisions and unnecessary costs that burden the parties.

4.4. The person appointed to be an arbitrator must accept your appointment only if he has knowledge of the subject of the arbitration and his language.

4.5. The arbitrator must treat parties, witnesses, lawyers and other arbitrators in a courteous manner and maintain an urban coexistence, always respecting the equidistance that the arbitrator must have from the parties.

4.6. It is the arbitrator's obligation to dedicate his attention, his time and his knowledge to guarantee the effectiveness of the arbitration procedure.

4.7. The arbitrator must take care of the documents and information that are in his possession during the arbitration and actively collaborate with the development of CAMINTER's work.

5. DUTY OF CONFIDENTIALITY

5.1. The decisions of the Arbitral Tribunal, the content of the award, as well as the documents, communications and matters dealt with in the arbitration procedure are confidential.

5.2. With the express authorization of the parties or to comply with legal provisions, documents or information from the arbitration may be disclosed.

5.3. The information to which the arbitrator had access and knowledge in the arbitration process must not be used for any purpose other than that of this procedure. You must not propose or obtain personal advantages for yourself or for third parties based on the information collected during the arbitration procedure.

5.4. Any information that could reveal or suggest identification of the parties involved in the arbitration should be avoided.

5.5. The procedural orders, decisions and sentences of the Arbitral Tribunal are exclusively intended for the procedure to which they refer, and should not be anticipated by the arbitrators, nor disclosed by them, and CAMINTER is responsible for adopting measures to inform the parties involved.

5.6. Arbitrators must maintain complete discretion and confidentiality regarding the deliberations of the panel of arbitrators.

6. ACCEPTANCE OF INDICATION

6.1. It is inappropriate to contact parties to request appointments to act as an arbitrator.



6.2. When consulted by the party to verify the possibility of being appointed as an arbitrator, it must refrain from making any comments or prior assessments of the conflict to be resolved in arbitration.

6.3. Once the nomination is accepted, the arbitrator undertakes to follow the Rules, the Internal Regulations of CAMINTER, the rules related to the procedure, the applicable law, the terms agreed upon at the time of his investiture and the Arbitration Term.

6.4. The arbitrator must not renounce his investiture in the course of the procedure, except for a relevant reason or for the impossibility of continuing in the process due to a supervening fact to the initiation of the arbitration, whether for reasons of an intimate nature or that compromise or may compromise his independence or impartiality.

7. COMMUNICATIONS WITH THE PARTIES

7.1. The parties and their attorneys must avoid direct contact with the arbitrators, with regard to any and all matters involved in the arbitration proceedings. If contact is essential, the Arbitral Tribunal should preferably provide a means of communication that allows the participation of the arbitrators and the parties involved in the process.

7.2. In order to act with the promptness and diligence necessary to conduct the arbitration procedure, the arbitrator, in consultation with the parties and/or attorneys and with the participation of all, must make use of the skillful and useful means of communication available to him, such as such as telephone conferences, video conferences, etc.

7.3. If any arbitrator becomes aware of inappropriate communications between another arbitrator and one of the parties, he must immediately notify the Secretary General of CAMINTER and the other arbitrators so that the matter can be considered.

7.4. No arbitrator shall accept gifts, hospitality, benefit or favor, for himself or for members of his family, directly or indirectly, offered by a party.

8. FINAL PROVISIONS

8.1. The provisions of this Code also apply to mediators and conciliators.

8.2. This Annex III is an integral part of the Arbitration Rules and the Mediation Rules issued by CAMINTER, approved in the statutory form on June 23, 2014, and effective as of August 1, 2014.

