



CAMPAIGN FOR

GREENER ARBITRATIONS

DRIVING SUSTAINABLE CHANGE

THE GREEN PROTOCOLS - A
CHECKLIST FOR LAW FIRMS,
CHAMBERS AND LEGAL SERVICE
PROVIDERS WORKING IN
ARBITRATION

- **Introduction**

The Campaign for Greener Arbitrations has developed six Green Protocols (the “**Green Protocols**”) to promote environmentally responsible arbitrations through a series of action items. **The Green Protocols - A Checklist for Law Firms, Chambers and Legal Service Providers Working in Arbitration** (the “**Checklist**”) is based on this – and on **The Green Protocol for Law Firms, Chambers and Legal Service Providers Working in Arbitration** in particular.

- **Who is this Checklist aimed at?**

The Checklist is aimed at legal practitioners, business development directors, green ambassadors and managers (together, the “**Practitioners**”)¹ such that they can monitor and assess their progress in these areas. In other words, anyone in the international arbitration industry can use this user-friendly Checklist to implement the Green Protocols and to understand what steps they should take in order to minimise their environmental impact.

- **How should this Checklist be used?**

To use this Checklist, Practitioners should review each item listed and consider whether their law firm, chambers or arbitration-related work place is complying with that item or not and indicate with a “tick”.

To the extent the law firm, chambers or arbitration-related work place is not complying, the Practitioner should consider what action could be taken to address that. Each item is intended to be something to aspire to, rather than be considered mandatory in nature.

This Checklist (and the Green Protocols) are not binding and are not intended to displace applicable rules or derogate from the arbitration agreement, unless and to the extent the Parties so agree (either in the arbitration agreement or subsequently) or the Tribunal so orders. This Checklist and the Green Protocols do not establish liability or a liability standard for legal or regulatory purposes.

¹ This Checklist serves as a summary and user-friendly document for practitioners that would like to take steps to reduce their carbon footprint in their international arbitrations. Reasonable accommodations may be made when needed.

- **The Checklist**

Section	Commitment	✓
I. Initial Commitment		
A.	<p>Commit to working with your leadership teams, with a view to reviewing your existing environmental policies and practises. Consider implementing the recommendations contained in the Protocol.</p> <p>In particular, consider appointing “Green Ambassadors”, who can develop policies and best practises within your organisation based on the recommendations contained in the Protocol. The Green Ambassadors should report back to senior management periodically on the effect of these policies and best practises.</p> <p><i>Be mindful that the implementation of Sustainability Measures are likely to be more efficient if rolled out on an office-wide basis, rather than within individual departments / offices.</i></p>	
B.	For arbitration teams within law firms/chambers – ensure draft Procedural Order No.1 (or similar orders that establish the arbitration procedure) incorporate the Green Model Procedural Order or relevant components thereof (e.g., no travelling unless absolutely necessary, no hardcopy bundles, virtual hearings and so on).	
II. Use Green Energy		
A.	Offices are powered by clean or renewable energy sources.	
B.	Energy providers selected have strong renewable and / or ESG credentials.	
III. Reduce Energy Consumption and Environmental Footprint		
A.	Office-wide efforts are ongoing to reduce the energy consumption and improve the energy efficiency of facilities and equipment. Examples include:	
	1. using clean or renewable energy as primary facility energy source;	
	2. using LED lights;	
	3. using natural light sources;	
	4. using plants to reduce humidity levels and increase oxygen;	

	5. introducing sensors and timed lighting systems in offices;	
	6. encouraging employees to power down rather than use screen savers during extended breaks;	
	7. installing smart power strips to reduce phantom power consumption when electronic equipment is not in use;	
	8. using recycling facilities;	
	9. using composters / waste disposal systems to recycle food waste;	
	10. using eco-friendly air conditioning and heating systems;	
	11. using eco-friendly cleaning materials;	
	12. using water-saving facilities in kitchens and restrooms;	
	13. using energy-efficient hand-dryers or roller towels in kitchens and restrooms; and / or	
	14. demonstrating an ongoing commitment to reducing consumption, reusing and repurposing materials, recycling where possible and to offsetting greenhouse gas emissions.	
B.	Office-wide policies are in place, with the assistance of IT team and building management, to:	
	1. ensure all computers, screens, lights and other electrical devices are set to turn off or enter a standby mode after a set period of time when not in use; and / or	
	2. reduce the carbon footprint of emailing by adopting pre-set parameters to reduce the length of email chains, limiting unnecessary attachments, transmitting smaller sized PDFs, etc.	
IV. Go Digital		
A.	Office-wide policies and training are in place to encourage the use of technology, in order to reduce the use of paper, travel and short face-to-face meetings. These technology solutions might include the use of:	
	1. large or double-screen monitors;	
	2. audio or video-conferencing;	
	3. iPad and tablets, or other similar equipment that facilitate a similar or improved experience of using paper materials;	
	4. energy-efficient interactive whiteboards for training, marking-up documents, or facilitating discussions;	
	5. other electronic document sharing or editing platforms; and / or	
	6. smartphones, headsets and audio or video-conferencing systems.	
B.	Office-wide policies and training are in place to develop your employees' technological skills, to raise awareness of the	

	<p>importance of Sustainability Measures and to enable them to adapt to a digital environment, such as by providing training on digital communication and collaboration platforms, audio and video-conferencing facilities and cybersecurity best practices.</p> <p><i>Note: Consider hiring technology experts or consultants, to assist with implementing and adopting Sustainability Measures, as well as to promote a more sustainable office culture.</i></p>	
V. Minimise Printing and Use of Paper		
A.	Office-wide policies are in place to reduce printing and to encourage employees to print only what is strictly necessary. In doing so, encourage employees to reduce printing and assume a default position of not printing documents, unless requested.	
B.	Where printing is deemed necessary, office-wide initiatives are in place to minimise the environmental footprint of the printing, including by:	
	1. using less paper (e.g. A5 size), grayscale, double-sided format, and / or reduced margin format, where appropriate;	
	2. using environmentally-friendly toner and ink;	
	3. using recycled and recyclable, chlorine-free and / or tree-free paper;	
	4. using eco-friendly printers (making use, for example, of LED UV printing);	
	5. disposing of printed documents and associated materials (e.g. toner bottles) in an environmentally-friendly way, where appropriate. Examples of printing disposal, whilst adhering to confidentiality obligations, might include recycling and composting; and	
	6. considering whether it is necessary to courier hard copies abroad or whether it is possible to use a local printing service.	
C.	Office-wide policies are in place to encourage employees to consider carefully whether to request that they be provided with printed documents, particularly when working remotely, but in any event taking into account the environmental footprint of printing.	
D.	Office-wide policies are in place to encourage employees and, where possible, all attendees at meetings, to bring laptops or tablets to use for document review and electronic note taking, and to display information using screens / projectors rather	

	than by printing documents. Stationery should be provided only upon request.	
E.	Office-wide policies are in place to prefer the use of business development and marketing materials in digital form over paper form.	
F.	Office-wide policies are in place to prefer the use of electronic case files over hard copy files.	
G.	Individual printers within offices are discouraged or limited.	
H.	Multi-purpose machines for printing, copying, scanning and faxing are preferred over single-use machines.	
I.	Subscriber mailing lists are regularly updated to reduce the volume of general communications via both electronic and paper transmission and endeavour to eliminate or reduce printed mailing wherever practical. This step shall also serve to confirm current contact information.	
J.	Where available for accounts payable and receivable, implement digital funding transfers, to reduce the need for printed checks and mailings.	
VI. Encourage Recycling		
A.	Office-wide environmentally friendly disposal practices are in place, including by:	
	1. providing clearly marked recycling bins in offices and instructions on best practices for recycling;	
	2. eliminating plastic bags in bins and for any other purposes, unless sourced from recycled products; and	
	3. properly disposing of or recycling outdated or broken electronic equipment and furniture.	
B.	Subject to local regulatory requirements and individual matter confidentiality obligations, all files are recycled in accordance with document retention policies.	
C.	Where recycling is not immediately available due to local regulations or building services, other recycling options are explored.	
VII. Limit Use of Single Use Items and Plastic		
A.	Eliminate or limit the use of single-use and / or plastic items, where possible and where deemed safe. In doing so, be guided by the non-exhaustive list below, which identifies items to be eliminated or limited, with alternatives suggested where appropriate.	
B.	Share this list with canteens and in-house restaurants to diminish waste.	

C.	Hold training events to explain why alternative items are being introduced to replace plastic or single-use items, in order to facilitate adoption of these alternative items.	
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<u>Request</u>		<u>Sustainable alternative</u>
No plastic water bottles	→	Re-useable water jugs (e.g. glass, metal or wood)
No plastic straws	→	Re-useable straws, or no straws
No individually wrapped confectionery	→	No confectionery required
No canned drinks	→	Jugs of fruit juice (or just water)
No plastic cutlery	→	Re-useable cutlery (e.g. silver ware)
No paper plates or cups	→	Re-useable plates and glasses / cups
No single portion items e.g. tomato sauce packets / single jams jars / sugar packets / butter packets	→	A single container / jar / dispenser
No Styrofoam or single-use plastic food containers	→	Serve food on re-useable plates / bowls. Alternatively, re-useable containers or cardboard boxes.
No paper napkins	→	Cloth napkins
No plastic cocktail sticks in finger foods	→	Re-useable forks, if needed at all
No unnecessary decorative mini cupcake / bakery liners	x	n/a
No individually wrapped tea bags	→	Pot / dispenser of hot tea
No Nespresso (or equivalent) coffee capsules, if no policy of recycling	→	Pot / dispenser of coffee
No plastic stirrers	→	Re-useable teaspoons
No stationery / writing paper / note pads	→	Attendees to provide their own stationery / writing paper/note pads, if needed
No promotional leaflets	x	n/a

VIII. Partner with “Green” Organisations

A.	Adopt sustainable practices for catering, including by:	
	1. using sustainable catering companies, such as those that adopt environmentally friendly practices, including the use of alternatives to disposable packaging and the use of locally sourced supplies;	
	2. preferring organic and / or plant-based meals and refreshments free of synthetic pesticides or fertilisers;	
	3. using sustainable marketing materials, considering also the above list to limit single use items and to eliminate plastic; and	

	4. reducing food waste, including by confirming delegate attendance for an accurate head count. Adjustments may then be made to catering orders to avoid waste and attempts shall be made to dispose of excess food in a constructive manner, such as donation or composting.	
B.	Using environmentally-friendly courier services and using courier services efficiently and only when necessary.	
C.	Encouraging your IT teams to add use of Sustainability Measures to their criteria when selecting technology solutions (e.g. video-conferencing and electronic document sharing platforms) plus the data centre that hosts the Facilitators' email and website.	
D.	When involved in a hearing and where possible, aiming to engage service providers, including court reporters, interpreters, etc. who are local to the place of the hearing, to avoid unnecessary transportation and lodging, or to otherwise consider whether audio or video conferencing of service providers is possible.	
E.	Communicating this directive to all organisations, prior to service performance.	
IX. Travel Responsibly		
A.	Employees are encouraged to consider the need for any travel where an alternative technology solution might be available, such as audio or video-conference.	
B.	Employees are encouraged to consider virtual conferencing opportunities as an alternative to in-person conferences, where this would reduce long-distance travel.	
C.	Employees are given flexibility to work from home and, where appropriate, to avoid any unnecessary travel to or from an office by taxis or by car. <i>Note: This may be achieved by encouraging shared transportation or walking, or through cycle schemes.</i>	
X. Incentivise Employees		
A.	Incentivise your employees through schemes that encourage greener behaviours. These might include cycle schemes, reward schemes, or other green campaigns.	
B.	Implement schemes to support employees choosing to work from home to avoid carbon travel footprint. For example, consider subsidising part of broadband or phone bills or supplying or subsidising the purchase of equipment required to set up a functional and suitable office environment.	
XI. Encourage Social Responsibility		

A.	Allow your employees a permitted amount of hours each year to volunteer with organisations involved in sustainability initiatives.	
B.	Organise at least one event per year, which may be an online event, to educate and encourage green behaviours, including the Sustainability Measures set out in the Protocol.	
XII. Offset Carbon Emissions		
A.	<p>Offset residual emissions through schemes that have been accredited as meeting the highest available sustainability standards (e.g. Gold Standard or Verified Carbon Standard, as at the date of the Protocol).</p> <p><i>Note: The Sustainability Measures contained in the Protocol encourage behavioural change aimed at reducing the environmental impact of arbitrations and priority should be given to their implementation.</i></p> <p><i>However, also give due consideration to offsetting any residual emissions caused by conduct, including through travel. In determining how to offset carbon emissions, use internal approved corporate offsetting standards.</i></p>	
XIII. Report Progress		
A.	Publicly report on targets and achievements, in order to track progress, promote accountability, and encourage other firms to adopt Sustainability Measures. Reporting may also include any costs savings resulting from the implementation of Sustainability Measures.	
B.	Sign up to other green certification initiatives or other initiatives aimed at reducing practitioners' carbon footprint by a specific date.	