



CAMPAIGN FOR

GREENER ARBITRATIONS

DRIVING SUSTAINABLE CHANGE

GREEN PROTOCOL
FOR ARBITRAL
INSTITUTIONS

GREEN PROTOCOL FOR ARBITRAL INSTITUTIONS

This Green Protocol for Arbitral Institutions contains suggested Sustainability Measures for minimising the environmental impact of Arbitral Institutions on the environment. These Sustainability Measures can be integrated into the daily operations of the Arbitral Institution and/or adopted on a case by case basis by individuals at those Arbitral Institutions.

Additional guidance may be found in related Campaign for Greener Arbitration Protocols: **Green Protocol for Arbitral Proceedings; Green Protocol for Law Firms, Chambers and Legal Service Providers Working in Arbitration; Green Protocol for Arbitrators; Green Protocol for Arbitration Conferences; Green Protocol for Arbitral Hearing Venues**

GREEN PROTOCOL FOR ARBITRAL INSTITUTIONS



I. INITIAL COMMITMENT

Arbitral Institutions commit to working with their staff and leadership teams, with a view to reviewing existing environmental policies and practices and, where appropriate, considering and implementing recommendations from this Protocol.



II. USE OF GREEN ENERGY

Arbitral Institutions commit to use clean or renewable energy sources wherever possible.



III. REDUCE ENERGY CONSUMPTION

- A. Arbitral Institutions shall endeavour to improve the energy efficiency of facilities and equipment to reduce their environmental footprint. Examples of energy-saving measures and environmentally friendly practices include:
 - A.1 Investigating options for clean or renewable energy as primary facility energy source;
 - A.2 Use of LED lights;
 - A.3 Use of natural light sources wherever practical;
 - A.4 Use of plants to reduce humidity levels and increase oxygen;
 - A.5 Introduction of sensors and timed lighting systems in offices;
 - A.6 Encouraging staff to power down rather than use screen savers during extended breaks;
 - A.7 Install smart power strips to reduce phantom power consumption when electronic equipment is not in use;
 - A.8 Use of eco-friendly air conditioning and heating systems;
 - A.9 Use of eco-friendly cleaning materials;
 - A.10 Use of water-saving facilities in kitchens and restrooms;
 - A.11 Use of energy-efficient hand-dryers or roller towels in kitchens and restrooms; and
 - A.12 Demonstrate an ongoing commitment to reducing consumption, reusing and repurposing materials, recycling where possible, and to offsetting greenhouse gas emissions.
- B. In the case where an Arbitral Institution does not own its office, the Arbitral Institution commits to working with building managers, and building services providers in order to facilitate the introduction of the above measures.



IV. MINIMISE PRINTING AND USE OF PAPER

- A. Arbitral Institutions shall carefully consider the need to print documents and shall endeavour to only print what is deemed to be strictly necessary.
- B. Where printing is deemed necessary, Arbitral Institutions shall endeavour to minimise the environmental footprint of the printing. Examples include:
 - B.1 Use of A5 paper, grayscale and double-sided format where appropriate;
 - B.2 Use of recycled and recyclable paper where possible;
 - B.3 Use environmentally friendly toner and ink; and
 - B.4 Disposing of printed documents and associated materials (e.g., toner bottles) in an environmentally friendly way (where appropriate).

GREEN PROTOCOL FOR ARBITRAL INSTITUTIONS

- C. Arbitral Institutions shall encourage attendees at all meetings to bring laptops or tablets for review and electronic note taking and to display information using screens/projectors rather than by printing documents. Stationery shall only be provided upon request.
- D. Arbitral Institutions shall encourage the use of business development and marketing materials in digital form.
- E. Arbitral Institutions shall maintain electronic case files instead of hard copy files.
- F. Individual printers within offices are to be discouraged or limited.
- G. Consider using multi-purpose machines for printing, copying, scanning and faxing.
- H. Regularly update subscriber mailing lists 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.
- I. Wherever available for accounts payable and receivable, implement digital funding transfers to reduce the need for printed checks and mailings.
- J. Arbitral Institutions shall endeavour to encourage the use of technology for the conduct of proceedings to minimise printing and the use of paper where appropriate. Examples include:
 - J.1 Expressly inviting Parties and Tribunals to communicate by electronic means only (e.g. email communication);
 - J.2 Expressly permitting in institutional arbitration rules the service of documents by electronic means (e.g. email and online repositories);
 - J.3 Not requiring hard copies of any documents and encouraging electronic filing;
 - J.4 Making draft text available for procedural orders; and
 - J.5 Transmitting case files to Tribunals by electronic means and to only provide hard copies where expressly requested.



V.

ENCOURAGE RECYCLING

- A. Arbitral Institutions shall endeavour to implement environmentally friendly disposal practices. Examples of such practices include:
 - A.1 Providing clearly marked recycling bins in offices and instructions on best practices for recycling;
 - A.2 Eliminate plastic bags in bins and for any other purposes, unless sourced from recycled products; and
 - A.3 Proper disposal or recycling of outdated or broken electronic equipment and furniture.
- B. Subject to local regulatory requirements and individual matter confidentiality obligations, Arbitral Institutions shall recycle all files in accordance with its document retention policies.
- C. In the case where an Arbitral Institution does not own its office, the Arbitral Institution commits to working with building managers, and building services providers in order to facilitate the introduction of the above measures.

GREEN PROTOCOL FOR ARBITRAL INSTITUTIONS



VI. LIMIT USE OF SINGLE USE ITEMS/ELIMINATE PLASTIC

Arbitral Institutions can be guided by the non-exhaustive list of items below to be eliminated or limited, where deemed safe to do so, with alternatives suggested where appropriate. Arbitral Institutions can share this list with canteens and in-house restaurants to diminish waste.

ITEM	Request	Alternative
1	No plastic water bottles	Non-plastic water jugs (e.g., glass or metal)
2	No plastic straws	Metal straws or no straws
3	No individually wrapped confectionery	No confectionery required
4	No canned drinks	Non-plastic jugs of fruit juice (or just water)
5	No plastic cutlery	Non-disposable cutlery (silver ware)
6	No paper plates or cups	Non-disposable plates and glasses/cups
7	No single portion items e.g. tomato sauce packets/single jams jars/sugar packets/butter packets	A single container/jar/dispenser
8	No styrofoam or plastic food containers	Serve food on non-disposable plates/bowls Alternatively, re-useable containers or cardboard boxes
9	No paper napkins	Cloth napkins
10	No plastic cocktail sticks in finger foods	Bamboo cocktail sticks (only where absolutely necessary)
11	No unnecessary decorative mini cupcake/bakery liners	
12	No individually wrapped tea bags	Pot/dispenser of hot tea
13	No Nespresso (or equivalent) coffee capsules if no policy of recycling	Pot/dispenser of coffee
14	No plastic stirrers	Small metal teaspoons
15	No stationery/writing paper/note pads	Attendees to provide their own stationery/writing paper/note pads if needed
16	No promotional leaflets	Adopt online promotion only
17	No single use marketing gimmicks	Real use and sustainably produced gimmicks

GREEN PROTOCOL FOR ARBITRAL INSTITUTIONS



VII. PARTNER WITH “GREEN” ORGANISATIONS

- A. Arbitral Institutions commit to adopt sustainable practices for meals, including the use of sustainable catering companies (e.g. adhere to environmentally friendly practices by use of alternatives to disposable packaging and locally sourced supplies) and sustainable marketing materials, considering also the above list to limit single use items and to eliminate plastic.
 - A.1 To reduce potential food waste, Arbitral Institutions shall confirm 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.
- B. Arbitral Institutions commit to using suppliers who adopt or are aspiring to implement similar sustainability measures including use of environmentally friendly products. These suppliers might include catering companies, document production and printing suppliers, couriers, cleaning companies, marketing and advertising professionals, offsite event facilities, and utility suppliers.
- C. Encourage their 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. Arbitral Institutions shall encourage Parties to engage service providers, including court reporters, interpreters, etc. who are located locally in the place of the hearing to avoid unnecessary transportation and lodging. To the extent this is not possible, Arbitral Institutions shall encourage Parties to consider whether audio or video conferencing of service providers is possible.
- E. Arbitral Institutions shall communicate this directive to all organisations prior to service performance.



VIII. TRAVEL RESPONSIBLY

- A. Arbitral Institutions shall endeavour to encourage the use of technology for the conduct of proceedings to minimise travel where appropriate. Examples include:
 - A.1 Expressly encouraging the use of technology in institutional arbitration rules, relevant correspondence, and draft procedural orders;
 - A.2 Use of broad definitions for references to hearings, which do not exclude virtual hearings, in institutional arbitration rules; and
 - A.3 Empowering Tribunals to determine how witnesses and experts are examined in institutional arbitration rules, which may include remote examination as appropriate.
- B. Where Arbitral Institutions provide hearing services, they shall endeavour to offer virtual hearing services, which can be used in combination or individually as appropriate. Examples include:
 - B.1 Video and audio conferencing;
 - B.2 Electronic bundles;
 - B.3 Electronic presentation of evidence;
 - B.4 Transcription; and
 - B.5 Interpretation.

GREEN PROTOCOL FOR ARBITRAL INSTITUTIONS

- C. When organising or participating in events, Arbitral Institutions shall endeavour to use technology to minimise the need to travel. Examples include:
 - C.1 Enabling, or requesting, virtual attendance for delegates; and
 - C.2 Enabling, or requesting, virtual participation for speakers (e.g., e-diversity).
- D. Arbitral Institutions shall carefully consider the need to travel for events and/or other business development activities, and shall endeavour to minimise travel wherever possible.
- E. Where travel is deemed necessary, Arbitral Institutions shall consider the following:
 - E.1 Use of, or for delegates promoting the use of, travel options that minimise carbon emissions;
 - E.2 Where flights are necessary, offsetting flights or encouraging delegates to offset flights; and
 - E.3 Maximising trips to accomplish several objectives to reduce the number of trips overall.



IX. INCENTIVISE STAFF

- A. Arbitral Institutions shall incentivise their staff through schemes that encourage greener behaviors. These might include cycle schemes, reward schemes, or other green campaigns.
- B. Arbitral Institutions shall consider implementing schemes to support staff choosing to work from home to avoid carbon travel footprint. For example, Arbitral Institutions could consider subsidising part of broadband or phone bills, or supplying or subsidising the purchase of equipment required to set up a suitable office environment.



X. SOCIAL RESPONSIBILITY

- A. Arbitral Institutions commit to allowing their staff [X] hours each year, where business/operational needs allow, to volunteer with organisations involved in environmentally friendly initiatives.
- B. Arbitral Institutions commit to organise at least one event per year, which may be an online event, seeking to educate and encourage green behaviors.



XI. OFFSETTING CARBON EMISSIONS

The Sustainability Measures contained in this Protocol encourage behavioural change aimed at reducing the environmental impact of arbitrations and priority should be given to their implementation. Arbitral Institutions shall also, however, consider offsetting any residual emissions caused by their conduct, including through travel.

Disclaimer

The Framework 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. The Framework and the Green Protocols do not establish liability or a liability standard for legal or regulatory purposes.