

The World Mediators Alliance on Climate Change

I have been working with a number of other mediators on a coordinated response from the mediation community to the climate change issues that will affect us all. Many of us believe that this is a good time for the mediation world generally to be seen to be willing to take action in our own camp, as well as encouraging the use of mediation in resolving the issues that will undoubtedly arise in the future.

This initiative has been led by John Sturrock, but the group developing the concept includes Laura Skillen from the IMI and Ian Macduff from Auckland University, who is closely involved in the development of ODR. Other members include Sabine Koenig from Germany, Anna Howard from Queen Mary University in London, Nicola Hartfield from NZ, Charlie Irvine from the University of Strathclyde in Scotland, as well as myself.

We have developed a pledge for mediators to sign, which makes public our commitment to take account of climate issues in our own mediation practices. It can be found at <https://womacc.org/take-the-green-pledge/>. The site is still being developed but I have attached the wording as an appendix to this note..

Of course it is a matter for each individual mediator to decide whether or not they wish to sign. However I believe that there are a number of mediators who, like myself, feel strongly about this issue and would welcome the chance to make some form of public declaration.

I would like IAM to take note of the existence of the Pledge and to draw members' attention to it, so that those who wish to support this initiative can do so.

I am not suggesting that IAM formally adopt the Pledge as an organisation at this stage, but simply lend its name as a supporter of the Pledge and to endorse this initiative.

We are intending to have a public launch of the Pledge on the 23 October and it would be great to be able to demonstrate some support or publicity from IAM. I am anticipating that the IMI will support it and there will be other organisations whose logos will be on the site as supporting the Pledge.

I should have further information about this on Wednesday (14th) and will be happy to update to the Board on that date.

Jonathan Lloyd-Jones

9th October 2020

Appendix

Introduction

We know that mediation is a sustainable, efficient, cost-effective way to resolve disputes and other differences. As a mediation community, we have talked about how we might mediate climate change issues. We have probably not spent the same amount of time talking about how, as a community, we might address climate change in our own behaviour and practices.

The time has come to address our contribution to the climate emergency facing us all. The move which many of us have made to online mediation in response to the Covid pandemic has shown us that environmentally friendly ways of mediating can be both easily accessible and highly effective. This illustrative pledge outlines concrete steps that each of us can take, both during and after the Covid pandemic, to reduce the impact of each mediation we conduct upon the climate. We acknowledge, as the inspiration for this, the Pledge for Greener Arbitrations by the arbitrator, Lucy Greenwood.

Please sign up below to show your support for this initiative which could, we hope, have a real impact upon our behaviour and fundamentally change the way in which we conduct mediations. The pledge is broad enough to allow all those involved in mediation to make changes to their behaviour and to lead the way in responsible mediating. It offers a foundation which, we hope, mediators will build upon with their own further measures tailored to their practices. Please feel free to augment or adapt the pledge as you wish.

As one supporter writes: "This pledge is a commitment that has no end and whether it is formalised or just remains a contract to myself – it feels really good to have begun it. Thank you for giving me the nudge!"

The Pledge:

"As a mediator committed to ensuring that I minimise the impact on the environment of every mediation I am involved in, I will ensure that, wherever possible:

If screen sharing/video technology is appropriate, accessible and acceptable to all concerned, I will encourage its use in all aspects of my mediation practice;

At all times during the mediation process, I will consider the most environmentally friendly way to travel if travel is necessary;

I will offset the carbon emissions of any flights I make to and from mediations while recognising that this is not in any way a substitute for avoiding flying and will only fly when it is necessary to do so;

At all times during the mediation process I will only correspond through electronic means, unless hard copy correspondence is expressly required in the circumstances, while recognising that electronic communication itself is carbon emitting and should be limited to what is necessary;

I will not request hard copies of documents to be provided to me unless there is a special need to do so and I will discourage the use of hard copy documents generally;

I will encourage parties and their advisers to consider the necessity of participants attending mediation in person if that attendance involves significant travel and is not necessary;

Wherever possible, I will encourage parties and their advisers to consider the most environmentally friendly venue for their mediation. At mediation venues, in rooms in which I am mediating I will encourage, wherever possible, an environmentally friendly approach to the use of consumables (for example the avoidance of single-use plastic) and the use of energy (for example reviewing the level of air conditioning and heating);

I will consider the appropriateness of travelling to, and my mode of travel to and from, conferences and other events and wherever possible will encourage and use live streaming/remote participation options;

I will take steps to reduce the environmental impact of my office/workplace; and I will seek to raise awareness of this pledge, for example by referring to it on my website and/or email footer.”

Wording for possible inclusion in a mediator’s administrative or contractual paperwork:

“Carbon Emission Pledge

[x organisation and] the mediator is/are (a) supporter(s) of and signatory(ies) to the World Mediators Alliance on Climate Change (WoMACC) [Green Pledge](#).

I/We have committed to minimising the environmental impact of each mediation in which I/we are involved in the ways outlined in the Pledge, including avoiding unnecessary travel and using electronic technology wherever possible.

I/We are also committed to encouraging those with whom we mediate similarly to minimise their carbon emissions.

The full pledge is also included in [x/my] [Terms of Engagement which are attached to our draft Agreement to Mediate]. I/We invite the parties to give consideration to the Pledge.”

Notes:

The WoMACC Facilitators’ Group will meet at least annually to review the pledge. We would be delighted to receive your comments on the pledge itself and in particular on its impact. Please send your comments to [].