

## PRESS RELEASE

### ACICA ANNOUNCES SUSTAINABILITY TASKFORCE

**Sydney, Australia, 21 September 2023:** To mark Zero Emissions Day 2023, ACICA is pleased to announce the launch of its Sustainability Taskforce (**Taskforce**). The Taskforce comprises industry leaders Daisy Mallett, Independent Arbitrator and Legal Consultant in Sydney; Mark Mangan, Partner at Dechert in Singapore; and Amanda Murphy, Principal, Sustainability & ESG Legal (Disputes & Regulatory) at BHP in Perth. From ACICA, the Taskforce is led by Deborah Tomkinson, ACICA Secretary-General and Caroline Swartz-Zern, ACICA Counsel.

Sustainability has long been a focus of ACICA. The ACICA Arbitration Rules (2021) contain provisions with sustainability in mind, including expressly permitting virtual hearings, defaulting to electronic filings and electronic signature of awards. [ACICA signed the Campaign for Greener Arbitrations Green Pledge \(Campaign\)](#) in 2022, coinciding with ACICA's relocation to more environmentally sustainable premises.

The establishment of the Taskforce represents the next step in ACICA's ongoing commitment to sustainability. The initial focus of the Taskforce is: (i) to consider ways to reduce greenhouse gas emissions throughout the arbitral process; (ii) to further the efforts of the Campaign by adapting the measures contained in the Campaign's Green Protocols for the broader Australian market and the changing expectations in the sustainability space; and (iii) to identify ways to educate users on how to accomplish these goals in this rapidly evolving area.

Taskforce member, **Daisy Mallett** said *"The Taskforce is looking to build upon the important foundations laid down by the Campaign, to develop ways to embed sustainability considerations into ACICA arbitrations. Given the rapidly evolving expectations on corporations in the sustainability space, we expect parties will welcome these developments, to assist them in creating an arbitral procedure that is consistent with their own and their stakeholders' efforts to reduce the environmental impact"*.

Taskforce member, **Mark Mangan** said *"I am pleased to be joining the Taskforce and look forward to contributing to ACICA's laudable efforts to reduce the environmental impact of arbitration and achieve its other sustainability goals"*.

Taskforce member, **Amanda Murphy** said *"I am excited to bring my international law experience and in-house counsel view to the Taskforce to help drive change in the arbitration community and beyond about the contributions we can all make to reduce GHG emissions, and also consider sustainability more broadly, such as the potential human rights impacts when engaging suppliers in legal proceedings. I believe we all have a part to play, no matter how small it may seem, to create a more sustainable future"*.

The work of the Taskforce is timely. On 6 September 2023, ACICA in conjunction with FTI Consulting launched the [2023 Evidence in International Arbitration Report](#) (Report). The Report indicates a willingness of respondents to use environmentally friendly practices including participation in virtual hearings and use of soft copy rather than hard copies for evidence. However, when tested, the findings show that more than half of the respondents would engage in less environmentally friendly practices

if there were perceived benefits for their case. This suggests that further efforts are required in order to change behaviours.

**Lucy Greenwood**, Founder of the Campaign said *“Since the launch of the Green Pledge in 2019 it has been inspiring to see efforts being made to address the environmental impact of arbitrations across the international arbitration community. There has been significant progress towards securing lasting behavioural change in this area and I am delighted that ACICA’s Taskforce will build upon the Campaign’s message in the region. The Taskforce will play a key role in translating aspiration into concrete actions and the Campaign looks forward to supporting the Taskforce in its work”*.

On behalf of ACICA, **Deborah Tomkinson** said *"I am pleased ACICA is undertaking this important work with the external expertise that Amanda, Daisy and Mark bring to the Taskforce. As an arbitral institution, ACICA is in a unique position to make real change through its case administration and through the important role it plays in the arbitration community as a thought leader"*.

#### **Media Enquiries**

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#### **About Australian Centre for International Commercial Arbitration (ACICA)**

ACICA is Australia’s international dispute resolution institution. Established in 1985 as an independent, not-for-profit organisation, ACICA’s objective is to promote and facilitate the efficient resolution of commercial disputes throughout Australia and internationally by arbitration and mediation, with the aim of delivering expediency and neutrality of process, enforceability of outcome and commercial privacy to parties in dispute. [acica.org.au](http://acica.org.au)