

Kluwer Mediation Blog

Reflections on the Mediators' Green Pledge: Where Are We Now?

John Sturrock (Core Solutions Group) · Tuesday, June 28th, 2022

Back in 2020, just before the world changed, I wrote a [blog post](#) on this site suggesting the establishment of the World Mediators' Alliance on Climate Change.

My argument was that mediation offers a much more sustainable way to resolve disputes than many other processes. We could also do a lot to reduce our carbon footprint even if we maintained an in-person approach to mediation.

Then the pandemic came. The focus shifted and many of us discovered Zoom and other platforms. Mediating online became necessary and workable, indeed better than many of us could have imagined. I wrote [here](#) about my own discovery of Zoom as a "revelation".

Out of this radical change in practice emerged the Mediators' Green Pledge and its [associated website](#), about which Anna Howard, Ian Macduff and I [wrote on Kluwer](#) in October 2020.

We noted that the Pledge "*offers a foundation upon which mediators can build with their own measures tailored to their specific practices and preferences.*" We also recalled some of David Attenborough's words: "*the truth is that we must do these things to save ourselves.*"

I followed up [in April 2021](#), with this question: "*How can we design a civil justice system ... fit for the future, not only post-Covid but addressing climate change and minimising environmental harm? How can we build a Net Zero Carbon Civil Justice System...*"

Where are we now?

That we are facing an environmental catastrophe is unarguable. Our species is presented with an existential threat. As the distinguished climate scientist, Katharine Hayhoe, says: "*...we are not adapting fast enough to the changes we've already seen, and if we don't cut our emissions as much as possible, as soon as possible, we will not be able to adapt.*" And yet, as we know so well, our default setting when facing something incomprehensible is to slip into denial: "It's not happening...it's not going to affect us..."; or a feeling of futility: "there's nothing I can do...anything I do is of so little significance that..."

Against this background, it is interesting to reflect on the Mediators' Green Pledge in mid-2022. As it approaches 650 signatories from all parts of the world, with many supporting organisations, what impact is it having and how are its signatories applying it?

It's not easy. There is an understandable demand for in-person mediation as we try to return to "normal". People are taking flights again as they did before. Mediators who try to persuade parties to mediate using an online platform may find that they lose work. The pressure to respond to client demand is strong. At least, we can take other steps to make a difference by insisting on transmission of electronic documents only. And we can try to make a point about heating, air-conditioning and other consumables at the mediation venue. But being loyal to the Pledge may cost us – or we may need to proceed in little incremental steps and hope that the message gets across somehow.

It can be awkward. At a recent mediation, the decision-maker on one side asked me about my flygskam lapel badge (a reminder of our need to reduce our air travel). It turned out that he owns two private aircraft for personal pleasure.

Most recently, I have been intrigued by the correspondence following a conference held by an organisation of which I am a member and which I had the privilege to address (via Zoom) on the topic of the Mediators' Green Pledge. At the conference, several participants caught Covid. Subsequently, there has been much commentary on the implications of the virus for such meetings. However, attempts to widen the conversation to include discussion of the appropriateness of travelling vast distances to such an event (and the virtue of online, alongside or instead) feel difficult. Indeed, one emerging theme may be that collegiality and personal meetings trump environmental concerns.

It's not easy. We need to talk about these things, and that means using good mediator strategies like finding what we have in common, what we agree on, and then exploring the issues and concerns that we all have. Indeed, if we can't do this, who can?

For me, aware of my own weaknesses and the charge of hypocrisy, there is a growing recognition of the moral dimension: a relatively small percentage of the global population in recent generations (me and others like me) has enjoyed the benefits of unrestricted travel with all the pleasure and benefits it brings. Many of us wish to continue to do so for that reason. However, our doing so is likely to play a part in creating a situation where the next generations will not be able to enjoy these and other things. Indeed, many of our fellow human beings are already suffering grievously – for example, we are told that up to 18 million people in Africa may face starvation this year in part due to climate change. Katharine Hayhoe sums this up: *"...the impacts of climate change fall disproportionately on the poorest and most vulnerable people. The 3.5 billion poorest in the world have produced 7% of heat-trapping gas emissions, yet they're bearing the brunt of the impacts."*

We now know all this. Arguably, if those of us who can afford to do so continue with our habitual lifestyles, we risk depriving our children and grand-children of their futures. I struggle to get my head round it all. Could it be argued that this is the ultimate in selfishness and self-indulgence? That is, for me, what makes this an ethical issue. It's not easy.

This takes me back to the role of the Mediators' Green Pledge. Our small organising group sometimes wonders if it is all worth it. But we are inspired by words like these from Katharine Hayhoe: *"That's how the world changes: When individuals have the courage of their convictions and use their voices to call for change"*. We have no other option.

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The graphic features a black background with white text and a circular icon. The icon depicts a group of five stylized human figures, with a magnifying glass positioned over the central figure. The background is accented with horizontal lines in blue and green.

This entry was posted on Tuesday, June 28th, 2022 at 9:13 pm and is filed under [Future of mediation](#), [Mediation Practice](#), [Policy](#), [Public Policy](#), [Scotland](#)

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