

# UN Global Compact

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## Communication on Progress

March 30, 2018



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# From our Chairman

In July 2016, White & Case became a signatory to the UN Global Compact, affirming our commitment to doing business responsibly by aligning with its ten principles on human rights, labor, the environment and anti-corruption.

This is our first Communication on Progress. It outlines the steps we took in 2017 to continue to embed these principles in our strategy, culture and day-to-day operations.

Highlights include:

- We formed a Responsible Business Working Group chaired by our co-General Counsels to ensure that our operations align with the UN Guiding Principles, the Global Compact and the UK Modern Slavery Act in protecting human rights and the environment.
- We launched a Business & Human Rights Interest Group that supports lawyers in all practice groups in serving our clients on these important issues.

- Our Global Citizenship activities, which include our pro bono work, are closely aligned with the UN's Sustainable Development Goals. Our Global Pro Bono Practice is now one of the largest in the world, delivering more than 100,000 pro bono hours in 2017 to provide access to justice, promote the rule of law and serve organizations with social and environmental missions.
- We are pleased to be a founding member of the UN Development Programme's Global Alliance for Reporting Progress on Peaceful, Just and Inclusive Societies.

We believe that it is our responsibility to help address the challenges and opportunities facing the world today, and we are committed to continuing to do so through service to our clients, our Global Citizenship activities and our responsible business practices.

Hugh Verrier  
Chairman

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# Human Rights Principles

1. *White & Case supports and respects the protection of internationally proclaimed human rights.*
2. *White & Case makes sure that it is not complicit in human rights abuses.*

In 2017, we formed a Responsible Business Working Group chaired by our co-General Counsels and including the heads of Procurement and Global Citizenship as well as representatives from our Global People team and Facilities Management. The Working Group meets monthly and supports the Firm's Executive Committee and Global Risk Management Committee on policy review and implementation of our commitment to human rights and environmental sustainability. The Working Group is responsible for identifying, reporting and addressing any human rights risks or abuses in our operations or our key suppliers.

Its principal accomplishments to date are:

- the release of our first Statement on Slavery and Human Trafficking;
- adoption of a Supplier Code of Conduct;
- formal integration of values into our vendor selection process; and
- the incorporation of contractual commitments relating to human rights into our vendor agreements.

These new policies and procedures are in place for all new key suppliers. We are now working to establish a process of annual disclosure from our legacy key and significant suppliers as well as identify thresholds where further assessment or other actions may be required.

Our Global Privacy of Personal Data Policy and local privacy policies in each office spell out our commitment to and processes for protecting the privacy of personal data pertaining to our partners, retired partners, counsel, associates, affiliated lawyers, staff, contractors and their family members and any designated beneficiary under a Firm benefit plan as well as applicants to the Firm. Our Client Privacy Policy, posted on our website, sets forth our commitment to protecting the privacy rights of our clients and their personnel.

In 2016, we introduced business and human rights training for all our lawyers in partnership with Business for Social Responsibility, a nonprofit consultancy that works with 250 member companies around the world. The region-specific training sessions provide an overview of the foundations of business and human rights as well as current business practices of leading companies, and cover relevant legislation and case law in depth. Updated live sessions of this training are now run annually, and taped sessions are provided to all newly hired lawyers and managers in relevant positions and are available on our intranet. The training supports our internal commitment to protect human rights as well as our client service.

In the first quarter of 2018, we launched a Global Business and Human Rights Interest Group. Led by partner Clare Connellan in London, the Interest Group will support our lawyers in providing assistance to our commercial clients on the legal and reputational risks and opportunities they face in addressing human rights issues in their operations and supply chains. In 2017, we incorporated analysis of human rights risks into our due diligence processes for debt capital markets as well as mergers and acquisitions, where relevant.

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Highlights of our Global Citizenship activities in 2017 included hosting two high-profile events to promote private sector action to eradicate human trafficking and modern slavery, and support peaceful and inclusive societies.

- In September 2017, we hosted an official side event of the 72nd session of the UN General Assembly—the first UN side event hosted by the private sector. The event centered on the role of businesses, in partnership with the UN and civil society, in advancing UN Sustainable Development Goal 16, which is dedicated to the promotion of peaceful and inclusive societies for sustainable development, the provision of access to justice for all, and building effective accountable institutions. Leaders from major corporations spoke about their businesses' contributions to peace, justice and inclusion. White & Case Chairman Hugh Verrier and Jacquelyn MacLennan, partner and Global Pro Bono Practice Leader, shared highlights of our work in these areas, including our collaboration with the Kingdom of Bhutan to open the Jigme Singye Wangchuck School of Law, the Kingdom's first law school, and our efforts to help create Ghana's first legal ethics training program for law students.
- In January 2017, we co-hosted a breakfast with the Thomson Reuters Foundation at the World Economic Forum in Davos, Switzerland on the role of the private sector in eradicating slavery and human trafficking. This was the second year in a row that we co-hosted this event, with remarks by Chairman Hugh Verrier in 2016 and Global Pro Bono Practice leader Jacquelyn MacLennan in 2017 on the growing legal and reputational risks facing companies, and featuring a panel of senior executives from leading companies which have been recognized with the Thomson Reuters Foundation's Stop Slavery Award.

Our global pro bono practice remains the centerpiece of our Global Citizenship activities. In 2017, 60% of our pro bono matters helped strengthen human rights around the world. These matters included:

- A team of 12 lawyers from across our Asia offices undertook country-by-country studies of existing legal frameworks and provided recommendations for successfully implementing and monitoring the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP).
- A team of 141 lawyers and legal staff in 25 offices updated case law in Cornell Law School's Women and Justice Collection, a free online database that includes international legal instruments and case law relating to gender-based violence and women's access to justice. The database facilitates the use of comparative law to improve access to justice for victims of gender-based violence.
- To support the nonprofit Unchained At Last in its campaign to eradicate child marriage in the US, a team of 37 lawyers and legal staff in six offices are working on the first analysis of the laws in each of the 50 states that impact and enable child marriage. A bill was passed in New York and bills are pending or being filed in several states.
- Lawyers from our New York office obtained civil damages for two Ukrainian women against the traffickers who brought them to the United States and against the nightclub where they were forced to work.
- As just one example of our work with those seeking asylum, lawyers in our Tokyo office assisted Japan Association for Refugees in successfully representing a refugee from Democratic Republic of Congo in petitioning for asylum in Japan.



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# Labor Principles

3. *White & Case upholds the freedom of association and the effective recognition of the right to collective bargaining.*

We are committed to a fair and balanced approach to relations with employee representatives. Each office has a Workplace Committee with representation from a cross-section of our people. We support a wide range of vibrant employee affinity groups. Please see below for more information on our affinity groups and our policies related to professional work environment, whistleblowing and discrimination, which prohibits discrimination based on trade union membership.

4. *White & Case upholds the elimination of all forms of forced and compulsory labor.*
5. *White & Case upholds the effective abolition of child labor.*

In 2017, we published our Statement on Slavery and Human Trafficking, which affirms our commitment to employees' rights and highlights our adherence to public accountability and transparency. We take a zero tolerance approach to modern slavery and forced labor in all forms within our organization and supply chain. It is the role of the Responsible Business Working Group to identify and address any risks or instances of forced labor or child labor in our operations and supply chain.

We expect our suppliers to share our values and have implemented a supply chain compliance program to impose contractual obligations on all key suppliers, including obligations related to compliance with relevant laws (including those related to modern slavery) and requirements to impose similar standards on their suppliers.

Our pro bono practice also actively seeks matters that support the elimination of forced labor and child labor. In 2017, a matter of particular note was a global research study on minimum age laws affecting children and the online sexual exploitation of children for Child Rights International Network undertaken by a team of 73 lawyers in 16 offices: Astana, Hong Kong, Jakarta, London, Los Angeles, Madrid, Miami, Milan, New York, Paris, Riyadh, Sao Paulo, Seoul, Singapore, Warsaw, and Washington, DC.

6. *White & Case upholds the elimination of discrimination in respect of employment and occupation.*

Our Global Policy on Equal Opportunity and Professional Work Environment sets out our objective of providing a professional, collegial working environment in which all individuals, whatever their background or status within the Firm, are treated with respect and dignity. White & Case does not permit harassment or intimidation of any sort and will make every effort to provide a working environment free from such behavior. In addition to our global policy, there is a sexual harassment and discrimination policy in each of our 40 offices around the world, as well as a local grievance procedure.

Our commitment to providing equal opportunities to all applies during each phase of an individual's career with White & Case including, but not limited to, recruitment, employment, job assignment, training, promotion, salary and other forms of compensation and termination, in all of the Firm's offices. We have in place systems to ensure full compliance with relevant labor laws relating to employee terms and conditions, including pay, and we support the health and financial needs of our employees at different stages of their lives by providing a flexible benefits program. Each year we review all of our policies globally to be sure we are compliant with all local labor laws, including minimum wage, hour laws, sick time, and leaves.

We have instituted an upward review process for all lawyers and Business Service Leaders, the findings of which are analyzed for patterns and issues in aggregate. Issues are addressed for individuals or groups via training and counselling.

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We continue to stand by our mission to build upon the strength of the diversity of our lawyers and staff in order to create an environment where all who work here are encouraged, assisted and inspired to reach their potential, regardless of race, color, ethnicity, religion, gender, sexual orientation, gender identity or expression, national origin, age, marital status or disability.

Having set a goal to be a leader in the effort to maintain and increase diversity in the legal profession globally as well as in our own Firm, we are pleased to share that our efforts continue to be recognized by various monitoring bodies. In 2017, for the fourth consecutive year, we were ranked the #1 most diverse firm for lawyers of color in the United States on *The American Lawyer's Diversity Scorecard*. For the second consecutive year, we ranked #1 on Law360's Diversity Snapshot. The Firm was one of only two Tier 1 ranked firms on the Minority Corporate Counsel Association's 2016 *Do Good, Do Well List*, acknowledging the Firm's high levels of both diversity and profitability. We also received the 2016 Law Firm Diversity Award from the National Asian Pacific American Bar Association, the 2016 Hope Award for Diversity from the Asian Pacific American Bar Association of Silicon Valley, and the 2017 Law Firm Diversity Award from the Asian American Bar Association of New York. In 2016, White & Case was also named Best International Firm for Talent Management by Euromoney Legal Media Group's Women in Business Law Awards in the Americas (fifth consecutive year), Asia (third consecutive year) and Europe (second consecutive year). In the UK, we were named the 8th most diverse international firm and 17<sup>th</sup> for all UK firms in overall race, gender and LGBT diversity by the Diversity League Table in 2015.

We have institutionalized our diversity efforts with a full-time global Director of Diversity and Inclusion, an Associate Director of Diversity and Inclusion, two Diversity Managers and a Diversity Coordinator, all of whom are charged with oversight and administration of all global diversity initiatives.

The Firm has nine affinity groups that are open to all lawyers and administrative personnel: Asian, Black, Hispanic, Middle Eastern, and Spectrum LGBT Affinity Groups in the US; Black, Asian and Minority Ethnic (BAME) LINK and Spectrum LGBT Affinity Groups in London; and *Colorful* (for minority/migration backgrounds) and Spectrum LGBT Affinity Groups in Germany. All of these groups are open to all lawyers and business services staff throughout the Firm. These groups serve as key resources for professional development, recruitment and retention of diverse attorneys and staff. The groups support pro bono and community development initiatives, and host networking receptions, cultural awareness programs and speaking events to encourage public discussions with distinguished guests on a variety of topics.

In addition to the establishment of formal initiatives that form the basis of the diversity strategy, we have an ongoing unconscious bias training program delivered to all offices globally with mandatory participation. We have also conducted diversity training in the United States and London, Respectful Work Environment training in London, leadership training sessions for partners, training for all lawyers globally on preventing sexual harassment and discrimination, and upward reviews of partners and associates. An update to the sexual harassment and discrimination training is in the final planning stages and will be delivered globally this year. We also ensure diversity principles are embedded in professional development programs delivered globally.

In 2017, our pro bono work included advice to many nonprofit organizations on their employment practices and anti-discrimination law, some of which have a mission to combat discrimination. For example, we advised Transgender Europe, a network of organizations that seeks to combat discrimination in Europe, on German labor law as it was hiring new staff.

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# Environmental Principles

7. *White & Case supports a precautionary approach to environmental challenges.*
8. *White & Case undertakes initiatives to promote greater environmental responsibility.*
9. *White & Case encourages the development and diffusion of environmentally friendly technologies.*

We share the concern of our clients, partners and employees for the sustainability of the environment and we work to improve our environmentally sustainable management practices. Through our Green Initiative, we share best practices across our network to reduce the carbon footprint of our operations and our employees. The initiative is overseen by the Head of Global Citizenship and the Green Operation Committee, which comprises representatives from each region and our Global Procurement and Global Technology Services functions.

Our Environmental Sustainability Policy commits us to recognize that our responsibility to the environment goes beyond legal and regulatory requirements. We take a precautionary approach to potentially harmful effects of our operations and are committed to reducing our environmental impact and continually improving our environmental performance as far as is reasonably practical.

Our Environmental Policy calls for us to:

- ensure that we comply with all regulatory requirements applicable to each office worldwide;
- prevent pollution from our activities;
- implement sustainable waste management practices across our offices in order to minimize the quantity of waste we produce and maximize the amount of waste we recycle;
- identify key resources used by each office and implement measures to ensure that we use those resources in an efficient manner;
- effectively manage our carbon emissions by continuing to improve the energy efficiency of our premises and effectively measuring the environmental impacts of our business travels; and
- work with our key suppliers and employees to promote and improve environmental performance.

We have conducted two greenhouse gas emission assessments in collaboration with the Carbon Neutral Company in 2010 and 2012; our per person greenhouse gas emissions decreased over that period. These assessment revealed that 85% of our emissions come from energy use and business travel. Since these assessments, we have added state-of-the art videoconferencing facilities in every office including telepresence rooms in New York and London, which, in tandem with our Travel Policy, has reduced non-essential travel.

In 2017, our London office retained its ISO 14001 certification status, which it first attained in 2014. It has also been awarded the prestigious 'Gold' Clean City Award from the City of London annually since 2008 in recognition of our recycling procedures; no waste is sent to landfill and general waste is sent to an energy-from-waste facility. In New York, our largest office with approximately 900 people, we moved to new premises in March 2017 from space we had occupied since the late 1970s. This move substantially improved the energy efficiency of our New York office space, which now is certified as LEED Gold. Many of our offices as well as our shared services facility in Manila are in buildings with ENERGY STAR or LEED certification or the equivalent. We plan to conduct another greenhouse gas emissions assessment in the coming months now that we have moved into the new space in New York.

In addition, our Global Technology Services and Procurement functions continue to improve the sustainability of their practices. We operate regional computer data centers that feature state-of-the-art technology that conserves energy while improving the efficiency and reliability of our technology. Servers and other equipment are managed regionally to reduce our equipment needs and power consumption as much as possible. Our Americas data center uses 100% wind power for electricity generation and our data center in Europe provides us with carbon-neutral power from hydropower sources. Our data center in our Asia-Pacific region also utilizes 100% renewable energy.

To build awareness among our people and lower our carbon emissions through individual actions, we run an annual Green Campaign. More than 1,500 people across our offices have taken our Green Pledge to commit to change at least one personal behavior during the year to lower their carbon footprint at home, in the office or on their commute. Our 2017 campaign ran from June 5 through 9 to feature World Oceans Day on June 8 and build awareness of Sustainable Development Goal 14 to conserve and sustainably use the oceans, seas and marine resources for sustainable development. Activities included a daily quiz and a contest for ocean conservation ideas.

Our client-facing Environment & Climate Change Practice handles some of the world's largest and most sophisticated matters requiring the resolution of complex environmental issues. We advise on all aspects of environmental law, including environmental litigation and enforcement, due diligence and transactional advice, compliance and regulatory advice, legislation, climate change, renewable energy and clean technology, and environmental aspects of infrastructure and project development and finance.

We were named Best Law Firm by *Environmental Finance* at its 2017 Green Bond Awards, which recognize best practices and issues that were significant in the development of the green bond market. We also received accolades as part of the team responsible for the €750 million green bond that won "Bond of the year: SSA and Award for Innovation: Structure – Poland." As legal advisor to the issuer, we helped bring the world's first sovereign green bond to the market.

Beyond advising on deals, we are also an observer member of the industry-led voluntary guidelines—the Green Bond Principles—and a member of its underwriter legal risk mitigation working group. We are a select member of the Green Finance Initiative Partnership led by the UK government and the City of London and a chair of the UK GFI's Green Islamic Finance Working Group and an advisor to the Bank of England as chair of the G20 Green Finance Study Group.

Our pro bono activities also seek to advance environmental sustainability. Recent projects include:

- We provided pro bono assistance to WaterLex, an NGO that serves as an official UN water partner. Fifty lawyers across ten offices researched existing water legislation in five countries to help WaterLex complete its "Country Water Governance Mappings," which are exhaustive reviews of current national legal frameworks that WaterLex uses to pinpoint weaknesses in existing systems and assess the feasibility of proposed solutions.
- Lawyers in Singapore are helping Conservation International (CI) analyze the best way to administer a fund for the Birds' Head Seascape, known as the 'epicenter of marine biodiversity in the world.' The fund will ensure that CI can sustainably manage and protect the marine ecosystems and species of this seascape.
- A team of ten lawyers and legal staff in three offices researched key issues on the conservation and sustainable use of the maritime environment in areas beyond any national jurisdiction. Working with Islands First, a nonprofit organization dedicated to helping small island nations engage at the UN to protect the earth's climate and oceans, our lawyers analyzed existing legal frameworks and current procedural and funding mechanisms addressing environmentally harmful events in these areas.
- Our lawyers in New York represent Conservation Law Foundation in environmental litigation throughout New England. We bring suits against facilities that are discharging toxic metals and other hazardous materials into New England's rivers and other waterbodies. As part of our successful suits, we have compelled polluters to come into compliance with the Clean Water Act, obtain required permits, and fund local Supplemental Environmental Projects.
- A team of lawyers is helping BioLite, a social enterprise dedicated to providing clean energy to poor households in the developing world, establish a working capital financing package from a social development fund that will enable BioLite to more effectively scale its operations in countries around the world.



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# Anti-Corruption Principles

*10. White & Case works against corruption in all its forms, including extortion and bribery.*

We are committed to conducting our activities in accordance with all applicable anti-bribery laws (including the US Foreign Corrupt Practices Act and the UK Bribery Act). Our Global Anti-Corruption Policy contains guidelines, standards and procedures to ensure that we and those acting on our behalf understand and comply with applicable anti-corruption laws in all interactions with our clients, prospective clients, vendors, service providers and others.

Any transaction, no matter how seemingly insignificant, that might give rise to a violation of this policy and/or any applicable anti-corruption laws must be reported promptly to any administrative director of the Firm, the relevant office executive partner, regional section head or regional chief operating officer or the general counsel. Alternatively, anonymous reports may be made by calling our Anti-Corruption or Whistleblower Hotline. Retaliation against any individual who reports misconduct or who participates in an investigation of alleged illegal conduct is strictly prohibited.

Our expenditure reimbursement software is utilized to document all entertainment details and ensure compliance with the corporate entertainment and travel aspects of the policy.

Anti-corruption training is provided annually in each office, is posted on our intranet and is provided to all new hires. It is tailored by function, with procurement, finance and human resources staff receiving specialized training for their areas. Our General Counsel has led training for commercial clients as well.

We also have established a Global Anti-Money Laundering Policy to ensure alignment with the relevant provisions of the Financial Action Task Force, an inter-governmental body which sets international standards on combating money laundering and the financing of terrorism and proliferation. The majority of jurisdictions in which the Firm practices have endorsed those standards and have in place stringent local rules and regulations.

We conduct an annual audit of each office on corruption risk, run by a member of our Global Risk Management Committee. Depending on local requirements, some offices are required to have a designated Money Laundering Reporting Officer to ensure that all internal and external reporting requirements are met.

Client Due Diligence (CDD) must be conducted on every new client prior to matter opening. Each new client must be identified, have its identity verified and, where relevant, its ultimate beneficial owner(s) identified and verified. CDD must be verified as up-to-date in relation to existing clients on receipt of each new instruction. The Firm's Compliance & New Business department is responsible for conducting CDD and recording data to confirm compliance.

Our White Collar practice covers every phase of corporate compliance and regulatory enforcement for our clients. We provide advice and representation related to risk assessments, compliance reviews, compliance programs and investigations, as well as the application of global sanctions, export controls, and national securities regulations. We assist companies in key areas of regulatory focus, such as money laundering and anti-corruption, including under the US Foreign Corrupt Practices Act, the UK Bribery Act, and Office of Foreign Assets Control statutes and regulations.

Our pro bono work in 2017 also supported efforts to combat corruption, including:

- legal advice to The Organized Crime and Corruption Reporting Project (OCCRP), an investigative reporting platform formed by 40 nonprofit investigative centers, journalists, and several regional news organizations around the world; and
- assistance to TRACE International on anti-bribery compliance under Finnish law.

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# Resources

White & Case Website

<https://www.whitecase.com/>

2017 White & Case Firm Annual (PDF)

<https://www.whitecase.com/2017-annual-review>

Global Citizenship at White & Case

<https://www.whitecase.com/global-citizenship/>

2017 White & Case Global Citizenship Review (PDF)

[https://www.whitecase.com/system/files\\_force/files/download/sections/2017-global-citizenship-review.pdf](https://www.whitecase.com/system/files_force/files/download/sections/2017-global-citizenship-review.pdf)

White & Case Modern Slavery Act Statement 2017

<https://www.whitecase.com/global-citizenship/statement-slavery-and-human-trafficking>

Diversity at White & Case

<http://www.whitecase.com/diversity/>

White & Case Environmental Sustainability Policy

<https://www.whitecase.com/global-citizenship/green-initiative>

**WHITE & CASE**

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