

UN Global Compact

Communication on Progress

March 29, 2019



From our Chairman

White & Case became a signatory to the UN Global Compact in 2016, 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 second Communication on Progress. It outlines the steps we took in 2018 to continue to embed these principles in our strategy, culture and day-to-day operations.

Highlights include:

- Our Responsible Business Working Group enhanced its oversight of our supply chain risks by creating an online portal for environmental, social and governance risk management disclosure by our key suppliers. The Working Group also incorporated supply chain and procurement risk analysis into our periodic Risk Management Audits in each office.
- Our Environmental Sustainability Committee completed our third greenhouse gas emissions assessment and is piloting an environmental management system prior to implementation across all of our offices. We have seen significant reductions in our carbon footprint since our last assessment.
- As advisor to the Bank of England in its role as chair of the G20 Green Finance Study Group, we co-authored a white paper with the Study Group that calls for the creation of a sustainable collateralized loan obligation (CLO) market to support the world's transition to a sustainable economy and combat irreversible climate change. The authors estimate that the bond market could provide half the current annual investment gap. The white paper provides a roadmap for central bankers and regulators in the G20 to move forward to finance the implementation of the Paris Agreement.
- Our Global Citizenship activities, which include our pro bono work, remain closely aligned with the UN's Sustainable Development Goals. Once again, approximately 60 percent of our pro bono matters helped strengthen human rights around the world. We saw record growth as well: lawyers in all of our offices and in every practice collectively devoted nearly 120,000 hours to pro bono matters. Now, more than ever, our people are using their professional skills and our global network to make a difference wherever they can.

Global Citizenship describes our role—as a business and as individuals—as active participants in the global community. White & Case is committed to fair and ethical operations that respect human rights and recognize the importance of our natural environment.

Hugh Verrier

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.*

Our Responsible Business Working Group chaired by our co-General Counsels includes 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 environmental, social and governance (ESG) screening into our vendor selection process;
- incorporation of contractual commitments relating to human rights into our vendor agreements;
- creation of an online portal for ESG disclosure by our legacy key and significant suppliers;
- incorporation of a supply chain and procurement analysis into our periodic Risk Management Audits in each office; and
- the launch of an analysis to identify material supply chain ESG risks by location and type of supplier.

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 for all our partners and personnel, their family members, contractors and applicants. Our Client Privacy Policy, posted on our website, sets out our commitment to protecting the privacy rights of our clients and their personnel.

In the first quarter of 2018, we launched a Business & Human Rights Interest Group that supports 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. The Interest Group also offers practice-specific training sessions on business and human rights developments and a general overview for Business Services Managers. For more detail, please visit www.whitecase.com/law/practices/business-human-rights.

Our Global Pro Bono Practice remains the centerpiece of our Global Citizenship activities. In 2018, we delivered more than 120,000 pro bono hours to provide access to justice, promote the rule of law and serve organizations with social and environmental missions. Approximately 60% of our pro bono matters helped strengthen human rights around the world. Highlights in 2018 included:

- We are conducting ongoing legal research and assisting the nonprofit Unchained At Last in its campaign to eradicate child marriage in the US. In 2018, Delaware and New Jersey both passed legislation and similar bills have now been introduced in twelve states.
- Working in partnership with Romanian NGO ACCEPT, to represent a same-sex couple at the European Court of Justice, lawyers in our Brussels office helped win a landmark ruling that recognizes that same-sex married couples must have equivalent rights to heterosexual married couples to travel and reside anywhere in the EU.

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- We conducted research to assist Right To Education in its efforts to expand access to education for migrants. The research includes analysis of actions states can take immediately and has informed several UNESCO and UN dialogues.
 - Lawyers in our Paris office represented Action Against Child Prostitution in two civil cases involving victims of French and Nigerian child prostitution trafficking rings.
 - We updated case law in Cornell Law School's Women and Justice Collection, a free online database of 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 in courts around the world.
 - Lawyers from our US offices have worked at rural immigrant detention facilities as part of the Southern Poverty Law Center's Southern Immigration Freedom Initiative. Spanish-speaking lawyers have worked at Port Isabel Detention Center in Texas to assist parents separated from their children at the border, while other lawyers have provided remote legal representation conducting credible fear interviews for detained parents at Karnes Immigration Facility in Texas.
 - A team of more than 30 lawyers from nine offices collaborated with the Center for Reproductive Rights to create a training program to sensitize judges around the world about the importance and impact of reproductive rights.

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, including 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.*

Our annual Statement on Slavery and Human Trafficking 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 compliance with relevant laws (including those related to modern slavery) and requirements to impose similar standards on their suppliers.

Our Global Pro Bono Practice actively seeks matters that support the elimination of forced labor and child labor. In 2018, we concluded work on a multi-year global research study on minimum age laws affecting children and the online sexual exploitation of children for Child Rights International Network.

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, we have a sexual harassment and discrimination policy in each of our 43 offices around the world, as well as a local grievance procedure. Anonymous reports may be made by calling our Whistleblower Hotline or using our web-based reporting tool.

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 equal 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 leave.

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.

The diversity of our people is a strength. We continue to work on creating 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 2018:

- For the fifth 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 and were named Diversity Champion at *The American Lawyer's* Industry Awards.
- We were ranked #1 on *Law360's* 2017 Diversity Snapshot, for the second consecutive year.
- We were named Best International Firm for Talent Management by Euromoney Legal Media Group's Women in Business Law Awards in the Americas (sixth consecutive year) and Asia (fourth consecutive year) and Europe (second consecutive year).
- We received Mansfield Rule Certification from Diversity Lab, confirming that White & Case has "affirmatively considered at least 30 percent women and attorneys of color for leadership and governance roles, equity partner promotions and senior lateral positions."
- We were named one of three MetLife 2018 "Diversity Champions" for our outstanding commitment to diversity in our operations and one of six finalists for Bank of America's Diversity & Inclusion Business Council's 2017-2018 Diversity and Inclusion Award.
- We received the 2018 Flex Impact Award from the Diversity & Flexibility Alliance for our gender-neutral leave policy in the US.
- We were awarded the 2018 "PRIDE 500" Employer Seal in Germany by the LGBT job and career platform STICKS & STONES and advocacy organization Aktionsbündnis gegen Homophobie (Action Alliance against Homophobia).

We have institutionalized our diversity efforts with a full-time Head of Diversity and Inclusion, three 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 lawyers and business services staff: 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.

These groups serve as key resources for professional development, recruitment and retention of our people. The groups support pro bono and community development initiatives, and host networking receptions and cultural awareness programs 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 delivered a mandatory unconscious bias training program delivered to all offices globally to all partners, associates and business services staff. We are currently developing a second phase of this program, which will follow up with participants from the initial program to share how their behaviors have changed to become more inclusive, and which will support continued positive behaviour change with a series of ongoing activities.

We have conducted Respectful Work Environment training in London, sexual harassment prevention training for US partners, and upward reviews of partners and associates. In 2018, we delivered via e-Learning an updated sexual harassment and discrimination prevention training globally. We are planning to deliver additional sexual harassment prevention e-Learning to all US employees in 2019. We also strive to ensure diversity principles are embedded in our learning and development programs.

In 2018, we provided pro bono employment and labor advice to a number of nonprofits and NGOs around the world, including Hopsasa gUG in Germany, Hands Up Foundation and Samaritans, both in the UK, International Medical Corps in the US, and Institute for War and Peace Reporting, headquartered in the Netherlands, UK and US. For International Medical Corps, we provide an overview of overtime laws in a number of jurisdictions to assist IMC in insuring it was compliant with local labor laws in the jurisdictions where its employees and volunteers provide aid.

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.*

Through our Green Initiative, we institute best practices and track our progress across our network to reduce the carbon footprint and waste profile of our operations. The initiative is overseen by the Environmental Sustainability Committee, chaired by the Head of Global Citizenship, which includes our three Regional Chief Operating Officers, as well as representatives from many of our offices 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 improving our environmental performance.

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 three greenhouse gas emission assessments, most recently in 2018 in collaboration with Greenstone, and in 2010 and 2012 in collaboration with the Carbon Neutral Company.

- Since 2012, our reported per person greenhouse gas emissions in tons of CO₂ equivalent gasses have decreased 36% and our total emissions have decreased 29%.
- Forty-four percent of our reported emissions come from energy use and 44% from business transportation.

We have drafted an Environmental Management System for office-level and Firm-level practices, based on the American Legal Industry Sustainability Standards developed by the Law Firm Sustainability Network. This system is currently being piloted in eight offices around the world. Upon completion of the pilot, the system will be implemented throughout our global network of more than 40 offices.

Highlights of our progress so far include:

- In 2018, our London office retained its ISO 14001 certification. It has also been awarded the '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. Our New York office was recognized by the NYC Bar Association's Committee on Environmental Law for initiatives to support sustainability through participation in the New York State Energy Research & Development Authority (NYSERDA) Commercial Tenant Program.
- Our Global Technology Services continues to improve the sustainability of its 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 uses 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. After our 2018 campaign, which featured World Oceans Day and focused on the importance of minimizing plastic use, a number of offices eliminated single use plastics. Implementing this practice worldwide is part of the Environmental Management System now being piloted.

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 have been cited by Environmental Finance for our ground-breaking green bond work as well as our status as an observer member of the industry-led voluntary guidelines—the Green Bond Principles—and as 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.

We are also an advisor to the Bank of England in its role as chair of the G20 Green Finance Study Group. In this capacity we co-authored a white paper in 2018 with the Study Group that calls for creation of a sustainable collateralized loan obligation (CLO) market to support the world's transition to a sustainable economy and combat irreversible climate change. The authors estimated that the bond market could provide half the current annual investment gap. The white paper provides a roadmap for central bankers and regulators in the G20 to move forward to finance the implementation of the Paris Agreement.

Our pro bono activities also seek to advance environmental sustainability. Highlights in 2018 included:

- A cross-office team of lawyers conducted a legislative review integral to the development of a Global Pact for the Environment, now being explored by the UN. Our review included regional and country-specific instruments, multilateral environmental agreements, soft law instruments and the UN Sustainable Development Goals. It is being used by the World Commission on Environmental Law at the International Union for Conservation of Nature National Committee to develop and strengthen a body of international environmental law principles and inform the drafting of the Global Pact.
- Our lawyers in London have been working with the Zoological Society of London (ZSL) on its Instant Detect tool, a cutting-edge wildlife and threat monitoring system designed for the world's most demanding environments. We negotiated on ZSL's behalf to obtain the best possible IP terms, leading to successful trials in seven locations and the opportunity to scale it with multiple technology partners in future.
- We have worked with Conservation International (CI) for more than 15 years, and in 2018 more than 30 lawyers in ten offices were engaged on a variety of conservation finance matters for CI, including the launch of Conservation International Ventures, an investment fund that will deploy financing to small and medium-sized enterprises without access to traditional finance whose business models have a potentially transformational impact on the environment.

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 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 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.

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.

As part of our annual internal office audit process, we select a group of offices on corruption risk. The audit is conducted by our General Counsel and a member of our Global Risk Management Committee.

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

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.

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. Our network of Money Laundering Reporting Officers ensures that all internal and external reporting requirements are met.

The majority of jurisdictions in which the Firm practices have endorsed those standards and have in place stringent local rules and regulations.

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.

Resources

White & Case Website

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

2018 White & Case Firm Annual Review

<https://www.whitecase.com/2018-annual-review>

Global Citizenship at White & Case

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

2018 White & Case Global Citizenship Review

<https://www.whitecase.com/2018-global-citizenship-review>

White & Case Business & Human Rights Practice

<https://www.whitecase.com/law/practices/business-human-rights>

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>