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EFRAG Sustainability Reporting Board Consultation Survey 1

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EFRAG Sustainability Reporting Board Consultation Survey 1A - 1C, 2

Consultation survey structure

1. Overall European Sustainability Reporting Standards (ESRS) Exposure Drafts' relevance (Survey 1)

- 1A. Architecture
- 1B. Implementation of Corporate Sustainability Reporting Directive (CSRD) principles
- 1C. Exposure Drafts' content

2. European Sustainability Reporting Standards (ESRS) implementation prioritisation / phasing-in (Survey 1)

3. Adequacy of Disclosure Requirements (Survey 2)

- 3A. Cross cutting standards
- 3B Environmental standards
- 3C Social standards
- 3D Governance standards

Respondent Profile

1. Personal details

* Organisation name

50 character(s) maximum

BNP PARIBAS GROUP

* First name

50 character(s) maximum

Catherine

* Surname

50 character(s) maximum

ROYERE

* Email (this information will not be published or made public)

50 character(s) maximum

catherine.royere@bnpparibas.com

* Country of origin

50 character(s) maximum

france

*** 2. Type of respondent**

- ○ Academic / research institution
- ○ Audit firm, assurance provider and/or accounting firm
- ○ Business association
- ○ Consumer organization
- ○ ESG reporting initiative
- ○ EU Citizen
- ○ Financial institution (Bank)
- ○ Financial institution (Other financial Market Participant, including pension funds and other asset managers)
- ○ Financial institution (Insurance)
- ○ National Standard Setter
- ○ Non-governmental organisation
- ○ Non-financial corporation with securities listed on EU regulated markets
- ○ Non-financial corporation with securities listed outside EU regulated markets
- ○ Public authority/regulator/supervisor
- ○ Rating agency and analysts
- ○ Trade unions or other workers representatives
- ○ Unlisted non-financial corporations
- ◉ Other

*** 3. Size**

- ○ Micro (1 to 9 employees)
- ○ Small (10 to 49 employees)
- ○ Medium (50 to 249 employees)
- ◉ Large (250 or more employees)
- ○ Not relevant

*** 4. User/Preparer perspective**

- ○ User
- ○ Preparer
- ◉ Both
- ○ Neither

*** 5. Subject to CSRD**

Separate non-financial corps subject to CSRD from those not subject to CSRD?

- ◉ Yes
- ○ No

EFRAG Sustainability Reporting Board Consultation Survey 1A - 1C, 2

1A. Overall ESRS Exposure Drafts' relevance – Architecture

Cross-cutting and topical standards

To facilitate a coherent coverage of the CSRD topics and reporting areas (as per Article 19a paragraph 2 and Article 19b paragraph 2 – see Appendix II) the Exposure Drafts (“EDs”) submitted for public consultation are based upon two categories of standards:

• **Cross-cutting ESRS** which:

1. Establish the general principles to be followed when preparing sustainability reporting in line with the CSRD provisions
2. Mandate Disclosure Requirements (“DRs”) aimed at providing an understanding of (a) strategy and business model, (b) governance and organisation, and (c) materiality assessment, covering all topics.

• **Topical ESRS** which, from a sector-agnostic perspective:

1. Provide topic-specific application guidance in relation to the cross-cutting DRs on strategy and business model, governance, materiality assessment
2. Mandate DRs about the undertaking’s implementation of its sustainability-related objectives (i.e. on its policies, targets, actions and action plans, and allocation of resources)
3. Mandate performance measurement metrics.

A full list of standards and whether they are cross-cutting standards or topical standards can be found in Appendix I.

Q1: in your opinion, to what extent do the structure and articulation of cross-cutting and topical standards adequately support the coverage of CSRD topics and reporting areas?

- ○ Not at all

- ◯ To a limited extent with strong reservations
- ◉ To a large extent with some reservations
- ◯ Fully
- ◯ No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

BNP Paribas is strongly committed to adopt sustainability strategies to transition to a low-carbon economy. The fact that firms report to stakeholders on their actions and progress (e.g. in accordance with the TCFD recommendations) is an important cornerstone of the transition efforts and is hence taken very seriously. We recognize that the structure and articulation of cross-cutting and topical standards adequately support the coverage of CSRD topics and reporting areas. However, we take the opportunity, from Question 1, to raise that we are highly concerned that the proposals, as they stand, are overly complex, too extensive and lack prioritisation. Indeed, while climate related disclosure is the most mature subject, we believe it is premature to define specific requirements for all objectives, where international developments are still in an early stage (TNFD). We would like to highlight our recommendations in terms of priorisation, as we believe it is the main stake of this consultation. From our perspective, both as a user and preparer, EC's and EFRAG's ambition is excessive given that, at international level (ISSB and US), climate is the only objective covered by draft standards. Corporates and banks need time to implement efficiently the climate disclosure standards, knowing that in Europe, they have to implement also Article 8 of the Delegated Act of the Taxonomy Regulation (which includes EU Taxonomy aligned ratios such as the Green Asset Ratio), SFDR, MIFID IDD ESG preferences, ESG Pillar 3 and CSDDD that do not exist elsewhere. We believe that Europe should implement "climate" only as a first step, with a perfect fit / interoperability approach with draft IFRS exposure standards in order to avoid "double burden" and uneven playing field with non-European competitors. Otherwise EU standards will put EU companies' competitivity at stake. The draft documents go into a detail of disclosure requirements which touch on commercially sensitive business information. Not only are they often impossible to deliver, but even if they were, they would raise critical liability issues and unilaterally allow non-EU competitors to gain valuable insights in strategic data (for example, the « description of opportunities over the long term and their potential financial impact »). Even financial reporting standards – whether international or national GAAPs – do not go into as much detail. Examples of this kind are numerous and field-testing new requirements may be a way to check the practicability of future standards. Taking the international dimension into account is crucial and indispensable. Both for preparers and users of sustainability reports, it is essential that EFRAG adopt a co-construction approach with the newly established International Sustainability Standards Board (ISSB) of the IFRS Foundation in order to design a "common core" of EU standards that exactly fit together with internationally recognised standards and ensure interoperability. Such "common core" would be complemented by clearly identified, strictly necessary EU-specific requirements. Investors, including those active in the EU, are international and adopting different approaches will create confusion and complexity and thus undermine the quality of information. Focusing on most urgent issues is needed. For the above-mentioned reasons, we suggest focusing on climate first. A focus on the climate standard would also ease the implementation and operationalization for entities. We want to recall that the implementation of the Taxonomy is already time consuming and difficult. Moreover, the EFRAG do no propose safe harbor principle and the level 1 text does not envision a one-year delay between the reporting of financial institutions and the reporting non-financial institutions, making its implementation even more complicated. Adding more regulatory pressure does not seem like the best option. Accordingly, it would be relevant to adapt the disclosure requirements for other financial market participants (notably investors) who have to comply with their own transparency obligations under SFDR and Taxonomy regulation. There should be a global dialogue between policy makers and the industry to see how the need for progressive entry into force of these new measures could be enforced in an efficient and pragmatic way to provide in the end investors with relevant and of quality extra-financial information. That is why, BNP Paribas will not answer all the questions of the consultation, but will focus more specifically on the questions related to ESRS 1 General principles (1.A. Architecture (Q1-12), 1.B Implementation of CSRD (Q13 -37), 1.C. Exposure drafts content (Q38-40); 2. ESRS implementation prioritization/ phasing-in (Q51-57)), related to ESRS 2 General, strategy, governance and materiality assessment (Q1-22), and those related to ESRS E1 Climate objective.

Alignment and interoperability with international standards and frameworks

- Article 19b paragraph 3a of the CSRD requires that "When adopting delegated acts pursuant to paragraph 1, the Commission shall take account of the work of global standard-setting initiatives for sustainability reporting, and existing standards and frameworks for natural capital accounting, responsible business conduct, corporate social responsibility, and sustainable development."
- ESRS EDs were drafted accordingly, with the objective of fostering as much alignment as possible considering the constraints imposed by other provisions included in articles 19a and 19b as per the CSRD proposal. Details of these provisions and how they are covered by the ESRS EDs can be found in Appendix I.
- The structure and organisation of the reporting areas was one aspect of alignment to which particular attention was paid. Thus, the two categories of standards are organised to cover the reporting areas in relation to governance, strategy, assessment/management of impacts, risks and opportunities, and targets/metrics (as considered by the Task Force on Climate-Related Financial Disclosures - TCFD and source of inspiration for the IFRS Sustainability standards). A detailed mapping of the ESRS EDs disclosure requirements with TCFD recommendations and with IFRS Sustainability Exposure Drafts can be found in Appendices 5 and 6.

Q2: in your opinion, to what extent is the TCFD framework of reporting areas (governance, strategy, risk management and metrics/targets) compatible with the structure of the ESRS?

- ( ) Not at all
- ( ) To a limited extent with strong reservations
- (•) To a large extent with some reservations
- ( ) Fully
- ( ) No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

TCFD, which published its first guidelines in 2016 and updated them in 2021, has been implemented by many European entities, including BNP Paribas. Therefore, ithelped Europe to build a robust framework for climate-related disclosure. That is why we believe that it is utterly premature for CSRD/EFRAG to define standards for other objectives such as biodiversity, in a context where the international developments for these other objectives, e.g. TNFD, are not finalized.
EFRAG has chosen not to take the exact same approach as the TCFD with its 4 pillars (governance, strategy, risk management and metrics/targets) but has decided to organise the disclosure in a different way (strategy, implementation and performance measures). While ISSB is proposing its climate-related disclosure on the same approach as TCFD, the fact that EFRAG is NOT going to propose the same approach will make data collection and comparability more difficult and analysts will need more time to reconcile disclosures. Therefore, we recommend that EFRAG aligns Climate Standards structure with TCFD four pillars.
In addition, the "risk management" part, which appears clearly in the ISSB and TCFD architecture, is more fragmented across the 3 EFRAG pillars. This makes the reading / understandability of the EFRAG framework more difficult, as well as the modularity with Pillar 3.

Q3: in your opinion, to what extent does the approach taken to structure the reporting areas promote interoperability between the ESRS and the IFRS Sustainability Exposure Drafts?

- ( ) Not at all
- ( ) To a limited extent with strong reservations
- (x) To a large extent with some reservations
- ( ) Fully
- ( ) No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

> We agree that the approach taken to structure the reporting areas promotes interoperability between the ESRS and the IFRS Sustainability Exposure Drafts. We welcome a quite similar approach with separate “general/cross-cutting requirements” and “topical standards”.
> However, EFRAG approach is much more complex, with two papers for General Principles and cross-cutting standards versus one single text (IFRS S1) ISSB. EFRAG is also proposing complex “additional guidance”.

Consideration given to EU policies and legislation

Article 19b paragraph 3 of the CSRD also requires that “When adopting delegated acts pursuant to paragraph 1, the Commission shall take account of:

1. the information that financial market participants need to comply with their disclosure obligations laid down in Regulation (EU) 2019/2088 and the delegated acts adopted pursuant to that Regulation - **Sustainable Finance Disclosure Requirements**;
2. the criteria set out in the delegated acts adopted pursuant to Regulation (EU) 2020/852 - **Taxonomy Regulation**;
3. the disclosure requirements applicable to benchmarks administrators in the benchmark statement and in the benchmark methodology and the minimum standards for the construction of EU Climate Transition Benchmarks and EU Paris-aligned Benchmarks in accordance with Commission Delegated Regulations (EU) 2020/1816*8, (EU) 2020/1817 and (EU) 2020/1818 - **Benchmark Regulation**;
4. the disclosures specified in the implementing acts adopted pursuant to Article 434a of Regulation (EU) No 575/2013; **Prudential requirements for Credit Institutions and Investment Firms**;
5. Commission Recommendation 2013/179/EU; **European Commission recommendation on the life cycle environmental performance of products and services**;
6. Directive 2003/87/EC of the European Parliament and of the Council; **GHG allowance Directive**;
7. Regulation (EC) No 1221/2009 of the European Parliament and of the Council; **EMAS regulation**.

Q4: in your opinion, have these European legislation and initiatives been considered properly?

- ( ) Not at all
- ( ) To a limited extent with strong reservations
- ( ) To a large extent with some reservations
- (x) Fully
- ( ) No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

No comment

Q5: are there any other European policies and legislation you would suggest should be considered more fully?

The Corporate Sustainability Due Diligence Directive should also be taken into account. Article 15 of the Directive introduces the obligation for entities to adopt a “plan to ensure that the business model and strategy of the company are compatible with the transition to a sustainable economy and with the limiting of global warming to 1.5 °C in line with the Paris Agreement.”

Coverage of sustainability topics

Article 19b paragraph 2 of the CSRD proposal defines the sustainability subject matters (referred to as sustainability topics or subtopics in the ESRS) that the sustainability reporting standards shall address when defining the sustainability information required by article 19a paragraphs 1 and 2 of the CSRD.
The ESRS architecture was designed to cover all the detailed subject matters listed in article 19b paragraph 2 for environment-, social- and governance-related matters and to ensure that sustainability information is reported in a carefully articulated manner.
In terms of timing of adoption of European sustainability reporting standards, article 19b paragraph 1 of the CSRD requires the Commission to adopt:

- a first set of sustainability standards covering the information required by article 19a and at least specifying information needed by financial market participants subject to the SFDR reporting obligations
- a second set of standards covering information that is specific to the sector in which undertakings operate.

Also, article 19c of the CSRD proposal on sustainability reporting standards for SMEs requires the Commission to adopt SME-proportionate standards in a second set.
As a consequence, as per article 19b paragraph 1, are only included in this first set of ESRS Exposure Drafts:

1. the two cross-cutting standards on General principles (ESRS 1) and on General, strategy, governance and materiality assessment (ESRS 2);
2. the eleven topical (sector-agnostic) standards covering environment- (ESRS E1 to E5), social- (ESRS S1 to S4) and governance-related (ESRS G1 and G2) sustainability topics.

A detailed list of ESRS EDs can be found in Appendix I. And the detailed provisions of the CSRD and how they are covered by the ESRS EDs can be found in Appendix II.

Q6: in your opinion, to what extent does the proposed coverage of set 1 adequately address CSRD sustainability topics?

- ◯ Not at all

- To a limited extent with strong reservations
- To a large extent with some reservations
- (x) Fully
- No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have.

No comment

Q7: in your opinion, to what extent does the proposed coverage of set 1 (see Appendix I) adequately address SFDR reporting obligations?

- Not at all
- To a limited extent with strong reservations
- To a large extent with some reservations
- (x) Fully
- No opinion

If you think this coverage and its implementation could be improved in any way, please specify how and to what specific SFDR indicator your comment relates

No comment

Sustainability statements and the links with other parts of corporate reporting

For clarity and ease of use, standardised sustainability reporting shall be easily identifiable within the management report (MR). To that effect, ESRS 1 – General principles (paragraphs 145 to 152) prescribes how to organise the information required by ESRS. It offers three options (paragraphs 148 and 149) for undertakings to consider when preparing their sustainability reporting:

- a single separately identifiable section of the MR;
- four separately identifiable parts of the MR:

1. General information;
2. Environment;
3. Social;
4. Governance

- one separately identifiable part per ESRS in the MR.

The first option is the preferred option. When applying the other two options the entity shall report a location table to identify where disclosures are presented in the MR.
In order to foster linkage throughout the undertaking's corporate reporting, ESRS 1 also:

- prescribes that the undertaking adopts presentation practices that promote cohesiveness between its sustainability reporting and: (a) the information provided in the other parts of the management report, (b) its financial statements (FS), and (c) other sustainability-related regulated information (paragraphs 131 to 134)
- promotes the incorporation of information by reference to other parts of the corporate reporting in order to avoid redundancy (paragraphs 135 and 136)
- organises connectivity with the financial statements by prescribing how to include monetary amounts or other quantitative data points directly presented in the financial statements (paragraphs 137 to 143).

Q8: Do you agree with the proposed three options?

- (x) Yes
- ( ) No
- ( ) No opinion

Q9: would you recommend any other option(s)?

If so, please describe the proposed alternative option(s)

> No. In order to facilitate data collection for banks, investors and other users, it is important that data should reported in the same manner and in the same place. In addition, we recommend ESAP to be able to manage the different options and address this collection issue.

Q10: in your opinion, to what extent do you believe that connectivity between the sustainability reporting and other parts of the management report has been appropriately addressed?

- ( ) Not at all
- ( ) To a limited extent with strong reservations
- ( ) To a large extent with some reservations
- (x) Fully
- ( ) No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

> No comment

Q11: in your opinion, to what extent does the incorporation of information in the Sustainability section by reference to other parts of the management report support cohesiveness throughout corporate reporting?

- ( ) Not at all
- ( ) To a limited extent with strong reservations
- ( ) To a large extent with some reservations
- (x) Fully
- ( ) No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

No comment

Q12: in your opinion, to what extent do the requirements and provisions on how to include monetary amounts and other financial statement-related quantitative data into sustainability reporting support connectivity with the financial statements?

- ○ Not at all
- ○ To a limited extent with strong reservations
- ◉ To a large extent with some reservations
- ○ Fully
- ○ No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

No comment

1B. Overall ESRS Exposure Drafts relevance – Implementation of CSRD principles

Characteristics of information quality

Article 19a paragraph 2 of the CSRD proposal states that "the sustainability reporting standards referred to in paragraph 1 shall require that the information to be reported is understandable, relevant, representative, verifiable, comparable, and is represented in a faithful manner."
As a consequence, ESRS 1 - *General principles* defines how such qualities of information shall be met:

- Relevance is defined in paragraphs 26 to 28
- Faithful representation is defined in paragraphs 29 to 32
- Comparability is defined in paragraphs 33 and 34
- Verifiability is defined in paragraphs 35 to 37
- Understandability is defined in paragraphs 38 to 41

Q13: to what extent do you think that the principle of relevance of sustainability information is adequately defined and prescribed?

- ○ Not at all
- ○ To a limited extent with strong reservations
- ○ To a large extent with some reservations
- ◉ Fully

- [ ] No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

> The definitions of EFRAG and ISSB are very close and use the same concepts & criteria.
> ISSB: Relevant sustainability-related financial information is capable of making a difference in the decisions made by the primary users. […] if it has predictive value, confirmatory value or both.
> EFRAG: Sustainability information is relevant when it has substantive influence on the assessments and decisions of users of sustainability reports […] if it has predictive value, confirmatory value or both.

Q14: to what extent do you think that the principle of faithful representation of sustainability information is adequately defined and prescribed?

- [ ] Not at all
- [ ] To a limited extent with strong reservations
- [ ] To a large extent with some reservations
- [x] Fully
- [ ] No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

> ISSB and EFRAG definitions are very closely aligned. They both use the same criteria to define a "faithful representation": such information should be (i) complete, (ii) neutral and (iii) accurate. However, we warn that it will be difficult to provide "accurate" data in the first years and that we will have to rely on proxies. Safe harbour provisions as proposed by the SEC would be welcomed.

Q15: to what extent do you think that the principle of comparability of sustainability information is adequately defined and prescribed?

- [ ] Not at all
- [ ] To a limited extent with strong reservations
- [ ] To a large extent with some reservations
- [x] Fully
- [ ] No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

> ISSB and EFRAG definitions are very closely aligned:
> - EFRAG: Sustainability information is comparable when it is consistent over time and, to the greatest extent possible, presented in a way that enables comparisons between undertakings.
> - ISSB: Information is more useful to investors and creditors if it is also comparable, that is, if it can be compared with: (a) information provided by the entity in previous periods; and (b) information provided by other entities, in particular those with similar activities or operating within the same industry.

Q16: to what extent do you think that the principle of verifiability of sustainability information is adequately defined and prescribed?

- Not at all
- To a limited extent with strong reservations
- To a large extent with some reservations
- (x) Fully
- No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

EFRAG and ISSB use the same definition: “Sustainability information is verifiable if it is possible to corroborate such information itself or the inputs used to derive it.”

Q17: to what extent do you think that the principle of understandability of sustainability information is adequately defined and prescribed?

- Not at all
- To a limited extent with strong reservations
- To a large extent with some reservations
- (x) Fully
- No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

ISSB and EFRAG definitions are very closely aligned.

Double materiality

Double materiality is a principle that is central to the CSRD proposal and is represented accordingly in the ESRS materiality assessment approach that sustains the definition of mandatory requirements by the cross-cutting and topical standards. This is also true of the materiality assessment any undertaking is expected to perform, per ESRS 2 – *General, strategy, governance and materiality assessment*, to identify its principal sustainability risks, impacts and opportunities. This in turn, defines what sustainability information must be reported by the undertaking.

Double materiality assessment supports the determination of whether information on a sustainability matter has to be included in the undertaking’s sustainability report. ESRS 1 paragraph 46 states that “a sustainability matter meets the criteria of double materiality if it is material from an impact perspective or from a financial perspective or from both.” Further indications as to how to implement double materiality is given by ESRS 2 Disclosure Requirement 2-IRO 1, paragraph 74b(iii) and AG 68.

While recognising that both perspectives are intertwined the Exposure Drafts contain provisions about how to implement the two perspectives in their own rights.

Q18: in your opinion, to what extent does the definition of double materiality (as per ESRS 1 paragraph 46) foster the identification of sustainability information that would meet the needs of all stakeholders?

- Not at all
- To a limited extent with strong reservations
- To a large extent with some reservations
- (selected) Fully
- No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

The EFRAG definition of double materiality is a bit broader than the one of ISSB, due to the scope of “impact materiality”: “A sustainability matter is material from an impact perspective if it is connected to actual or potential significant impacts by the undertaking on people or the environment over the short-, medium- or long-term.”
ISSB definition: “Sustainability-related financial information is broader than information reported in the financial statements that influences the assessment of enterprise value by the primary users. An entity is required to disclose material information about all of the significant sustainability-related risks and opportunities to which it is exposed. Sustainability-related financial information should, therefore, include information about the entity’s governance of and strategy for addressing sustainability-related risks and opportunities and about decisions made by the entity that could result in future inflows and outflows that have not yet met the criteria for recognition in the related financial statements. Sustainability-related financial information also depicts the reputation, performance and prospects of the entity as a consequence of actions it has undertaken, such as its relationships with, and impacts and dependencies on, people, the planet and the economy, or about the entity’s development of knowledge-based assets.”
Our analyse is that the difference is manageable, at least as a first step, as considered in EFRAG Appendix 5 which compares EFRAG standards with ISSB: “In ESRS S1 and S2 the dimension of impacts is explicit, while in IFRS S1 it is implicitly considered as a source of risks and opportunities.”
In “Company’s impact and enterprise value do overlap”, the Vice Chair of the International Sustainability Standards Board, Sue Lloyd, developed a similar view : “The general understanding is that the ISSB will not incorporate what is called ‘double materiality’ – that is, it will focus largely on the impact of the changing climate on a company rather than on the impact of the company on the climate, as the assumption is this is what investors really care about. That said, its willingness to work with both European Financial Reporting Advisory Council (EFRAG) and the Global Reporting Initiative (GRI), the oldest of standard setters, should give double materiality advocates some confidence”
The two are too difficult to separate, says Lloyd. “On the whole, companies with very high greenhouse gas emissions are likely to be subject to regulatory action and may see customers not wanting to buy their products in favour of greener options. We’re interested in impacts insofar as they affect enterprise value – and it’s often the case that when there is an impact [of the company on the environment] it does affect enterprise value,” she adds. “There is overlap.”
We fully support the above view that both single and double materiality are relevant for financial investors, insofar as they are both relevant for entreprise value. We encourage EFRAG to promote this view about convergence rather than insist that ISSB should have an explicit reference to double materiality. In the same vein, EFRAG may want to avoid any reference to “all” stakeholders which implicitly assumes that some requested information would not be relevant for financial investors.

Q19: to what extent do you think that the proposed implementation of double materiality (as per ESRS 2-IRO 1, paragraph 74b(iii) and AG 61) is practically feasible?

- Not at all
- To a limited extent with strong reservations
- (selected) To a large extent with some reservations
- Fully
- No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

We should start with the double materiality related to climate, given that the concept of double materiality is not yet defined for the other objectives
Regarding other ESRS 2 proposals related to IRO, please confer to the reservations we provided in the dedicated questionnaire, among others:
• The question of granularity is pivotal to ensure that information is relevant, but there is also a need to remain concise and understandable, in order to ensure comparability. There is a need to define the right balance between (i) the requirement for exhaustiveness for the materiality assessment on every indicator and (ii) the necessity to maintain the balance between cost / benefit for such assessment.
• In addition, the disclosure of the description of the processes to identify material sustainability impacts, risks and opportunities should remain concise.
• There is a need to ensure full consistency with the final Corporate Sustainability Due diligence

Impact materiality

- A definition of impact materiality is given by ESRS 1 paragraph 49: "a sustainability matter is material from an impact perspective if the undertaking is connected to actual or potential significant impacts on people or the environment over the short, medium or long term. This includes impacts directly caused or contributed to by the undertaking and impacts which are otherwise directly linked to the undertaking's upstream and downstream value chain."
- A description of how to determine impact materiality and implement impact materiality assessment can be found in ESRS 1 *paragraph 51* and is complemented by ESRS 2 *Disclosure Requirement* 2-IRO 1, paragraph 74b(iii), AG 64 and AG 68.

Q20: in your opinion, to what extent is the definition of impact materiality (as per ESRS 1 paragraph 49) aligned with that of international standards?

- Not at all
- To a limited extent with strong reservations
- (selected) To a large extent with some reservations
- Fully
- No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

Both definitions are close but EFRAG's definition is broader.
EFRAG, §49:" Impact materiality is a characteristic of a sustainability matter or information in relation to an undertaking. A sustainability matter is material from an impact perspective if it is connected to actual or potential significant impacts by the undertaking on people or the environment over the short-, medium- or long-term. This includes impacts directly caused or contributed to by the undertaking in its own operations,

products or services and impacts which are otherwise directly linked to the undertaking's upstream and downstream value chain, and not limited to contractual relationships."
ISSB: §17: "An entity's sustainability-related risks and opportunities arise from its dependencies on resources and its impacts on resources, and from the relationships it maintains that may be positively or negatively affected by those impacts and dependencies. When such impacts, dependencies and relationships create risks or opportunities for an entity, they can affect the entity's performance or prospects, create or erode the value of the enterprise and the financial returns to providers of financial capital, and the assessment of enterprise value by the primary user."

Q21: to what extent do your think that the determination and implementation of impact materiality (as proposed by ESRS 1 paragraph 51) is practically feasible?

- ○ Not at all
- ○ To a limited extent with strong reservations
- ○ To a large extent with some reservations
- ◉ Fully
- ○ No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

We agree on the definition of the materiality by EFRAG in §51: "The materiality of an actual impact is determined by the severity of the impact (scale, scope, and irremediable character), while the significance of a potential negative impact is determined by the severity and likelihood of the impact. In the case of a potential human rights impact, the severity of the impact takes precedence over its likelihood."

Financial materiality

- A definition of financial materiality is given by ESRS 1 paragraph 53: "a matter is material from a financial perspective if it triggers or may trigger significant financial effects on the undertaking, i.e., it generates risks or opportunities that influence or are likely to influence the future cash flows and therefore the enterprise value of the undertaking in the short, medium or long term, but it is not captured or not yet fully captured by financial reporting at the reporting date."
- A description of how to determine financial materiality and implement financial materiality assessment can be found in ESRS 1 paragraphs 54 to 56 and is complemented by ESRS 2 Disclosure Requirement 2-IRO 1, paragraph 74b(iii), AG 65 and AG 69.

Q22: in your opinion, to what extent is the definition of financial materiality (as per ESRS 1 paragraph 53) aligned with that of international standards?

- ○ Not at all
- ○ To a limited extent with strong reservations
- ○ To a large extent with some reservations
- ◉ Fully
- ○ No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

Financial materiality as described by EFRAG uses the prism of enterprise value, like ISSB:
- EFRAG: “a matter is material from a financial perspective if it triggers or may trigger significant financial effects on the undertaking, i.e., it generates risks or opportunities that influence or are likely to influence the future cash flows and therefore the enterprise value of the undertaking in the short-, medium- or long- term, but it is not captured or not yet fully captured by financial reporting at the reporting date.”
- ISSB: “When such impacts, dependencies and relationships create risks or opportunities, they can create or erode the value of the enterprise, the financial returns to providers of financial capital, and the assessment of enterprise value by primary users.”

Q23: to what extent do you think that the determination and implementation of financial materiality (as proposed by ESRS 1 paragraphs 54 to 56) is practically feasible?

- ( ) Not at all
- ( ) To a limited extent with strong reservations
- ( ) To a large extent with some reservations
- ( ) Fully
- (•) No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

No comment

(Materiality) Rebuttable presumption

Central to the ESRS is the critical combination of two key elements:

- the mandatory nature of disclosure requirements prescribed by ESRS, and
- the pivotal importance of the assessment by the undertaking of its material impacts, risks and opportunities.

The combination of the two is designed to make sure that the entity will report on its material impacts, risks and opportunities, but on all of them.
The assessment of materiality applies not just to a given sustainability matter covered by a given ESRS (like ESRS E3 on biodiversity for example), but also to each one of the specific disclosure requirements included in that ESRS. However, this excludes the cross-cutting standards and related disclosure requirements, which are always material and must be reported in all cases.
When a sustainability matter is deemed material as a result of its materiality assessment, the undertaking must apply the requirements in ESRS related to these material matters (except for the few optional requirements identified as such in ESRS). Conversely, disclosure requirements in ESRS that relate to matters that are not material for the undertaking are not to be reported.
The (materiality) rebuttable presumption mechanism described in ESRS 1 paragraphs 57 to 62 aims at supporting the implementation and documentation of the materiality assessment of the undertaking at a granular level.

ESRS 1 paragraphs 58 to 62 describe how to implement the rebuttable presumption principles. In particular, “The undertaking shall therefore assess for each ESRS and, when relevant, for a group of disclosure requirements related to a specific aspect covered by an ESRS if the presumption is rebutted for:

1. all of the mandatory disclosures of an entire ESRS or
2. a group of DR related to a specific aspect covered by an ESRS,

Based on reasonable and supportable evidence, in which case it is deemed to be complied with through a statement that:

1. the ESRS or
2. the group of DR is “not material for the undertaking”.

Q24: to what extent do you think that the (materiality) rebuttable presumption and its proposed implementation will support relevant, accurate and efficient documentation of the results of the materiality assessment?

- ○ Not at all
- ○ To a limited extent with strong reservations
- ◉ To a large extent with some reservations
- ○ Fully
- ○ No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

We welcome that EFRAG does not impose a materiality matrix with fixed thresholds, and rather leaves the appreciation of materiality to the undertaking.
We fully recognize the benefits of the rebuttable presumption in order to make sure that the entity is allowed to report only on its material impacts, risks and opportunities. We agree on the pivotal importance of the assessment by the undertaking of its material impacts, risks and opportunities. Conversely, we welcome that disclosure requirements in ESRS that relate to matters that are not material for the undertaking are not to be reported.
However, the burden of the proof falls on the company and systematic justification may be somehow burdensome and impair the readability of the sustainability reporting. We note that the use of the rebuttable presumption is based on “reasonable and supportable evidence” and can apply at a global ESRS level or “a group of Disclosure requirements within an ESRS. It is essential to maintain this pragmatic approach in the final standard. Going forward, as ESRS are developed for each ESG objective, it would be useful to identify, for each sectorial standard, the list of relevant disclosure requirements for which a materiality assessment must be performed by the undertaking. This would considerably simplify the materiality assessment, as other disclosure requirements would be deemed not material.
The selection of relevant disclosure requirements sectoral standards is not mature enough today.
In addition, European materiality assessment principles should be aligned with international standards. We urge EFRAG to jointly work with ISSB in order to ensure international convergence, to take into account the on-going works with industry initiatives on the recommendation of sector specific KPIs (ICMA, LMA…) and to avoid excessive granularity that would make them impossible to be implemented at corporate level. The definition of materiality matrices at sectoral levels (which in practice may be at sub-sub-sub sectoral levels) will take time. For the time being, the topic is not mature. Once fully implemented by sector, the need for a rebuttable presumption may disappear.
Final comment, the rebuttable presumption is a key concept that should be included and harmonized across all European Sustainability related legislation, including SFDR, Pillar 3, Taxonomy Regulation, etc…

Otherwise, financial institutions may have to report on KPIs deemed not material by their clients, creating a data quality mismatch.

Q25: what would you say are the advantages of the (materiality) rebuttable presumption and its proposed implementation?

Materiality rebuttable presumption would allow entities to only disclose information deemed material for them, which would allow sustainability reporting to be more adjusted/adapted to each entity their respective stakeholders' expectations. Ultimately it would help make the reporting clearer.

Q26: what would you say are the disadvantages of the (materiality) rebuttable presumption and its proposed implementation?

The fact that the burden of the proof of non-materiality falls on the company is the main disadvantage. Such systematic justification would be quite burdensome and impair the readability of the sustainability reporting. We would suggest instead to limit the disclosure to information that the company deemed material without adding the proof that the other information was considered not material, as for financial statements.

Q27: how would you suggest it can be improved?

Cf. our response to Question 26

Reporting boundary and value chain

ESRS 1 paragraphs 63 to 65 define the reporting boundary of the undertaking and how and when it is expanded when relevant for the identification and assessment of principal impacts, risks and opportunities upstream and downstream its value chain – as the financial and/or impact materiality of a sustainability matter is not constrained to matters that are within the control of the undertaking.

Paragraphs 67 and 68 address the situation when collecting the information about the upstream and downstream value chain may be impracticable, i.e. the undertaking cannot collect the necessary information after making every reasonable effort, and allows approximation based on the use of all reasonable and supportable information, including peer group or sector data.

Due to the dynamics and causal connections between levels within the undertaking's reporting boundary, material information is not constrained to one particular level. Paragraphs 72 to 77 prescribe how the undertaking shall consider the appropriate level of disaggregation of information to ensure it represents the undertaking's principal impacts, risks and opportunities in a relevant and faithful manner.

Q28: in your opinion, to what extent would approximation of information on the value chain that cannot (practically) be collected contribute to the reporting of understandable, relevant, verifiable, comparable, and faithfully represented sustainability information?

- Not at all

- [x] To a limited extent with strong reservations
- [ ] To a large extent with some reservations
- [ ] Fully
- [ ] No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

While we recognise the benefit of reporting key information on the full value chain of a corporate, we are also concerned by (i) the lack of data quality available on the full value chain and (ii) the legal responsibility that corporates may face in the future.
That's why we propose EFRAG to align the value chain with the one defined in the Corporate Sustainability Due Diligence Directive, which is limited, for the financial sector to the activities of their clients receiving loans and credits. Households and SMEs are also excluded from the value chain defined by the CSDD.
We believe it essential that stakeholders of a corporate be able to make a clear distinction between, on the one hand, the portion of the value chain on which a corporate has a strong leverage and for which it could be liable (i.e. our first proposed segment of the value chain) and, on the other hand, the rest of the value chain on which the corporate has no leverage and for which it should not be held accountable. Corporates need some time (years) before being able to change, relocate or relocate part of their value chain.
Finally, we would also like to stress that the reporting boundary and scope should be aligned with the CSRD scope, i.e. the Group consolidated level, and that the reporting boundary should encompass the same perimeter as the financial perimeter.

Q29: what other alternative to approximation would you recommend in cases where collecting information is impracticable?

In case collecting information is impracticable, regulators should either help developing proxies/estimates by sector or provide safe harbour, which is the option taken by the SEC.

Q30: in your opinion, to what extent will the choice of disaggregation level by the undertaking as per ESRS 1 paragraphs 72 to 77 contribute to the reporting of understandable, relevant, verifiable, comparable and faithfully represented sustainability information?

- [ ] Not at all
- [ ] To a limited extent with strong reservations
- [x] To a large extent with some reservations
- [ ] Fully
- [ ] No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

Corporate ESG data disclosure has to be performed, when relevant, on a disaggregation basis, when it would not make sense if aggregated. As an example, to understand climate physical risks of a corporate, we need to obtain information by geographical location of the assets. However, we need to find the right balance on the level of granularity of data disaggregation to achieve useful and transparent disclosure while not releasing too sensitive information. We believe competent authorities should determine the right level of granularity and data disaggregation to ensure a level playing field. In the meantime, we propose a safe harbour provision in case corporates do not have that level of disaggregated data or for competitive reasons.

We would like also to recall that entities' sustainability reporting will be used by financial institutions to comply with their other reporting obligations in particular under SFRD and Pillar III requirements. It is thus necessary that the level of disaggregation depends also on the information financial institutions need from their counterparties. For example, financial institutions will need information on biodiversity, as it is a principle adverse impact listed in the SFDR regulation. If the information is only published at country level and does not take into account the specific location of some of the entity's production sites (for example next to a high biodiversity area), then the information would not be useful for the financial institution. Another example regards physical risks (under Pillar III, financial institutions will have to assess the physical risks their counterparties are exposed to), the country level disclosure may not sufficient.

Time horizon

ESRS 1 paragraph 83 defines short-, medium- and long-term for reporting purposes, as

- One year for short term
- Two to five years for medium term
- More than five years for long-term.

Q31: do you think it is relevant to define short-, medium- and long-term horizon for sustainability reporting purposes?

- (x) Yes
- ( ) No
- ( ) I do not know

Please explain why

IFRS S1 does not define short, medium and long-term horizons but requires entities to disclose how themselves define such time horizons, see §18: "The short, medium and long term time horizons referred to in paragraph 16(a) can vary and depend on many factors, including industry-specific characteristics, such as cash flow and business cycles, the expected duration of capital investments, the time horizons over which the users of general purpose financial reporting conduct their assessments, and the planning horizons typically used in an entity's industry for strategic decision-making."
EFRAG recommends the following horizons for climate risk: below one year for short term, below 5 years for medium term and at least 10 years for long term.
We have recommended ISSB to align with EFRAG.

Q32: if yes, do you agree with the proposed time horizons?

- (x) Yes
- ( ) No
- ( ) I do not know

Please explain why

No comment

Q33: if you disagree with the proposed time horizons, what other suggestion would you make? And why?

No comment

Disclosure principles for implementation of Policies, targets, action and action plans, and resources

In order to harmonise disclosures prescribed by topical standards, ESRS 1 provides disclosure principles (DP) to specify, from a generic perspective, the key aspects to disclose:

1. when the undertaking is required to describe policies, targets, actions and action plans, and resources in relation to sustainability matters and
2. when the undertaking decides to describe policies, targets, actions and action plans, and resources in relation to entity-specific sustainability matters.

DP 1-1 on policies adopted to manage material sustainability matters describes (paragraphs 96 to 98) the aspects that are to be reported for the relevant policies related to sustainability matters identified as material following the materiality assessment performed by the undertaking.
DP 1-2 on targets, progress and tracking effectiveness defines (paragraphs 99 to 102) how the undertaking is to report measurable outcome-oriented targets set to meet the objectives of policies, progress against these targets and if non-measurable outcome-oriented targets have been set, how effectiveness is monitored.
DP 1-3 on actions, action plans and resources in relation to policies and targets defines (paragraphs 103 to 106) the aspects that are to be reported by the undertaking relating to actions, action plans and resources in relation to policies and targets adopted to address material impacts, risks and opportunities.

Q34: in your opinion, to what extent will DP 1-1 contribute to the reporting of understandable, relevant, verifiable, comparable and faithfully represented information on sustainability related policies?

- ○ Not at all
- ○ To a limited extent with strong reservations
- ○ To a large extent with some reservations
- ● Fully
- ○ No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

EFRAG fits with ISSB standard.

Q35: in your opinion, to what extent will DP 1-2 contribute to the reporting of understandable, relevant, verifiable, comparable, and faithfully represented information on sustainability-related targets and their monitoring?

- ○ Not at all
- ○ To a limited extent with strong reservations
- ○ To a large extent with some reservations
- ◉ Fully
- ○ No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

EFRAG fits with ISSB standard.

Q36: in your opinion, to what extent will DP 1-3 contribute to the reporting of understandable, relevant, verifiable, comparable, and faithfully represented information on sustainability-related action plans and allocated resources?

- ○ Not at all
- ○ To a limited extent with strong reservations
- ◉ To a large extent with some reservations
- ○ Fully
- ○ No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

EFRAG fits with ISSB standard.
However, we believe that the information entities will have to disclose may be too sensitive and could be detrimental vis a vis other non-EU companies that will not be in the scope of the CSRD. European entities should not become less competitive because the disclose more sustainable information. Paragraph 105 may be the most problematic as it may constraint entities to disclose information such as its R&D or investment plans.

Bases for preparation

Chapter 4 of ESRS 1 provides for principles to be applied when preparing and presenting sustainability information covering general situations and specific circumstances. Aspects covered include:

- general presentation principles (paragraphs 108 and 109);
- presenting comparative information (paragraphs 110 and 111);
- estimating under conditions of uncertainty (paragraphs 112 and 113);
- updating disclosures about events after the end of the reporting period (paragraphs 114 to 116);
- changes in preparing or presenting sustainability information (paragraphs 117 and 118);
- reporting errors in prior periods (paragraphs 119 to 124);
- adverse impacts and financial risks (paragraphs 125 and 126);

- optional disclosures (paragraph 127);
- consolidated reporting and subsidiary exemption (paragraphs 128 and 129);
- stating relationship and compatibility with other sustainability reporting frameworks (paragraph 130).

Q37: is anything important missing in the aspects covered by the bases for preparation?

- ○ Yes
- ● No
- ○ I do not know

If yes, please indicate which one(s).
Please share any comment you might have on the aspects already covered (make sure to indicate which one you are referring to)

Seems aligned with ISSB.

1C. Overall ESRS Exposure Drafts relevance – Exposure Drafts content

For the purpose of the questions included in this section, respondents are encouraged to consider the following:

- when sharing comments on a given ESRS Exposure Draft, and as much as possible, reference to the specific paragraphs being commented on should be included in the written comments,
- in the questions asked, for each ESRS, about the alignment with international sustainability standards, these include but are not limited to the IFRS Sustainability Standards and the Global Reporting Initiative Standards. Other relevant international initiatives may be considered by the respondents. When commenting on this particular question, respondents are encouraged to specify which international standards are being referred to.

ESRS 1 – General Principles

This [draft] Standard prescribes the mandatory concepts and principles to apply for preparation of sustainability reporting under the Corporate Sustainability Reporting Directive (CSRD) proposal.
It covers the applicable general principles:

1. when reporting under European Sustainability Reporting Standards;
2. on how to apply CSRD concepts;
3. when disclosing policies, targets, actions and action plans, and resources;
4. when preparing and presenting sustainability information;
5. on how sustainability reporting is linked to other parts of corporate reporting; and
6. specifying the structure of the sustainability statements building upon the disclosure requirements of all ESRS.

Most questions relevant for ESRS 1 are covered in the previous sections of the survey (section 1 Overall ESRS Exposure Drafts relevance – architecture and section 2 Overall ESRS Exposure Drafts relevance – implementation of CSRD principles).

Q38: in your opinion, to what extent can ESRS 1 – *General principles* foster alignment with international sustainability reporting standards (in particular IFRS Sustainability Reporting S1 Exposure draft)?

- ○ Not at all
- ○ To a limited extent with strong reservations
- ◉ To a large extent with some reservations
- ○ Fully
- ○ No opinion

Please explain your reservations or your suggestions for improvement or any other comment you might have

> This question is redundant with the above questions. ESRS 1 General Principles foster alignment with IFRS S1 proposals. However, based on the very useful Appendix V which compares both, it clearly appears that ESRS 1 requirements are more demanding as regards granularity.

ESRS 2 – General, strategy, governance and materiality assessment

This [draft] standard sets out the disclosure requirements of the undertaking's sustainability report that are of a cross-cutting nature. Those disclosures can be grouped into those that are:

1. of a general nature;
2. on the strategy and business model of the undertaking;
3. on its governance in relation to sustainability; and
4. on its materiality assessment of sustainability impacts, risks and opportunities.

Q39: Please, rate to what extent do you think ESRS 2 – General, strategy, governance and materiality assessment

	Not at all	To a limited extent with strong reservations	To a large extent with some reservations	Fully	No opinion
A. Covers sustainability information required by articles 19a and 19b of the CSRD proposal (see Appendix II for CSRD detailed requirements)	○	○	○	◉	○
B. Supports the production of relevant information about the sustainability matter covered	○	○	◉	○	○
C. Fosters comparability across sectors	○	○	○	◉	○

D. Covers information necessary for a faithful representation from an impact perspective	○	○	●	○	○
E. Covers information necessary for a faithful representation from a financial perspective	○	○	●	○	○
F. Prescribes information that can be verified / assured	○	○	●	○	○
G. Meets the other objectives of the CSRD in term of quality of information	○	○	●	○	○
H. Reaches a reasonable cost / benefit balance	○	●	○	○	○
I. Is sufficiently consistent with relevant EU policies and other EU legislation	○	○	●	○	○
J. Is as aligned as possible to international sustainability standards given the CSRD requirements	○	○	●	○	○

For part H, please explain why costs would be unreasonable and / or what particular benefit ESRS 2 offers
For part I, please specify what European law or initiative you think is insufficiently considered
For part J, please explain how you think further alignment could be reached

Please share any comments and suggestions for improvement you might have relating to the above questions, referring explicitly to the part of the question you are providing comment

This question is redundant with the long survey ESRS 2, cross cutting standards.
The CSRD is welcome as it will help financial institutions find information they need on their counterparties. Nevertheless, the CSRD will only enter into application in 2024 (first reporting 2025), for some companies only, while other regulation or directive (for example SFDR, MIF delegated regulation) have already entered into application and will require the information that will be disclosed pursuant to the CSRD. Other regulations, such as Pillar 3, will apply 2 years before CSRD. Consequently, there will be a gap between the information that banks will have to report and the information that will be available.
In addition, we believe that EFRAG standards should consider the Corporate Sustainable Due Diligence Directive provisions on transition plans, as they will also require entities to adopt a plan to ensure that the business model and strategy of the company are compatible with the transition to a sustainable economy and with the limiting of global warming to 1.5 °C in line with the Paris Agreement.
International sustainability standards are not adopted yet. Nevertheless, we see important differences with the ISSB exposure draft, as extensively explained in Appendix V (the definition of materiality, for example).

ESRS E1 – Climate change

The objective of this [draft] standard is to specify Disclosure Requirements which will enable users of sustainability reporting to understand:

1. how the undertaking affects climate change, in terms of positive and negative material actual or potential adverse impact;
2. its past, current, and future mitigation efforts in line with the Paris Agreement (or an updated international agreement on climate change) and limiting global warming to 1.5°C;
3. the plans and capacity of the undertaking to adapt its business model(s) and operations in line with the transition to a sustainable economy and to contribute to limiting global warming to 1.5°C;
4. any other actions taken, and the result of such actions, to prevent, mitigate or remediate actual or potential adverse impacts;
5. the nature, type and extent of the undertaking's material risks and opportunities related to the undertaking's impacts and dependencies on climate change, and how the undertaking manages them; and
6. the effects of risks and opportunities, related to the undertaking's impacts and dependencies on climate change, on the undertaking's development, performance and position over the short-, medium- and long- term and therefore on its ability to create enterprise value .

This [draft] standard derives from the [Draft] Corporate Sustainability Reporting Directive stating that the sustainability reporting standards shall specify which information to disclose about climate change mitigation and climate change adaptation.
This [draft] standard covers Disclosure Requirements related to 'Climate change mitigation', 'Climate change adaptation' and 'Energy'.

Q40: Please, rate to what extent do you think ESRS E1 – Climate change

	Not at all	To a limited extent with strong reservations	To a large extent with some reservations	Fully	No opinion
A. Covers sustainability information required by articles 19a and 19b of the CSRD proposal (see Appendix II for CSRD detailed requirements)	○	○	○	●	○
B. Supports the production of relevant information about the sustainability matter covered	○	○	○	●	○
C. Fosters comparability across sectors	○	○	○	●	○
D. Covers information necessary for a faithful representation from an impact perspective	○	○	○	●	○
E. Covers information necessary for a faithful representation from a financial perspective	○	○	○	●	○
F. Prescribes information that can be verified / assured	○	○	●	○	○
G. Meets the other objectives of the CSRD in term of quality of information	○	○	○	●	○

H. Reaches a reasonable cost / benefit balance	○	◉	○	○	○
I. Is sufficiently consistent with relevant EU policies and other EU legislation	○	○	○	◉	○
J. Is as aligned as possible to international sustainability standards given the CSRD requirements	○	○	◉	○	○

For part H, please explain why costs would be unreasonable and / or what particular benefit ESRS E1 offers
For part I, please specify what European law or initiative you think is insufficiently considered
For part J, please explain how you think further alignment could be reached

Please share any comments and suggestions for improvement you might have relating to the above questions, referring explicitly to the part of the question you are providing comment

No comment

ESRS E2 – Pollution

The objective of this [draft] standard is to specify Disclosure Requirements which will enable users of the sustainability reporting to understand:

1. how the undertaking affects pollution of air (both indoor and outdoor), water (including groundwater) and soil, living organisms and food resources (referred to in this [draft] Standard as “pollution”), in terms of positive and negative material actual or potential adverse impacts;
2. any actions taken, and the result of such actions, to prevent, mitigate or remediate actual or potential adverse impacts;
3. the plans and capacity of the undertaking to adapt its strategy, business model(s) and operations in line with the transition to a sustainable economy concurring with the needs for prevention, control and elimination of pollution across air (both indoor and outdoor), water (including groundwater), soil, living organisms and food resources, thereby creating a toxic-free environment with zero pollution also in support of the EU Action Plan ‘Towards a Zero Pollution for Air, Water and Soil’;
4. the nature, type and extent of the undertaking’s material risks and opportunities related to the undertaking’s impacts and dependencies arising from pollution, as well as from the prevention, control, elimination or reduction of pollution (including from regulations) and how the undertaking manages them; and
5. the effects of risks and opportunities, related to the undertaking’s impacts and dependencies on pollution, on the undertaking’s development, performance and position over the short, medium and long term and therefore on its ability to create enterprise value.

This standard derives from the (Draft) Corporate Sustainability Reporting Directive stating that the sustainability reporting standards shall specify the information that undertakings are to disclose about environmental factors, including information about ’pollution’.

This standard sets out Disclosure Requirements related to pollution of air (both indoor and outdoor), water (including groundwater), soil, substances of concerns, most harmful substances and enabling activities in support of prevention, control and elimination of pollution.

Q41: Please, rate to what extent do you think ESRS E2 - Pollution

	Not at all	To a limited extent with strong reservations	To a large extent with some reservations	Fully	No opinion
A. Covers sustainability information required by articles 19a and 19b of the CSRD proposal (see Appendix II for CSRD detailed requirements)					
B. Supports the production of relevant information about the sustainability matter covered					
C. Fosters comparability across sectors					
D. Covers information necessary for a faithful representation from an impact perspective					
E. Covers information necessary for a faithful representation from a financial perspective					
F. Prescribes information that can be verified / assured					
G. Meets the other objectives of the CSRD in term of quality of information					
H. Reaches a reasonable cost / benefit balance					
I. Is sufficiently consistent with relevant EU policies and other EU legislation					
J. Is as aligned as possible to international sustainability standards given the CSRD requirements					

For part H, please explain why costs would be unreasonable and / or what particular benefit ESRS E2 offers
For part I, please specify what European law or initiative you think is insufficiently considered
For part J, please explain how you think further alignment could be reached

Please share any comments and suggestions for improvement you might have relating to the above questions, referring explicitly to the part of the question you are providing comment

ESRS E3 – Water and marine resources

The objective of this [draft] standard is to specify disclosure requirements which will enable users of the sustainability reporting to understand:

1. how the undertaking affects water and marine resources, in terms of positive and negative material actual or potential adverse impacts;
2. any actions taken, and the result of such actions, to protect water and marine resources, also with reference to reduction of water withdrawals, water consumption, water use, water discharges in water bodies and in the oceans, habitat degradation and the intensity of pressure on marine resources;
3. to what extent the undertaking is contributing to the European Green Deal's ambitions for fresh air, clean water, a healthy soil and biodiversity as well as to ensuring the sustainability of the blue economy and fisheries sectors, to the EU water framework directive, to the EU marine strategy framework, to the EU maritime spatial planning directive, the SDGs 6 Clean water and sanitation and 14 Life below water, and respect of global environmental limits (e.g. the biosphere integrity, ocean acidification, freshwater use, and biogeochemical flows planetary boundaries) in line with the vision for 2050 of 'living well within the ecological limits of our planet' set out in in the 7th Environmental Action Programme, and in the proposal for a decision of the European Parliament and the Council on the 8th Environmental Action Programme;
4. the plans and capacity of the undertaking to adapt its business model and operations in line with the transition to a sustainable economy as well as with the preservation and restoration of water and marine resources globally;
5. the nature, type and extent of the undertaking's material risks and opportunities related to the undertaking's impacts and dependencies on water and marine resources, and how the undertaking manages them; and
6. the effects of risks and opportunities, related to the undertaking's impacts and dependencies on water and marine resources, on the undertaking's development, performance and position over the short, medium and long term and therefore on its ability to create enterprise value.

This standard derives from the [Draft Corporate Sustainability Reporting Directive] stating that the sustainability reporting standards shall specify information to disclose about two sub-subtopics: 'water' and 'marine resources'.

Q42: Please, rate to what extent do you think ESRS E3 – Water and marine resources

	Not at all	To a limited extent with strong reservations	To a large extent with some reservations	Fully	No opinion
A. Covers sustainability information required by articles 19a and 19b of the CSRD proposal (see Appendix II for CSRD detailed requirements)	○	○	○	○	○

B. Supports the production of relevant information about the sustainability matter covered					
C. Fosters comparability across sectors					
D. Covers information necessary for a faithful representation from an impact perspective					
E. Covers information necessary for a faithful representation from a financial perspective					
F. Prescribes information that can be verified / assured					
G. Meets the other objectives of the CSRD in term of quality of information					
H. Reaches a reasonable cost / benefit balance					
I. Is sufficiently consistent with relevant EU policies and other EU legislation					
J. Is as aligned as possible to international sustainability standards given the CSRD requirements					

For part H, please explain why costs would be unreasonable and / or what particular benefit ESRS E3 offers
For part I, please specify what European law or initiative you think is insufficiently considered
For part J, please explain how you think further alignment could be reached

Please share any comments and suggestions for improvement you might have relating to the above questions, referring explicitly to the part of the question you are providing comment

ESRS E4 – Biodiversity and ecosystems

The objective of this [draft] standard is to specify Disclosure Requirements which will enable users of sustainability reporting to understand:

1. how the undertaking affects biodiversity and ecosystems, in terms of positive and negative material actual or potential adverse impacts;
2. any actions taken, and the result of such actions, to prevent, mitigate or remediate, actual or potential adverse impacts and to protect and restore biodiversity and ecosystems;

3. to what extent the undertaking contributes to (i) the European Green Deal's ambitions for protecting the biodiversity and ecosystems, the EU Biodiversity Strategy for 2030, the SDGs 2 Zero Hunger, 6 Clean water and sanitation, 12 Responsible consumption, 14 Life below water and 15 Life on land, the Post-2020 Global Biodiversity Framework and (ii) the respect of global environmental limits (e.g. the biosphere integrity and land-system change planetary boundaries);
4. and the plans and capacity of the undertaking to adapt its business model and operations in line with the transition to a sustainable economy and with the preservation and restoration of biodiversity and ecosystems globally in general; and in particular in line with the objective of (i) ensuring that by 2050 all of the world's ecosystems and their services are restored to a good ecological condition, resilient, and adequately protected and (ii) contributing to achieving the objectives of the EU Biodiversity Strategy at latest by 2030;
5. the nature, type and extent of the undertaking's material risks and opportunities related to the undertaking's impacts and dependencies on biodiversity and ecosystems, and how the undertaking manages them;
6. the effects of risks and opportunities, related to the undertaking's impacts and dependencies on biodiversity and ecosystems, on the undertaking's development, performance and position over the short, medium and ling term and therefore on its ability to create enterprise value.

This standard derives from the [Draft Corporate Sustainability Reporting Directive] stating that the sustainability reporting standards shall specify information to disclose about 'biodiversity and ecosystems'. This standard sets out Disclosure Requirements related to the undertaking's relationship to terrestrial, freshwater and marine habitats, ecosystems and populations of related fauna and flora species, including diversity within species, between species and of ecosystems and their interrelation with many indigenous and local communities.

Q43: Please, rate to what extent do you think ESRS E4 – Biodiversity and ecosystems

	Not at all	To a limited extent with strong reservations	To a large extent with some reservations	Fully	No opinion
A. Covers sustainability information required by articles 19a and 19b of the CSRD proposal (see Appendix II for CSRD detailed requirements)					
B. Supports the production of relevant information about the sustainability matter covered					
C. Fosters comparability across sectors					
D. Covers information necessary for a faithful representation from an impact perspective					
E. Covers information necessary for a faithful representation from a financial perspective					

F. Prescribes information that can be verified / assured	○	○	○	○	○
G. Meets the other objectives of the CSRD in term of quality of information	○	○	○	○	○
H. Reaches a reasonable cost / benefit balance	○	○	○	○	○
I. Is sufficiently consistent with relevant EU policies and other EU legislation	○	○	○	○	○
J. Is as aligned as possible to international sustainability standards given the CSRD requirements	○	○	○	○	○

For part H, please explain why costs would be unreasonable and / or what particular benefit ESRS E4 offers
For part I, please specify what European law or initiative you think is insufficiently considered
For part J, please explain how you think further alignment could be reached

Please share any comments and suggestions for improvement you might have relating to the above questions, referring explicitly to the part of the question you are providing comment

ESRS E5 – Resource use and circular economy

The objective of this [draft] standard is to specify Disclosure Requirements which will enable users of the sustainability reporting to understand:

1. the impact of the undertaking on resource use considering the depletion of non-renewable resources and the regeneration of renewable resources and its past, current and future measures to decouple its growth from extraction of natural resources;
2. the nature, type and extent of risks and opportunities arising from the resource use and the transition to a circular economy including potential negative externalities;
3. the effects of circular economy-related risks and opportunities on the undertaking's development, performance and position over the short-, medium- and long-term and therefore on its ability to create enterprise value in;
4. the plans and capacity of the undertaking to adapt its business model and operations in line with circular economy principles including the elimination of waste, the circulation of products and materials at their highest value, and the nature's regeneration.

This [draft] standard derives from the [Draft] Corporate Sustainability Reporting Directive stating that the sustainability reporting standards shall specify information to disclose about 'resource use and circular economy'.

Q44: Please, rate to what extent do you think ESRS E5 – Resource use and circular economy

	Not at all	To a limited extent with strong reservations	To a large extent with some reservations	Fully	No opinion
A. Covers sustainability information required by articles 19a and 19b of the CSRD proposal (see Appendix II for CSRD detailed requirements)					
B. Supports the production of relevant information about the sustainability matter covered					
C. Fosters comparability across sectors					
D. Covers information necessary for a faithful representation from an impact perspective					
E. Covers information necessary for a faithful representation from a financial perspective					
F. Prescribes information that can be verified / assured					
G. Meets the other objectives of the CSRD in term of quality of information					
H. Reaches a reasonable cost / benefit balance					
I. Is sufficiently consistent with relevant EU policies and other EU legislation					
J. Is as aligned as possible to international sustainability standards given the CSRD requirements					

For part H, please explain why costs would be unreasonable and / or what particular benefit ESRS E5 offers
For part I, please specify what European law or initiative you think is insufficiently considered
For part J, please explain how you think further alignment could be reached

Please share any comments and suggestions for improvement you might have relating to the above questions, referring explicitly to the part of the question you are providing comment

ESRS S1 – Own workforce

The objective of this [draft] standard is to specify Disclosure Requirements which will enable users of the sustainability reporting to understand:

1. how they affect the undertaking affects own workforce, in terms of positive and negative material impacts;
2. any actions taken, and the result of such actions, to prevent, mitigate or remediate actual or potential adverse impacts;
3. the nature, type and extent of the undertaking's material risks and opportunities related to its impacts and dependencies on own workforce, and how the undertaking manages them and,
4. the effects of risks and opportunities, related to the undertaking's impacts and dependencies on own workforce, on the undertaking's development, performance and position over the short, medium and long term and therefore on its ability to create enterprise value.

In order to meet the objective, this [draft] Standard also requires an explanation of the general approach the undertaking takes to identify and manage any material actual and potential impacts on its own workforce in relation to:

1. working conditions (impacts related to e.g. living wage, health and safety, social security, working hours, water and sanitation);
2. access to equal opportunities (impacts related to e.g. discrimination, including on the rights of workers with disabilities or on women workers, as well as impacts related to issues of equality in pay and work-life balance, precarious work);
3. other work-related rights, (impacts related to e.g. trade union rights, freedom of association and collective bargaining, child labour, forced labour, privacy, adequate housing).

This draft standard derives from the [Draft] Corporate Sustainability Reporting Directive stating that the sustainability reporting standards shall specify the information that undertakings are to disclose regarding social factors.
This [draft] Standard covers an undertaking's "own workforce", which is understood to include both workers who are in an employment relationship with the undertaking ("employees") and non-employee workers who are either individuals with contracts with the undertaking to supply labour ('self-employed workers') or workers provided by undertakings primarily engaged in 'employment activities' (NACE Code N78). This [draft] Standard does not cover (i) workers in the upstream or downstream undertaking's value chain for whom neither work nor workplace are controlled by the undertaking; or (ii) workers whose work and/or workplace is controlled by the undertaking but are neither employees, nor individual contractors ("self-employed workers"), nor workers provided by undertakings primarily ,engaged in "employment activities" (NACE Code N78); these categories of workers are covered in ESRS S2 Workers in the Value Chain.

Q45: Please, rate to what extent do you think ESRS S1 – *Own workforce*

	Not at all	To a limited extent with strong reservations	To a large extent with some reservations	Fully	No opinion

A. Covers sustainability information required by articles 19a and 19b of the CSRD proposal (see Appendix II for CSRD detailed requirements)	◎	◎	◎	◎	◎
B. Supports the production of relevant information about the sustainability matter covered	◎	◎	◎	◎	◎
C. Fosters comparability across sectors	◎	◎	◎	◎	◎
D. Covers information necessary for a faithful representation from an impact perspective	◎	◎	◎	◎	◎
E. Covers information necessary for a faithful representation from a financial perspective	◎	◎	◎	◎	◎
F. Prescribes information that can be verified / assured	◎	◎	◎	◎	◎
G. Meets the other objectives of the CSRD in term of quality of information	◎	◎	◎	◎	◎
H. Reaches a reasonable cost / benefit balance	◎	◎	◎	◎	◎
I. Is sufficiently consistent with relevant EU policies and other EU legislation	◎	◎	◎	◎	◎
J. Is as aligned as possible to international sustainability standards given the CSRD requirements	◎	◎	◎	◎	◎

For part H, please explain why costs would be unreasonable and / or what particular benefit ESRS S1 offers
For part I, please specify what European law or initiative you think is insufficiently considered
For part J, please explain how you think further alignment could be reached

Please share any comments and suggestions for improvement you might have relating to the above questions, referring explicitly to the part of the question you are providing comment

ESRS S2 – Workers in the value chain

The objective of this [draft] standard is to specify Disclosure Requirements which will enable users of the sustainability reporting to understand:

1. how the undertaking affects workers in its value chain through its own operations and its upstream and downstream value chain (including its products and services, its business relationships and its supply chain), in terms of material positive and negative actual or potential adverse impacts;
2. any actions taken, and the result of such actions, to prevent, mitigate or remediate actual or potential adverse impacts;
3. the nature, type and extent of the undertaking's material risks and opportunities related to its impacts and dependencies on workers in the value chain, and how the undertaking manages them; and
4. the effects of risks and opportunities, related to the undertaking's impacts and dependencies on workers in the value chain, on the undertaking's development, performance and position over the short-, medium- and long-term and therefore on its ability to create enterprise value.

In order to meet the objective, the [draft] standard requires an explanation of the general approach the undertaking takes to identify and manage any material actual and potential impacts on value chain workers in relation to impacts on those workers':

1. working conditions (impacts related to e.g. living wage, health and safety, social security, working hours, water and sanitation);
2. access to equal opportunities (impacts related to e.g. discrimination, including on the rights of workers with disabilities or on women workers, as well as impacts related to issues of equality in pay and work-life balance, precarious work);
3. other work-related rights, (impacts related to e.g. trade union rights, freedom of association and collective bargaining, child labour, forced labour, privacy, adequate housing).

This draft standard derives from the [Draft] Corporate Sustainability Reporting Directive stating that the sustainability reporting standards shall specify the information that undertakings are to disclose regarding social factors.
This [draft] standard covers all workers in the undertaking's upstream and downstream value chain who are or can be materially impacted. This also includes all non-employee workers whose work and/or workplace is controlled by the undertaking but are not included in the scope of "own workforce" ("own workforce" includes: employees, individual contractors, i.e., self-employed workers, and workers provided by third party undertakings primarily engaged in 'employment activities'). Own workforce is covered in ESRS S1 Own workforce.

Q46: Please, rate to what extent do you think ESRS S2 – Workers in the value chain

	Not at all	To a limited extent with strong reservations	To a large extent with some reservations	Fully	No opinion
A. Covers sustainability information required by articles 19a and 19b of the CSRD proposal (see Appendix II for CSRD detailed requirements)	○	○	○	○	○
B. Supports the production of relevant information about the sustainability matter covered	○	○	○	○	○
C. Fosters comparability across sectors	○	○	○	○	○

D. Covers information necessary for a faithful representation from an impact perspective					
E. Covers information necessary for a faithful representation from a financial perspective					
F. Prescribes information that can be verified / assured					
G. Meets the other objectives of the CSRD in term of quality of information					
H. Reaches a reasonable cost / benefit balance					
I. Is sufficiently consistent with relevant EU policies and other EU legislation					
J. Is as aligned as possible to international sustainability standards given the CSRD requirements					

For part H, please explain why costs would be unreasonable and / or what particular benefit ESRS S2 offers
For part I, please specify what European law or initiative you think is insufficiently considered
For part J, please explain how you think further alignment could be reached

Please share any comments and suggestions for improvement you might have relating to the above questions, referring explicitly to the part of the question you are providing comment

ESRS S3 – Affected communities

The objective of this [draft] standard is to specify Disclosure Requirements which will enable users of the sustainability reporting to understand:

1. how the undertaking affects its local communities through its own operations and its upstream and downstream value chain (including its products and services, its business relationships and its supply chain), in terms of material positive and negative actual or potential adverse impacts;
2. any actions taken, and the result of such actions, to prevent, mitigate or remediate actual or potential adverse impacts;
3. the nature, type and extent of the undertaking's material risks and opportunities related to the undertaking's impacts and dependencies on affected communities, and how the undertaking manages them; and

4. the effects of risks and opportunities, related to their impacts and dependencies on local communities, on the undertaking's development, performance and position over the short-, medium- and long-term and therefore on its ability to create enterprise value.

In order to meet the objective, the [Draft] standard requires an explanation of the general approach the undertaking takes to identify and manage any material actual and potential impacts on affected communities in relation to:

1. impacts on communities' economic, social and cultural rights (e.g. adequate housing, adequate food, water and sanitation, land-related and security-related impacts);
2. impacts on communities' civil and political rights (e.g. freedom of expression, freedom of assembly, impacts on human rights defenders); and
3. impacts on particular rights of Indigenous communities (e.g. free, prior and informed consent, self-determination, cultural rights).

This draft standard derives from the [Draft] Corporate Sustainability Reporting Directive stating that the sustainability reporting standards shall specify the information that undertakings are to disclose regarding social factors.

Q47: Please, rate to what extent do you think ESRS S3 – Affected communities

	Not at all	To a limited extent with strong reservations	To a large extent with some reservations	Fully	No opinion
A. Covers sustainability information required by articles 19a and 19b of the CSRD proposal (see Appendix II for CSRD detailed requirements)	○	○	○	○	○
B. Supports the production of relevant information about the sustainability matter covered	○	○	○	○	○
C. Fosters comparability across sectors	○	○	○	○	○
D. Covers information necessary for a faithful representation from an impact perspective	○	○	○	○	○
E. Covers information necessary for a faithful representation from a financial perspective	○	○	○	○	○
F. Prescribes information that can be verified / assured	○	○	○	○	○
G. Meets the other objectives of the CSRD in term of quality of information	○	○	○	○	○
H. Reaches a reasonable cost / benefit balance	○	○	○	○	○

I. Is sufficiently consistent with relevant EU policies and other EU legislation					
J. Is as aligned as possible to international sustainability standards given the CSRD requirements					

For part H, please explain why costs would be unreasonable and / or what particular benefit ESRS S3 offers
For part I, please specify what European law or initiative you think is insufficiently considered
For part J, please explain how you think further alignment could be reached

Please share any comments and suggestions for improvement you might have relating to the above questions, referring explicitly to the part of the question you are providing comment

ESRS S4 – Consumers and end-users

The objective of this [draft] standard is to specify Disclosure Requirements which will enable users of the sustainability reporting to understand:

1. how the undertaking affects the consumers and end-users of its products and/or services (referred to in this [draft] Standard as “consumers and end-users”), in terms of material positive and negative actual or potential adverse impacts connected with the undertaking’s own operations and upstream and downstream value chain, including its business relationships and its supply chain;
2. any actions taken, and the result of such actions, to prevent, mitigate or remediate actual or potential adverse impacts;
3. the nature, type and extent of the undertaking’s material risks and opportunities related to its impacts and dependencies on consumers and end-users, and how the undertaking manages them; and
4. the effects of risks and opportunities, related to their impacts and dependencies on consumers and end-users, on the undertaking’s development, performance and position over the short-, medium- and long-term and therefore on its ability to create enterprise value.

In order to meet the objective, the [draft] standard requires an explanation of the general approach the undertaking takes to identify and manage any material actual and potential impacts on the consumers and /or end-users related to their products and/or services in relation to:

1. information-related impacts for consumers/end-users, in particular privacy, freedom of expression and access to information; .
2. personal safety of consumers/end-users, in particular health & safety, security of a person and protection of children; and
3. social inclusion of consumers/end-users, in particular non-discrimination and access to products and services.

This draft standard derives from the [Draft] Corporate Sustainability Reporting Directive stating that the sustainability reporting standards shall specify the information that undertakings are to disclose regarding social factors.

Q48: Please, rate to what extent do you think ESRS S4 – Consumers and end-users

	Not at all	To a limited extent with strong reservations	To a large extent with some reservations	Fully	No opinion
A. Covers sustainability information required by articles 19a and 19b of the CSRD proposal (see Appendix II for CSRD detailed requirements)					
B. Supports the production of relevant information about the sustainability matter covered					
C. Fosters comparability across sectors					
D. Covers information necessary for a faithful representation from an impact perspective					
E. Covers information necessary for a faithful representation from a financial perspective					
F. Prescribes information that can be verified / assured					
G. Meets the other objectives of the CSRD in term of quality of information					
H. Reaches a reasonable cost / benefit balance					
I. Is sufficiently consistent with relevant EU policies and other EU legislation					
J. Is as aligned as possible to international sustainability standards given the CSRD requirements					

For part H, please explain why costs would be unreasonable and / or what particular benefit ESRS S4 offers
For part I, please specify what European law or initiative you think is insufficiently considered
For part J, please explain how you think further alignment could be reached

Please share any comments and suggestions for improvement you might have relating to the above questions, referring explicitly to the part of the question you are providing comment

ESRS G1 – Governance, risk management and internal control

The objective of this [draft] standard is to specify disclosure requirements which will enable users of the undertaking's sustainability report to understand the governance structure of the undertaking, and its internal control and risk management systems.
This [draft] standard derives from the [Draft Corporate Sustainability Reporting Directive] stating that the sustainability reporting standards shall specify information to disclose information about governance factors, including:

1. the role of the undertaking's administrative, management and supervisory bodies, including with regard to sustainability matters, and their composition, as well as a description of the diversity policy applied and its implementation;
2. the undertaking's internal control and risk management systems, including in relation to the undertaking's reporting process.

Q49: Please, rate to what extent do you think ESRS G1 – Governance, risk management and internal control

	Not at all	To a limited extent with strong reservations	To a large extent with some reservations	Fully	No opinion
A. Covers sustainability information required by articles 19a and 19b of the CSRD proposal (see Appendix II for CSRD detailed requirements)					
B. Supports the production of relevant information about the sustainability matter covered					
C. Fosters comparability across sectors					
D. Covers information necessary for a faithful representation from an impact perspective					
E. Covers information necessary for a faithful representation from a financial perspective					
F. Prescribes information that can be verified / assured					
G. Meets the other objectives of the CSRD in term of quality of information					

H. Reaches a reasonable cost / benefit balance	◯	◯	◯	◯	◯
I. Is sufficiently consistent with relevant EU policies and other EU legislation	◯	◯	◯	◯	◯
J. Is as aligned as possible to international sustainability standards given the CSRD requirements	◯	◯	◯	◯	◯

For part H, please explain why costs would be unreasonable and / or what particular benefit ESRS G1 offers
For part I, please specify what European law or initiative you think is insufficiently considered
For part J, please explain how you think further alignment could be reached

Please share any comments and suggestions for improvement you might have relating to the above questions, referring explicitly to the part of the question you are providing comment

ESRS G2 – Business conduct

The objective of this [draft] standard is to specify disclosure requirements for the undertaking to provide information about its strategy and approach, processes and procedures as well as its performance in respect of business conduct.
This [draft] standard derives from the [Draft Corporate Sustainability Reporting Directive] stating that the sustainability reporting standards shall specify information to disclose about business ethics and corporate culture, including anti-corruption and anti-bribery.
In general, business conduct covers a wide range of behaviours that support transparent and sustainable business practices to the benefit of all stakeholders. This [draft] standard focusses on a limited number of practices as follows:

1. business conduct culture;
2. avoiding corruption, bribery and other behaviours that often have been criminalised as they benefit some in positions of power with a detrimental impact on society; and
3. transparency about anti-competitive behaviour and political engagement or lobbying.

This [draft] standard is addressing business conduct as a key element of the undertaking’s contribution to sustainable development. This [draft] standard requires the undertaking to report information about its overall policies and practices for business conduct, rather than information for specific material sustainability topics.

Q50: Please, rate to what extent do you think ESRS G2 – Business conduct

	Not at all	To a limited extent with strong reservations	To a large extent with some reservations	Fully	No opinion
A. Covers sustainability information required by articles 19a and 19b of the CSRD proposal (see Appendix II for CSRD detailed requirements)					
B. Supports the production of relevant information about the sustainability matter covered					
C. Fosters comparability across sectors					
D. Covers information necessary for a faithful representation from an impact perspective					
E. Covers information necessary for a faithful representation from a financial perspective					
F. Prescribes information that can be verified / assured					
G. Meets the other objectives of the CSRD in term of quality of information					
H. Reaches a reasonable cost / benefit balance					
I. Is sufficiently consistent with relevant EU policies and other EU legislation					
J. Is as aligned as possible to international sustainability standards given the CSRD requirements					

For part H, please explain why costs would be unreasonable and / or what particular benefit ESRS G2 offers
For part I, please specify what European law or initiative you think is insufficiently considered
For part J, please explain how you think further alignment could be reached

Please share any comments and suggestions for improvement you might have relating to the above questions, referring explicitly to the part of the question you are providing comment

2. ESRS implementation prioritisation / phasing-in

Application provisions

In order to facilitate the first-time application of set 1, ESRS 1 includes two provisions:

- Application Provision AP1 which exempts undertaking to reports comparatives for the first reporting period, and
- Application Provision AP2 which proposes transitional measures for entity-specific disclosures which consists in allowing the undertaking to continue to use, for 2 years, disclosures it has consistently used in the past, providing certain conditions are met, as described in paragraph 154.

Q51: to what extent do you support the implementation of Application Provision AP1?

- ○ Not at all
- ○ To a limited extent with strong reservations
- ○ To a large extent with some reservations
- ◉ Fully
- ○ No opinion

Q52: to what extent do you support the implementation of Application Provision AP2?

- ○ Not at all
- ○ To a limited extent with strong reservations
- ○ To a large extent with some reservations
- ◉ Fully
- ○ No opinion

Q53: what other application provision facilitating first-time application would you suggest being considered?

A one-year lag between corporates' and financial institutions' disclosure should be ensured, as proposed in the Delegated Act Article 8 of the Taxonomy Regulation, for the Green Asset Ratio.
An entity should be allowed to limit its reporting boundaries and only report on the sustainable impacts, risks and opportunities of their direct contractual relationships within their value chain.
The implementation of topical ESRS should be phased-in, starting with disclosures based on the climate standard. This would ease the implementation and operationalization of these new disclosure requirements for entities at a time when they also have to manage the implementation of the EU Taxonomy Regulation, SFDR and ESG pillar 3 disclosures.
Entities should also be allowed to phase-in certain disclosures. Disclosures that are not needed for financial institutions' reporting could be phased-in, for example. They include for example some of the indicators contained in the ESRS S4 - Consumers and end-users Disclosure Requirements (Processes for engaging with consumers and end-users about impacts, Channels for consumers and end-users to raise concerns or Targets related to managing material negative impacts, advancing positive impacts, and managing material risks and opportunities).

Please explain why

ESRS implementation prioritisation / phasing-in options

Set 1 proposes a comprehensive set of standards aimed at achieving the objectives of the CSRD proposal, with the exception of the standards to be included in Set 2.

Acknowledging the fact that the proposed vision of a comprehensive sustainability reporting might be challenging to implement in year one for the new preparers and potentially to some of the large preparers as well, EFRAG will consider using some prioritisation / phasing-in levers to smoothen out the implementation of the first set of standards.

The following questions aim at informing EFRAG's and ultimately the European Commission's decision as to what disclosure requirements should be considered for phasing-in, based on implementation feasibility / challenges and potentially other criteria, and over what period of time their implementation should be phased-in.

Q54: for which one of the current ESRS disclosure requirements (see Appendix I) do you think implementation feasibility will prove challenging? and why?

From our perspective, both as a user and preparer, EC's and EFRAG's ambition is excessive as at international level (ISSB and US), only climate is covered. Corporates and banks need time to implement efficiently the climate disclosure standards, knowing that in Europe, they have to implement also Article 8 of the Delegated Act of the Taxonomy Regulation (which includes EU Taxonomy aligned ratios such as the Green Asset Ratio) that does not exist elsewhere.
We believe that Europe should implement "climate" only as a first step, with a perfect fit / interlocking approach with IFRS standards in order to avoid "double burden" and uneven playing field with non-European competitors:
The other objectives could be implemented in Europe, once international standards (e.g. TNFD for biodiversity) are developed, with the same co-construction approach with ISSB.

Given the critical importance of implementation prioritisation / phasing-in, please justify and illustrate your response

Q55: over what period of time would you think the implementation of such "challenging" disclosure requirements should be phased-in? and why?

A focus on the climate standard would also ease the implementation and operationalization for entities. We want to recall that the implementation of the Taxonomy is already time consuming and difficult. Moreover, the EFRAG does no propose safe harbor principle and the level 1 text does not envision a one-year delay between the reporting of financial institutions and the reporting non-financial institutions, making its implementation even more complicated. Adding more regulatory pressure may not be the best option.
EU Banks and corporates are currently in the implementation phase of the Taxonomy alignment ratios. We clearly notice a strong need for a detailed Q&A process with EU authorities (EBA, Commission, etc.) to

properly interpret the requirements, address some inconsistencies, and develop robust industrial IT systems. In addition to the Taxonomy Regulation implementation, financial institutions (asset managers, insurers, advice providers) are fully dedicated to implement SFDR and MiFID/IDD ESG preferences.
We believe that Climate-related metrics should be implemented for the CSRD implementation date (still under trilogue negotiations, but likely 2025 as of 2024 position). However, the CSRD calendar does not match at all with the Pillar 3 ESG disclosure requirements which will enter into force in 2023 as of 2022 position. The unintended consequence of this major sequencing issue is that banks will have to massively use proxies and assumptions to build their Pillar 3 ESG reports in the absence of mandatory data from their customers.
Finally, the implementation of the disclosure requirements will be also very challenging for SMEs (<250 employees). Even if the mandatory CSRD requirements do not apply to them, they will be indirectly obliged to provide the information (in a simplified manner, still work in progress at EFRAG level) to (i) their banks for Pillar 3 needs, (ii) to large corporate that include them in their value chain. This is an additional reason why EC/ EFRAG should start only with the climate objective.

Given the critical importance of implementation prioritisation / phasing-in, please justify and illustrate your response

Q56: beyond feasibility of implementation, what other criteria for implementation prioritisation / phasing-in would recommend being considered? And why?

We believe that Europe should implement “climate” only as a first step, with a perfect fit / interlocking approach with IFRS standards in order to avoid “double burden” and uneven playing field with non-European competitors:
Otherwise, EU standards will put EU companies’ competitivity at stake. The draft documents go into a detail of disclosure requirements which touch on commercially sensitive business information. Not only are they often impossible to deliver, even if they were, they would raise critical liability issues and unilaterally allow non-EU competitors to gain valuable insights in strategic data (for example, the « description of opportunities over the long term and their potential financial impact »). Even financial reporting standards – whether international or national GAAPs – do not go into as much detail. Examples of this kind are numerous and field-testing new requirements may be a way to check the practicability of future standards.
Taking the international dimension into account is crucial and indispensable. Both for preparers and users of sustainability reports it is essential that EFRAG adopt a co-construction approach with the newly established International Sustainability Standards Board (ISSB) of the IFRS Foundation in order to design a common core of EU standards that fit together with internationally recognised standards and ensure interoperability. This common core would be complemented by clearly identified strictly necessary EU specific requirements. Investors, including those active in the EU, are international and adopting different approaches will create confusion and complexity and thus undermine the quality of information.

Given the critical importance of implementation prioritisation / phasing-in, please justify and illustrate your response

Q57: please share any other comments you might have regarding ESRS implementation prioritisation / phasing-in

No comments

If you have other comments in the form of a document please upload it here

Contact

Contact Form