

## FIGHT THE GOOD FIGHT: ESG PRESSURE POINTS FROM THE TRENCHES TO POLICY AND DECISION-MAKERS

Following in the footsteps of the two engaging webinars on 17 and 24 February 2023 about “ESG in EU-Related Supply Chains” and the further attention drawn by the article and videos published thereafter (see here), Nivalion and Wöss & Partners will again examine ESG issues.

Through four additional webinars, ESG experts will present and debate issues from a practical and pragmatic perspective, including the formulation and prosecution of ESG claims from a regulatory and legal perspective, empirical research of ESG claims and their financial impact, considerations for corporations involved in ESG claims, cross-border concerns over ESG regulations and claims and the impact of climate change on commercial and investment arbitration.

The four webinars are limited to 75 minutes each from September to December 2023, and will present current trends and considerations of this emerging area of law and practice, including the associated risks.

### DATES AND TIME:

- | Thursday, 21 September 2023, 2:00 – 3:15pm CET
- | Wednesday, 18 October 2023, 2:00 – 3:15pm CET
- | Wednesday, 15 November 2023, 2:00 – 3:15pm CET
- | Wednesday, 13 December 2023, 2:00 – 3:15pm CET

### WEBINAR PLATFORM:

Click on the link below to access the webinars:

Zoom: <https://us06web.zoom.us/j/81566366318>

### LANGUAGE:

ENGLISH

### SPEAKERS:

- | **Nathalie ALLEN**, Addleshaw Goddard, Legal Director, United Kingdom
- | **Devin BRAY**, Wöss & Partners, Of Counsel, The Netherlands
- | **Christian CARBAJAL**, Wöss & Partners, Partner, Brazil
- | **Dr. Alice FREMUTH-WOLF**, LL.M. (LSE), Nivalion AG, Head of Austria & CEE, Austria
- | **Kiran N. GORE**, George Washington Law School, Professorial Lecturer, USA
- | **Andreas HÖSLI**, WalderWyss, Senior Associate, Switzerland
- | **Isabella KAMINSKI**, Freelance Journalist, United Kingdom
- | **Simon KNUPFER**, Nivalion AG, Case Manager, Switzerland
- | **Zora LYRA**, Barbosa Sociedade de Advogados, Partner, Brazil
- | **Viren MASCARENHAS**, Milbank, Partner, USA
- | **Lucas MACEDO**, Nivalion AG, Senior Case Manager, Switzerland
- | **Amanda NEIL**, Head, General Counsel, Austria
- | **Kevin O’GORMAN**, Norton Rose Fulbright, Head of Arbitration – US, USA
- | **Patrick THIEFFRY**, Université Paris-Panthéon-Assas, Independent Arbitrator, France
- | **Prof. Don WALLACE, Jr.**, Georgetown University Law Centre, Chairman, International Law Institute, Washington DC, USA
- | **Johannes WESEMANN**, Founder of AllRise, Austria
- | **Dr. Herfried WÖSS**, Wöss & Partners, Founding Partner, Mexico – USA - Austria

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### WEBINAR PROGRAMME

21 September 2023: 2pm – 3:15 pm CET

**Fight the Good Fight: ESG Pressure Points from the Trenches to Policy and Decision-Makers**

**MODERATOR:** Simon KNUPFER and Lucas MACEDO

2:05 pm – 2:35 pm: Introduction

| 2:05pm – 2:25pm: Johannes WESEMANN: Pain points and solutions in developing environmental claims: combining the strategic and result-oriented approach from the private sector and the NGO's mission.

| 2:25pm – 2:45pm: Zora LYRA: "The role of the G": How securities law and regulation are connecting with the ESG framework.

| 2:45pm – 3:05pm: Andreas HÖSLI: From Paris to Court Rooms and Board Rooms – the Why's and How's of Corporate Climate Litigation.

| 3:05pm – 3:15pm: Q&A

18 October 2023: 2pm – 3:15 pm CET

**It's Not Easy Being Green: The Cost of Doing ESG Business**

**MODERATOR:** Dr. Alice FREMUTH-WOLF, LL.M. (LSE)

| 2pm – 2:05pm: Introduction

| 2:05pm – 2:25pm: Isabella KAMINSKI: Financial impact of ESG claims on corporates.

| 2:25pm – 2:45pm: Amanda NEIL: In-house considerations & concerns of ESG risks.

| 2:45pm – 3:05pm: Viren MASCARENHAS: US perspective on EU ESG Directive, audit rights, public interest litigation and anti-trust claims.

| 3:05pm – 3:15pm: Q&A

15 November 2023: 2pm – 3:15 pm CET

**Climate Change and Investment Arbitration**

**MODERATOR:** Prof. Don WALLACE, Jr.

| 2pm – 2:05pm: Introduction

| 2:05pm – 2:25pm: Dr. Herfried WÖSS: Damages in climate change investment arbitration.

| 2:25pm – 2:45pm: Kiran N. GORE: The Right to Regulate and Potential ESG Counterclaims in Investment Arbitration.

| 2:45pm – 3:05pm: Dr. A. Devin BRAY: Exploring ESG's role in the shaping of general principles of international law .

| 3:05pm – 3:15pm: Q&A

13 December 2023: 2pm – 3:15 pm CET

**Climate Change and Commercial Arbitration**

**MODERATOR:** Christian CARBAJAL

| 2:05pm – 2:25pm: Kevin O'GORMAN: The role of international arbitration in the adjudication of historic mass claims.

| 2:25pm – 2:45pm: Nathalie ALLEN: Why international commercial arbitration is perhaps not the best vehicle for climate change related disputes.

| 2:45pm – 3:05pm: Patrick THIEFFRY: Possible adaptations of commercial arbitration for climate disputes resolution.

| 3:05pm – 3:15pm: Q&A