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Поглиблений сертифікатний курс

# ПЕРЕДОВА ПРАКТИКА ЄС ЩОДО ОЦІНКИ ЖИТТЄВОГО ЦИКЛУ, СОЦІАЛЬНОГО, ЕКОЛОГІЧНОГО ОБЛІКУ ТА ЗВІТНОСТІ ЩОДО СТАЛОГО РОЗВИТКУ

## Лекція 21. Політики та практики ЄС

### щодо соціального, екологічного обліку та звітності зі сталого розвитку: ретроспектива та перспектива

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<https://bit.ly/3EtRiD7>



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**31.05.2022 17.00 EEST**

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# Політики та практики ЄС щодо соціального, екологічного обліку та звітності зі сталого розвитку: ретроспектива та перспектива

**1. СТАЛИЙ РОЗВИТОК В ЄВРОПІ**

**2. ДИРЕКТИВА ЩОДО НЕФІНАНСОВОЇ ЗВІТНОСТІ NON-FINANCIAL  
REPORTING DIRECTIVE (NFRD)**

**3. THE CORPORATE SUSTAINABILITY REPORTING DIRECTIVE (CSRD)**



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## 1. СТАЛИЙ РОЗВИТОК В ЄВРОПІ

The two resolutions adopted on 6 February 2013 by the European Parliament prove that the project is in line with European policy on this issue. The first (#2012/2098(INI)) called “*Social responsibility of companies: responsible and transparent business behavior and sustainable growth*” <https://bit.ly/3u25rDU> that underlines transparency and champions the adoption of a proposal legislation permitting companies flexibility in acting and an adequate degree of compatibility as concerns the publication of extra-financial information to meet the demand of investors and other stakeholders. The resolution 2012/2098(INI) calls for “increased, more inclusive and more transparent monitoring of CSR principles in EU trade policy” <https://bit.ly/3u25rDU> and encourages the EU as well as the Member States “**to provide** concrete information on and **education and training in CSR**, so that enterprises can take full advantage of CSR and implement it in their organisational culture” <https://bit.ly/3u25rDU>. Moreover, in this resolution European Parliament points to “**the importance of involving small and medium-sized enterprises in CSR** and recognising their achievements in this area” <https://bit.ly/3u25rDU>.

The second European Parliament resolution (#2012/2097(INI)) is the “*Social responsibility of business: promoting the interests of society and a path to sustainable and inclusive recovery*” <https://bit.ly/3wYSHji> focuses on four priority areas: sustainable economic recovery, the implementation of CSR globally, the need for a multilateral approach and integration between the public and private sectors. Resolution 2012/2097(INI) brings to the notice “the **strategic role SMEs can play in fostering the uptake of CSR**, owing to their close links with the areas in which they operate”, stresses that “**CSR must also extend to enterprises’** behaviour towards and in **third countries**”, encourages “**to help businesses ... to become involved in CSR**”, **denounces** based on the continuing high levels of business engagement with **CSR it being a ‘luxury good’** supported by business only in times of prosperity, urges “to promote CSR ... in young entrepreneurship schemes” <https://bit.ly/3wYSHji>.

Європейська комісія  
наголошує, що «важливо  
сприяти застосуванню  
високих стандартів стійкості  
також у третіх країнах»  
Документ для роздумів: На  
шляху до сталої Європи до  
2030 року

<https://bit.ly/3uM4rVh>  
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<https://bit.ly/3wYSHji>



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## 1. СТАЛИЙ РОЗВИТОК В ЄВРОПІ

| Country | Name   | Year | Organizations involved   | Disclosure requirements   | Compliance  |
|---------|--|------|--|---|---|
| Europe  | Directive 2014/95/EU of non-financial information (article L. 225-102-1) | 2014 | Companies exceeding 500 employees and whose turnover and balance sheet exceed a fixed amount | Four categories of social and environmental information: social consequences, environmental consequences, human rights (only for listed companies) and the fight against corruption (only for listed companies) | Comply or explain principle   |
| France  | Law on Energy Transition for Green Growth (no 2015-992, article 225-105) | 2015 | Companies exceeding 500 employees and whose turnover and balance sheet exceed a fixed amount | Disclosure of the financial risks linked to the climate change as well as the measures adopted to mitigate them   | <ul style="list-style-type: none"> <li>- No penalties for non-compliance</li> <li>- Report assurance by an independent third-party organization</li> <li>- Comply or explain principle</li> </ul> |
|         | Grenelle 2 law (no 2010-788 article 225)                                 | 2010 | Companies exceeding 500 employees and whose turnover and balance sheet exceed a fixed amount | Disclosure of social and environmental information (42 topics)  |   |
|         | NRE law (no 2001-420, article 116)                                       | 2001 | Companies exceeding 500 employees and whose turnover and balance sheet exceed a fixed amount | Disclosure of social and environmental information  |   |

*Bebbington, J., Larrinaga, C., O'Dwyer, B., & Thomson, I. (2021). Routledge Handbook of Environmental Accounting (J. Bebbington, C. Larrinaga, B. O'Dwyer, & I. Thomson (eds.)). Routledge. <https://doi.org/10.4324/9780367152369> p. 140*



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## 1. СТАЛИЙ РОЗВИТОК В ЄВРОПІ

| Country        | Name   | Year | Organizations involved   | Disclosure requirements  | Compliance  |
|----------------|--|------|--|--|---|
| Spain          | Sustainability Economy Law (no 2/2011, article 39) | 2011 | Companies exceeding 1,000 employees  | Disclosure of a sustainability report  | Report assurance by an independent third-party organization recommended |
| Denmark        | Danish Act (no 1403)                               | 2008 | Companies exceeding 250 employees and whose turnover and balance sheet exceed a fixed amount | Revision of the rules in 2012: companies need to report on human rights and climate issues | Comply or explain principle   |
| United Kingdom | Climate Change Act 2008                            | 2008 | Listed companies   | Disclosure of greenhouse gas emissions   |   |
|                | Company Act 2006                                   | 2006 |  | Environmental information and consequences of the firm's activity                          |   |
| Sweden         | Swedish guidelines                                 | 2007 | State-owned companies (partially or totally)   | Disclosure based on GRI guidelines   | Comply or explain principle   |
|                | Swedish environmental code                         | 1998 | Environmentally sensitive industries   | Disclosure of a sustainability report  |   |

*Bebbington, J., Larrinaga, C., O'Dwyer, B., & Thomson, I. (2021). Routledge Handbook of Environmental Accounting (J. Bebbington, C. Larrinaga, B. O'Dwyer, & I. Thomson (eds.)). Routledge. <https://doi.org/10.4324/9780367152369> p. 140*



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## 2. ДИРЕКТИВА ЩОДО НЕФІНАНСОВОЇ ЗВІТНОСТІ Non-Financial Reporting Directive

(NFRD)

Директива про нефінансову звітність (Директива NFR) набула чинності в усіх країнах-членах ЄС у 2018 році. Усі 28 країн з тих пір адаптували Директиву до національного законодавства, і тепер компанії мають виконувати її. Директива ЄС щодо нефінансової звітності закріплена в Договорі про функціонування ЄС, що дозволяє державам-членам перевищувати вимоги, встановлені ЄС у питаннях захисту навколишнього середовища. Кількість регуляторних ініціатив, які вимагають розкриття нефінансової інформації, стрімко зростає. З 2013 по 2018 рік кількість зареєстрованих нормативних актів, що стосуються нефінансових питань, збільшилася на 72%. І ця тенденція, схоже, продовжиться. Одночасно з цим зростає вартість нефінансового ризику. У період з 2008 по 2012 рік десять найбільших світових банків втратили близько 200 мільярдів доларів через судові позови про компенсацію та операційні збої. Країни різним ступенем адаптували директиву NFR – бізнес повинен розуміти, що вимагає кожна відповідна країна, щоб ефективно зменшити ризик.

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0095>

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014L0095>



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To test the main hypotheses, the authors select 905 treated firms from the EU 28 + 2 countries for a difference-in-differences regression analysis of dependent variables from the Refinitiv ESG database

“The results suggest that the Directive influences sustainability reporting quantity and quality. **Treated firms provide around 4 percentage points more sustainability information** (i.e. availability) than propensity score matched control firms and **are 19 percent more likely to receive external assurance** (i.e. credibility). However, we also find that the Directive is not the decisive factor in the adoption of GRI guidelines (i.e. comparability)”.

Ottenstein, P., Erben, S., Jost, S., Weuster, C. W., & Zülch, H. (2022). From voluntarism to regulation: effects of Directive 2014/95/EU on sustainability reporting in the EU. *Journal of Applied Accounting Research*, 23(1), 55–98. <https://doi.org/10.1108/JAAR-03-2021-0075>



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### 3. THE CORPORATE SUSTAINABILITY REPORTING DIRECTIVE (CSRD)

Директива ЄС щодо корпоративної звітності (CSRD) внесе зміни до існуючої Директиви про нефінансову звітність (NFRD). Розширюючи сферу питань сталого розвитку, CSRD вимагає від усіх великих компаній ЄС запровадити обов'язкові стандарти звітності щодо сталого розвитку.

компанії повинні подати звіт у відповідності з **CSRD 1 січня 2024 року за 2023 фінансовий рік**. Для компаній, що звітують, це буде складним завданням, оскільки збір даних та аудит є складним процесом, який вимагає часу та ресурсів.





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### 3. THE CORPORATE SUSTAINABILITY REPORTING DIRECTIVE (CSRD)

## NFRD versus CSRD: Differences & Action Points

Non-financial Reporting  
Directive (NFRD)  
EU Directive 2014/95/EU

Corporate Sustainability  
Reporting Directive  
(CSRD)

Which companies are  
concerned?



Large "public interest entities"  
with >500 employees:

- Listed companies
- Banks & Insurance companies

All large companies meeting at  
least 2 out 3 criteria:

- > 250 employees and/or
- > €40M Turnover and/or
- > €20M Total Assets

Listed companies on EU  
regulated markets

(SMEs get 3+ years to comply)

→ except listed micro-companies  
(less than 10 employees or below  
€20M in turnover).

<https://bit.ly/3N6qsUU>



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Reporting Directive  
(CSRD)

#### Timeline



In application since 2018

Application on 1 January 2024 for  
the 2023 financial year.

- Concerned companies will have to submit their report in compliance with the CSRD by 2023.
- For SMEs, more detailed reporting requirements and delayed timelines are available.

**Different phases will develop the reporting:**

- **FY 2023:** the first set of Sustainability Reporting Standards (draft standards open mid-2022)
- **FY 2024:** the second set of Sustainability Reporting Standards

Adoption of the EU-Directive in member states legislation:  
December 1, 2022.

<https://bit.ly/3N6qsUU>



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EU Directive 2014/95/EU

Corporate Sustainability  
Reporting Directive  
(CSRD)

Number of companies  
concerned by the  
regulation



**11,600**

**49,000**

→ covering 75% of total EU's  
companies turnover.

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Reporting Directive  
(CSRD)

##### Scope of reporting requirements



Companies are to report on the following five dimensions:

- Environmental protection
- Social responsibility and treatment of employees
- Respect for human rights
- Anti-corruption and bribery
- Diversity on company boards (age, gender, educational and professional background)

Companies need to report the following items on each of the four dimensions:

- Policy
- Outcomes of policy
- Risks
- KPIs

Additional requirements on:

- **Double materiality concept:**
  - Sustainability risk (including climate change) affecting the company.
  - Companies' impact on society and environment.
- Process to select material topics for stakeholders
- More forward looking information, including targets and progress thereon
- Disclose information relating to intangibles (social, human and intellectual capital)
- Reporting in line with Sustainable Finance Disclosure Regulation (SFDR) and the EU Taxonomy Regulation

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Reporting Directive  
(CSRD)

Reliability of reporting  
(Third party assurance)



Non-mandatory

Mandatory (planned end of 2022)

Reporting must include:

- Integration in auditor's report
- Involvement of key audit partner
- Scope to include EU Taxonomy and process to identify key relevant information.

Where to report?



Included in the **Annual report**.

The sustainability report can be disclosed separately with a clear reference to the financial report and management report.

Included in the **Management report**

A single report in "digital machine-readable format".

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Reporting Directive  
(CSRD)

Reporting format



- Online
- PDF format

Electronic format (in XHTML format in accordance with ESEF regulation).

Alignment to other EU  
Legislations



- The EU Taxonomy and its objectives
- **FY2021:** climate change mitigation and adaptation.
  - **FY2022:** all environmental objectives.

- **EU Taxonomy:** All companies concerned by the CSRD will have to report on their alignment with the EU Taxonomy.
- **SFRD:** The indicators of the standards will be aligned with the reporting of the CSRD.
- It takes into consideration other frameworks: **TCFD, GRI, SASB.**

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