



Nearly every global business faces increasing Environment, Social and Governance (ESG) risks. We contribute to the success of our clients by helping them plan for long term-value, minimize risk of future ESG problems, and navigate those problems should they arise. Our multidisciplinary, global team combines legal prowess with business acumen, enabling clients to anticipate issues and understand their business implications, and to identify and leverage strategic ESG opportunities.

Tackling Challenges with Core Competencies

Risk Assessments and Due Diligence

Identification of ESG risks and opportunities, including potential negative impacts through privileged ESG diligence and risk reviews of assets, supply chains, third parties, and individuals around the globe.

Non-Financial Reporting

Assist companies in their non-financial reports and statements to align with legal and voluntary norms and anticipate potential legal risks as to meet their commitments under relevant regulatory and voluntary disclosure standards.

Grievance Mechanisms

Design and implement grievance mechanisms, reporting channels, and remediation approaches to facilitate the prompt and effective identification and resolution of potential issues.

Labor & Employment/Workforce

Advise organizations on today's complex and dynamic employment landscape to address executive pay; the gender pay gap; and the MeToo movement; navigate the digitalization on the global workforce; and manage privacy and data protection and compliance.

Governance System Design and Implementation

Advise on ESG governance structures and compliance functions and programs, including developing metrics for assessing and evaluating ESG programs, devising internal reporting systems, and establishing compensation metrics and key indicators, aligned with the UN Guiding Principles on Business and Human Rights (UNGPs).

Investigations and Disputes

Conduct complex ESG investigations and resolve ESG-related disputes, whether arising from social or governance related concerns, environmental or climate-change allegations, potential human rights issues, or ESG disclosures.

New Legislation and Standards

Interface with governments, the UN, multi-lateral lending institutions, NGOs, civil society organizations, and multi-stakeholder initiatives, to understand contemplated and new norms, and to provide private sector perspectives.

Environment Law

Provide strategic counsel for environmental regulatory work, and advise on complex and emerging areas of policy and regulation in multijurisdictional matters, including renewable energy, climate change, water and air quality compliance, species and habitat impacts, sea level rise adaptation, product responsibility, brownfields remediation, hazardous materials handling and disposal, and sustainable development. We are a founding member of the Law Firm Sustainability Network.

Why Paul Hastings?

- We have a long track record of partnering with global businesses, financial institutions, social enterprises, and industry organizations to transact business and confront the world's most pressing challenges.
- We are helping to shape the developing ESG landscape; our team includes a Strategic Advisor to the Voluntary Principles on Security and Human Rights, a Senior Advisor to Business for Social Responsibility and the North American Advisor for the Global Business Initiative.
- We understand the critical trends; our team includes the founder and editor of Paul Hastings' first-of-its-kind global study, *Breaking the Glass Ceiling: Women in the Boardroom*, and the editor of *Mapping the Trends: The Global Employer Update*, which was highly commended in the FT Innovative Lawyers Report.

ESG RISK, STRATEGY, & COMPLIANCE

Guiding Clients to Success with Creative Strategies

Representative Experience



Corporate Governance

- ESG **corporate governance issues**, including application of Delaware law and fiduciary duty principles to the consideration of **ESG factors in strategic planning** for an investment fund manager.
- Legal and organizational advice on ESG **governance structures**, including drafting and revising board committee charters, advising on bonus and compensation metrics and key indicators, and establishing global internal ESG program reporting processes.



Policy Development

- **Sea level rise adaptation strategies and permit compliance** for a large privately held U.S. corporation.
- Policies and procedures aligned with the **UNGPs, UK Modern Slavery Act, and Voluntary Principles on Security and Human Rights** for leading AI and surveillance tech company.



Risk Assessments and Due Diligence

- **Forced labor assessment, security and human rights assessments, and developing self-assessments** for mining companies.
- Numerous **human rights diligence exercises** and **salient human rights risks to stakeholders** associated with asset disposition.



Investigations

- Investigations into **security excessive force complaints** and accusations of systemic sexual abuse in Africa and Pacific Islands, and into **worker exposure to hazardous chemicals** in South America, for a global mining company.
- Investigation into a **right to privacy issue** in an Asian country.



Disputes

- **OECD NCP Specific Instance** related to consumer interests and banking integrity on behalf of a major pharmaceutical company.
- Multiple **ILO complaints** involving alleged right to association and union representation arising from the Caribbean and elsewhere.
- **Securities lawsuits** in the U.S. and Canada involving alleged misstatements regarding environmental issues in South America.
- U.S. **Alien Tort Statute lawsuit** arising from activities in Iran on behalf of major communications provider.

Recognized for Client Service Excellence

Top 10 in the *Financial Times* Innovative Lawyer's Report across Asia, Europe, and North America

A top-ranked firm on *The American Lawyer's* A-List of the Most Successful Law Firms in the U.S. nine years in a row

Top 10 in *The American Lawyer's* International Pro Bono Report