

What's Next for ESG Legislation in Europe?

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Bárbara Mendes-Jorge: Hi, welcome to C-Suite Perspectives, a signature series by The Conference Board. My name is Bárbara Mendes-Jorge. I'm a sustainability communications expert based in Brussels, Belgium, and I'm the guest host of today's episode.

In this episode, we'll be discussing the state of play on global ESG regulation and providing advice to companies on how to adapt to the current legislative landscape. Joining me is Radhika Ralhan, an ESG and sustainability global impact leader with cross-sector experience across Europe, Asia, and the United States.

Now based in the Netherlands, she serves as an industry expert and guest lecturer in strategic sustainability at the Maastricht School of Management. Welcome, Radhika. I'm really looking forward to discussing ESG legislation and how companies can best prioritize for the future.

Radhika Ralhan: Thanks, Bárbara. Thank you so much for having me here. And thank you, TCB, for also having me here. It's really interesting, and interesting times. Yeah.

Bárbara Mendes-Jorge: Interesting times, indeed. Radhika, I'd like to start by asking you about your interesting and varied career trajectory. You've worked in a lot of different sectors, held a lot of different positions. So for our listeners, could you summarize your background, and let us know what you're working on at the moment?

Radhika Ralhan: I've been, overall, a sustainability and CSR and ESG specialist. Worked across three continents. I come from India. And sustainability is rooted in our culture, especially circularity.

And my foundation on sustainability was laid by the European Commission project called Learning Network on Sustainability. And there on my trajectory took over in CSR. As we moved further as a country, as you know, we are the only country which also had a regulation on CSR. And my work and my personal passion took me into that direction.

And then, I also was selected by the US Consulate. They have a very innovative professional leadership program. They select 17 young change makers across the world. I was selected for my work in a humble way by the consulate to work in Washington, DC, and also get trained in cultural intelligence and organizational intelligence.

And then from there on, I started my 2.0 version and applied back in Netherlands for my MBA, and then worked here extensively, which you very rightly mentioned, for leading companies such as UPS, Aramco, and as a 360-degree professional, after my MBA in sustainability, worked throughout on building strategy, to executing programs, and also working as a sustainability reporting expert.

So in a nutshell, it's a 360-degree approach that I come with this global international experience. And yes, very rightly stated right now, after a brief break as a cancer caregiver, I've come back. And also working part-time at the faculty as an alma, but also as a faculty and working on teaching sustainability reporting and strategic value driver for the students of MBA cohorts.

Bárbara Mendes-Jorge: OK, because I was going to ask you more about what you're teaching at the Maastricht School of Management and how your corporate experience is now matching with your academic experience.

Radhika Ralhan: Yeah, that's a very interesting juncture that you mentioned. The corporate, the practitioners experience with the academic, and that's needed in the space. And I think as we go on, this is also a challenge that industries are facing. And the Maastricht School of Management has a very niche program on CSR, ethics, and sustainability. And one of the parts of this program is also to teach on how reporting, how regulation, how CSR is also a strategic value driver for companies.

And these are students, if you look at from the MBA cohorts, are already working professionals from different disciplines like communication, marketing, who would like to also venture into the sustainability space, but then how do you relate it into the business case of sustainability?

So I bring that practitioner's pragmatic approach, but also combine it with my professor Mariana, who's also teaching on the theoretics of it. So this is a very, very interesting pragmatic and empirical teaching, which is hands-on.

Bárbara Mendes-Jorge: So alongside all of that, you also mentioned to me before the recording that you have something called the Sustain Srishti Initiative. Apologies for the pronunciation. What is this initiative? I know that it's focused on sustainability innovation,

but yeah, what was your motivation behind starting it?

Radhika Ralhan: So this is something which also came through as a challenge which I encountered, especially from the small and medium business enterprises.

And Sustain Srishti is a glocal kind of an initiative. Srishti is a Sanskrit word, it means the earth. We only have one planet. And sustain is from sustainability. And I combined it because we have to make up those collaborations, networks, innovations to save the planet. And while working even in the Limburg region, I come from Maastricht, which is I don't know, Bárbara, if you know, this is the sustainable SDG city, by the way. It's called an SDG City. And there's a range of innovators here on one end, but also, huge issues were coming by the small and medium business enterprises. Also, they have that intent. They want to do circularity, they want to do initiatives on sustainability, but they don't know where to start, how to do go about it, you know, how to build this into a business case.

And that's when I also launched the initiative with these learnings across the world, but also in Limberg, where the commitment is there, but do we have that network? And if we have, how do we expand this? And my initiatives focused on building that right human capital, right knowledge, right credibility, training, capacity building of these small-scale business enterprises, but also connecting them with innovators who are doing a fantastic job on sustainability.

Bárbara Mendes-Jorge: Yeah. And much needed, I think, especially today. So the main topic of discussion today, as we alluded to, is the current ESG legislation landscape in Europe and how businesses can best adapt to it. Now, hopefully this is a podcast, for people listening, that is practical and is giving you advice.

With that in mind, how do you see the current EU operating environment for ESG legislation?

Radhika Ralhan: Let me put it this way. I'll come with a different perspective than my sustainability counterparts, who were also overly criticizing the regulation because, you rightly stated, it was coming like after every month. Last year was like, now what's happening with the omnibus? Now there's a simplification package. So to answer your question, last year and even right now, there was this huge, huge, I think, emphasis on how this is backing down.

But we also have to keep in mind it was a CSRD regulation. It was a reporting regulation. Did everything change on sustainability? No. We also had a Circular Economy Act coming. We have the EUDR coming, which is still there. It may have been postponed, but it also had its reasons.

So if you ask me, overall, how the landscape is working, it has been there. And Bárbara, you were chatting the other day where you were saying, this has happened. Maybe the political climate was as such that there was a big emphasis on Europe is completely

backtracking. We are just going away from what we committed into the Green Deal.

But having said that, and I'm not speaking from an Indian diplomatic perspective, I'm being very, very Dutch direct, because that's what my trading in Netherlands is. Regulations, it also depends on your mindset as a company. If your entire strategy is just based on regulation, for you, it'll be like, that's the end of it. OK, now we are not under this criteria. We are not going to do the CSRD. There goes our strategy, right?

So it depends on which parameter that you're looking at, regulatory perspective, or which lens you are looking at regulations. But it was just for me, a CSRD. And honestly, as a true sustainability professional, we were just watching that circus going on. It's coming. It's not coming. These many companies are coming.

Yes, the scope of companies have reduced, but it has its own reasons why it got reduced. Also, I'm not for it. I'm not against it. Because I don't see regulation as the only or main driver for any company or any organization to build their sustainability strategy or project.

But then yes, the amount of emphasis was, I think it was just blown out of proportion, in my view, that's just my personal view. And I think it's still there. It never got backtracked. You just simplified it, right?

Bárbara Mendes-Jorge: Yeah. I think it's an interesting point that you make that regulations should not be the main basics for a strategy, because that goes back to another topic that we love to talk about. Well, that I've loved to talk about with The Conference Board, which is greenwashing. If you are only motivated to do sustainability because of policy, I mean, it can be a useful carrot and stick method.

But that's not really how to yeah, again, future-proof your business model, It is something that you need to keep an eye on, but your strategy and how you communicate it is separate. And I think that's a really good point that you make that, yes, it maybe has reduced in scope, but it was just a reporting directive and not a general sustainability one.

You're someone who's worked across Europe, Asia, and the US. So how would you compare the EU operating environments to other environments, such as in Asia and in the USA at the moment?

Radhika Ralhan: I think Europe has been ahead when it signed the Green Deal, and it's still there. We've never backtracked from Green Deal, we did set as a precedent for other continents. And we have done great progress, as well. We cannot take one year into account and wash down all the efforts that was done before this year. That is 2025 that I'm talking about. It happens to be also one of the warmest years. I mean, it's just ironic.

Bárbara Mendes-Jorge: Coincidence, yes.

Radhika Ralhan: Yeah. I mean, have you seen the Global Climate Report 2025? It has just been released and they said that, look from 2015 to 2025, are the warmest years, and Europe is the most fastest, hottest continent. And I think Europe realized this way back, also. And that's why there was a lot of commitment. There was a lot of progress being done.

When I compare it to countries like, let's say, India. When I was there, when the CSR law, the corporate social responsibility law, was being made. And I think that was, if I don't want to be so specific, but I think it was 2013, and then in 2015, the actual implementation took place and so on. And we could see the five-year tenure. And now I think it's 2025, the whole pace at it with which it went.

At that time also, I can compare it, when the CSR law was being done and when this bill was being formed, I think 2012 and 2013, a lot of companies were very skeptical about it. That look, this is just a regulation. We should not be doing the government's work. There was a schedule seven there, where we had the key areas where companies were required to spend 2% of their average net profit. And it also had certain criteria, by the way, it's changing now, this year. The bill will also be changing and will have more companies now in scope.

If you look at that part, that was one regulation that changed the landscape, I would say, of CSR completely. We had new kind of partnerships coming across between NGOs and companies, and during COVID, it was seen as one of the most impactful work that was done in the country, because ground-level NGOs were there to support the communities, and the companies were there as public-private partnerships.

And we may have critiques for that, also, but it's still there. It never, we never backtracked. And I'm using these words like we, because as an expat, if I'm in Europe, I'll be talking about Europe as we, and in India also, I cannot just remove that identity because it was a successful work that was done.

But what happened in the CSR law, I wanted to highlight this year is, it had a governance. It had a policy. The companies have to come up with a governance model, a committee, a policy. The report and the implementation or the impact of your project has to be shown. So these were the components of that law. There was a lot of critique at that time, also, by the companies, by the business that, look, this is like, you are also taking 2% of my average net profit, and what's going on with it.

I particularly took this as a comparative benchmark because the same thing is happening here. When the commission is coming up with the simplification packages, and, we are criticizing it, that this is just reporting. It's not just reporting. It's also, CSRD was also more beyond compliance. It was not just data collection, which, ironically, the way one companies are out with their CSRD reports. But most of them, majority of them, and I have to say that while working within companies, we made it into a data collection

exercise, whereas we forgot that it also had policies, it also has actions. It has targets to be set.

So it was actually defining not just your sustainability strategy, but your overall business strategy, and you can see those nuances that how India has done that already with the CSR, the complexity may be different, but it's the same, the structures were same, if you compare.

And that's also what's happening across the world. The world is moving with IFRS, with more commitments, and these are voluntary. In certain cases, some countries have just voluntarily adopted these reporting mechanisms. They're not adopting these reporting mechanisms as documentation or extra paperwork. They know that if we have a target, or if we have to work towards decarbonization strategies as a country, we have to bring the private sector as legitimate stakeholders.

So the comparison, if I have to see that while the commitment with Europe was, there a lot on the Green Deals, the new Industrial Deal that's coming up, with new packages being announced. I do feel that some time should have been invested onto seeing at least wave one, wave two companies, how the reporting is taking place, how we could have made it more, implementation-wise, much more simpler.

Bárbara Mendes-Jorge: Absolutely. So for our listeners to get up to date, could I ask you to summarize the recent changes to the CSRD and the CSDDD, and also share maybe whether there are any other EU legislations that you think it's important for companies to keep an eye on and prepare for?

Radhika Ralhan: Absolutely. As you know, with the omnibus, with the simplification packages that's been announced and there are more coming up, right? There is a full package that's been announced. We also know that the CSRD, the scope has been narrowed, right? Because of the scope of companies has been expanded with higher thresholds. 1,000 employees. And then 450 million turnover has to be there. It reduces the scope of companies coming now under the purview of CSRD, right?

But then we also have to keep in mind that there are the VSME standards, as well, which is for the voluntary standards for the SMEs. So, many companies who I've been interacting, while they're not under that scope of the CSRD, but also would have already started their journey when this law was being passed. But they wanted to also work towards the VSME standards, as well, because they want to have a framework.

So having said these things, what the omnibus changes, what the regulations mean in terms of narrowing down the scope of the companies, I also would like to highlight that there are companies who are also taking the pathway because they've already passed with lot of rigor in their own exercise, in terms of CSDDD. As we know, it's a much higher threshold, which is focusing on large companies. There is a risk-based due diligence approach. Definitely the whole work.

Bárbara, you knew why this was contested was because there was a lot of discomfort by companies who, and you mentioned the word lobbying on human rights and environment impacts. And definitely the penalties are still there. I don't want to go into the technicalities of it, because I think if we are just overburdened with all these technicalities.

But the law that I'm really keen is the Circular Economy Act, which is something which is very, very close to me, and which I feel is very integrated with the business. And I think I would be very much interested to see what's happening with the green claims marketing directive, which is already there, right? From the communications point of view, I think you are more excited to hear what's happening in that. But I think in between the textile, for the fashion industry, the act that came across, and the waste, also the labeling. The tidbits of these acts, the elements, are very, very interesting for me.

But the Circular Economy Act is something I'm really looking forward to, most importantly because the ISO standard of circular economy has been set in place. And that will be very interesting to see in conjecture with this law that's now going to come into place.

Bárbara Mendes-Jorge: You've kind of led me nicely into the last question of the first part of this interview on what is changing? Because, I mean, we touched on this, but do you think we are truly entering a new era of corporate responsibility and due diligence, or do you think this is a temporary shift or cycle, and sustainability will become a bigger priority once again?

Radhika Ralhan: When you are asking me this question, I think I would really rephrase it. Because it has been a priority, and I'm not just saying this because I've been into sustainability. It goes back to the previous principle. It really depends which side of the governance and which side of the companies you are from.

I'll give you a very small example. In my tenure in the logistics company, we were OK about the laws. We knew it was coming. It was coming after every 15 days. Like you were mentioning some or the other announcements, especially with the green claims marketing directive.

But for us, it was the customers that were driving us. I was out of business from my tenders. All the companies have mentioned packaging as one of the key parameters, or not parameters, I would say a pillar, where they see that there's a big scope on driving sustainability projects. And it's true for many companies.

For me to answer that question, there is no new era on sustainability. It has always been there. It's in fact even becoming more and more imperative. What is happening is the whole narrative has to change on sustainability. So, it's not that whether companies are prioritizing it or not, they have been doing it. It's also simplifying yourself more.

And then yes, when I say simplifying, you also have to simplify sustainability to your stakeholders, whether internal or external. I mean, we have made this whole discipline so

complex. Trust me, I was working with the sales and business development people, and you are from communications. I would really like to hear your perspective.

They are scared to even speak about anything. Or what if they ask me something about emission targets and this and that? We have to make it so simple and easy for people to understand that, oh, exactly what this is what drives change in a supply chain.

Bárbara Mendes-Jorge: I think, yeah. To wrap up this first part, I think one of the main challenges in sustainability is yes, you need both the straightforward key messages, but you do also need the technical side to make sure, like you said before, that you can't manage what you can't measure.

So you need to go into very specific details for data and everything else, but then you do need the comms and marketing people to work together with the technical people and say, OK, how then do we translate this into messages? Well, anyway, thank you. We're going to take a short break and be right back with more insights from Radhika Ralhan.

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Bárbara Mendes-Jorge: Welcome back to C-Suite Perspectives. I'm your host, Bárbara Mendes-Jorge. I'm joined today by Radhika Ralhan, an ESG and sustainability global impact leader, and a current guest lecturer on sustainability at the Maastricht School of Management.

So Radhika, now that we've discussed the current ESG landscape in Europe, in Asia, in the first part of this episode, I'd like to continue asking you more practical suggestions that you have for companies on how can they can best adapt and prioritize. So I've mentioned before, we're both sustainability professionals. We know the benefits of early mover advantages. So let's discuss how companies can best strategize in this landscape.

What do you see as the main, let's say, overarching regulatory action items for EU companies on ESG legislation?

Radhika Ralhan: So I think if you look at the legislation, and I think the hot topics right now for every company is the CSRD, the CSDDD. We, in fact, I forgot to even mention the EUDR, which never changed, which is just this year, which is going to be like the classic one for the food and the agricultural sector and others, as well.

I think the number one priority is from the governance, from the board. They really have to really get up because, I have seen, in my experience when I was working with the senior leadership, it has to come from the top. We can have the bottoms-up strategy, whatever we want to say. It has to come from the top.

And who are you assigning these? Are you just assigning it to the finance and planning unit? So we're just doing the traditional reporting, which is what happened with CSRD. That is why I said the narrative has to change. We really need to devise the strong action groups or, and it's not just your boring committee, sorry for the word, but then who are driving it?

Are you really investing in the right kind of human capital that is the, like you said, the sustainability specialist have to be there. Who will actually bring that stakeholder engagement together? And that's their second priority. Stakeholder engagement is what is the biggest challenge, but also the biggest opportunity for companies.

So I think that's really, really important, from the top, leadership that don't give it to just someone who's your CFO or someone who's your CDO, but you really need to devise that, who's going to do what. And not even just the chief sustainability officer, I would say. Who are the stakeholders that you're really making them accountable? And then they will be the key people to also measure the impact that you're bringing through these regulatory legislations, which we just mentioned, whether it's reporting and so on.

And then second is definitely prioritizing your markets. That's very, very important. The market sector that we are working in, it's so competitive. Like when I was in logistics, it's so competitive. It's also very important to see how are you bringing the key differentiator in your sustainability innovations. It's not just technology. What is the innovation, the low-hanging fruits in your supply chain? I know packaging was one which I devised with external innovators. So you also have to bring that change management within the company. Be very, very open.

Trust me, implementing an AI-based solution or an IT-based solution in a company is the toughest thing in big companies because there's the whole environment is so, so bureaucratic sometimes, and it's also very rigid. What I'm trying to say is entrepreneurial mindset within these traditional big companies, because they're the ones who are going to come under the purview of CSRD. So we also have to keep these regulations, conditions in mind.

And for the small-scale enterprises, let's not just keep on talking about the burden or the financial burden of doing sustainability. That's not the case. I have huge examples of suppliers who are the small and medium business enterprises. If you are agile and

innovative, and you have the right kind of people, then you can actually nail this down with your strategy to project implementation. So I would really strategize these three aspects or four aspects, together with human capital, with stakeholder engagement.

And most importantly, the governance has to have a huge, huge say, rather than just taking it down to your committee members who are run by the secondhand command, because they're going to do it in their own traditional way. And that's how the narrative will change. It's an ecosystem. So yeah, that's how I would put it.

Bárbara Mendes-Jorge: I think that's a really good point that you mentioned on the change management. Whether you have legislation that you want to adhere to, or you realize that you need a more overarching sustainability strategy, I guess, you have to go beyond business as usual. Whether it's bringing in maybe external people to have a conversation about how things can change or coming up with a system where you can involve everyone within the company.

Yeah, and I was nodding vigorously, of course, as we've talked about it. It is impossible to make real sustainable change within a company without the C-Suites and the management getting involved.

So you mentioned governance. Is there anything technical, as well? So, should they be focusing on emissions, or should they be focusing on deforest? Anything else that you'd add to the list?

Radhika Ralhan: I think, it's also from my experience, it's also unique to Europe. They are really very, very obsessed with emission factor. We've just seen it, emission factor, this carbon capturing, carbon storage, and all these just environment pillar of sustainability, which is losing out the profit pillar, the people's pillar. And we've had these incidences, and especially with the CSDDD, because if you ask me, and to answer that question, which you asked before. For me, EUDR, CSDDD are one of the most important regulations than CSRD. Also, because while CSRD touches the social sustainability part, the workers, workers in value chain, CSDDD goes really, really into transparent supply chain. And that's very critical, especially when I work with logistics and supply chains and even high intensive, complex value chain companies.

I think companies really need to gear up, because there's a policy gap that's diagnosed when you're doing these, when you're even doing the exercise of CSRD and CSDDD, you actually see the gap of your workers in value chain, your attrition rate, your employee health wellbeing.

But as deep, for example, in the fashion sector, let's put it this way, to go back down to the suppliers, how are you maintaining that supply chain? I think that's where Europe lacks, and I think that's where these two laws for me, not just from product transparency, but supply chain transparency, is very, very critical. And you see that now with the war and others, your supply chain collapses. So it also strengthens that.

And the last bit I really want to touch base is practice what you preach. I mean, you may say we are hiring diversity, we have the best diversity policy, we have hired so many women in our company, and you're showcasing that into your reporting. See, that's where the law also comes into the picture.

And that's a loophole because, and I'll just name that, I was in a company where in the committee, I was the only woman. And that never happened in Asia. It happened here in Europe. So it also showcases that what policies that you're devising in practice, how much are you implementing it? What is the say of your diverse work cultures? I'm just picking this as an example. It can be numerous, even in your scope three.

I have not seen a company which will always say right now, oh, over the years, my scope three has reduced. No, you pick up any report, it'll always be increasing. Our impact will be, when in reporting or in sustainability, and to answer your question on how the sustainability will be prioritized, when companies who are in complex value chain will come up and say, hey, you know, we reduced our scope three, by the way, this year.

You will always hear about scope one, scope two, direct, indirect. There goes your emission factors, huh? But we'll not say scope three because it is supply chain. And scope three is not just your environment emission. It is, in fact, including your suppliers, your third party vendors. So there, the people component comes into picture. And there is your profit, there is your value, there is the investments that's going maximum for companies, as well.

So I think overall, this is where I would like to see the change.

Bárbara Mendes-Jorge: Yeah. I think you made some really good points and to finish up our conversation today, but also tie it back to what we've been saying. The reason in the previous part, I ended by asking you about what sustainability era we're in, is because when we are working in sustainability, we know that it's important, it's critical. We've read the studies showing if your company's more diverse, you're more likely to make more money. If you prioritize sustainability, you're more likely to make more money, which is an element that's often forgotten.

But I think you see in some companies, or you see in some language from management, that maybe they're trying to deprioritize. So how can employees invested in sustainability best convince their company's C-Suite that it should really be embedded in their overall strategy? So how can they convince their CEOs to go just beyond compliance?

Radhika Ralhan: Yeah. And I think that's a good one because the new employees who are coming, I'm a millennial. The ones who are coming are Gen Zs, you know? And this generation, and even for me, I mean as a millennial, I mean they're even asking these questions in the interviews. What's your sustainability strategy?

And there are studies to prove that. There are open studies that, and there

are, I'm working in Netherlands, in Maastricht University. The fantastic interaction I have with students. Do you know, they're not even putting up their application in this job market crunch, they're not putting their applications on certain companies who are not working on sustainability. And it is a fact. I'm working directly at the hub of the university.

Even for me, and I'm being very upfront about it, I haven't applied on certain companies. It's not a kind of an activism, but these are questions that are concerning employees. And that is also why I say it was also concerning customers. So for me, even when I was in these complex value chain companies, it was not regulation-only, it was more on, I'm losing business from my competition. I am losing out on my customers, a competitive differentiator, the competitive advantage, that I would say.

And that's where as an employee, I had to build one of the largest training programs because I said, you can only question when you are already aware about this, when you're aware and you're conscious about this. And these are the questions which I feel as employees, we must ask. We must have that courage. Because we are also told as sustainability people, thinking that we are kind of some kind of activists in the companies, or if we speak like this.

No, it's because this is the new generation that's speaking like this in Netherlands or in other countries. Or even the training that I got in India is to always critique. If you do not critique, you do not be creative. And if you're not creative, you cannot collaborate. It's a simple logic in life. And this new generation is amazing, and they are questioning companies. They're actually questioning in conferences. We have to be so, so conscious, when the C-suite comes and the work is being done by the ground-level staff, and they're just coming and just speaking out loud, and this is what we have done. They are getting prepared.

I had a CEO of a famous airline who just came to me and asked me, what's happening to this generation I was interviewing for? And they said, what's your sustainability strategy? How are you taking care of your employees? So this is what even the regulation had in its essence, if you look at reporting, because if you open a company's report and I pick up an employee health wellbeing parameter, or what is your attrition rate? A CSRD report is more than enough to tell me about a company. And it's not just greenwashing that they are doing, they have to report because it's compliance, and it's audited.

So these are questions which are being asked already. These are questions which are going to be raised already by companies. We've already seen that bar, not just on sustainability. There have been real issues where employees have now started to speak, and this generation is changing from the millennials like myself. And questioning an authority does not mean that we are undermining it. We're asking for transformational change.

Bárbara Mendes-Jorge: Fantastic. Radhika, thank you so much for joining me today. Thanks to all our listeners for listening to C-Suite Perspectives. I'm Bárbara

Mendes-Jorge, and this series has been brought to you by The Conference Board.

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AUTHORS



Bárbara Mendes-Jorge
**Sustainability
Communications Expert**



Radhika Ralhan
**Global Sustainability &
ESG Leader**

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