

ENVIRONMENT, SOCIAL & GOVERNANCE (ESG)

# Environmental, social and governance matters require specialist legal know-how

We understand the challenges and opportunities related to a sustainable future and we apply our expertise and passion for ESG to the full spectrum of our ESG-related work.

Our specialists assist our clients across a broad range of ESG-related issues. We work with large listed companies as well as mid and small-sized privately held companies to support them in navigating the fast-evolving and increasingly complex area of ESG (including corporate governance) legislation and regulation.

ESG is a wide and expanding field and requires committed multidisciplinary teams working together to deliver practical, pragmatic and innovative solutions for our clients. We have the expertise to lead you successfully through the evolving ESG landscape.

## ESG Due Diligence and Reporting Obligations

We advise clients on the Swiss ESG-related reporting, disclosure and due diligence obligations and on international developments and trends.

- We support clients in drafting their ESG/sustainability reports (non-financial report, reports on conflict minerals and child labour) and on ensuring compliance with formal requirements (such as shareholder approval, board approval and auditor's assurance)
- We provide assessments regarding the compliance of existing ESG reports with the Swiss requirements
- We advise clients on implementing Swiss ESG due diligence obligations (e.g., establishment of internal policies or reflecting the requirements of Swiss law in contractual relationships)

## Corporate Governance

We advise clients on a broad range of corporate governance matters including:

- Drafting, reviewing and advising on articles of association, organizational regulations and related documents
- Board (committee) structure, composition (including diversity and ESG know-how requirements), succession planning and self-evaluation
- Director fiduciary duties, conflict of interest situations and related party transactions
- (ESG) Risk identification
- Structuring executive compensation matters to comply with legal requirements
- Corporate governance disclosure in the annual report
- Advising on internal policy frameworks and drafting respective policies
- Shareholder relations, including shareholder activism and shareholder governance proposals
- Analysing trends and best practices for corporate governance

## ESG Due Diligence and ESG-driven Transactions

At Bär & Karrer, our dedicated ESG specialists play a crucial role in conducting legal ESG due diligence for our clients, thoroughly assessing their operations and activities to identify potential compliance gaps and areas for improvement. Moreover, our expertise extends to guiding clients through merger and acquisition (M&A) processes, especially in industries and sectors with a heightened focus on ESG considerations.

## ESG-related Investigations

Our experts conduct and manage internal investigations related to ESG issues and support clients regarding any ESG-related crisis.

## ESG Dispute Resolution

We represent clients in disputes related to ESG topics, such as climate-related litigations and criminal proceedings linked to reporting and disclosure obligations.

## ESG and Financial Markets

Our specialists provide comprehensive advice on a wide range of regulatory ESG-related requirements, including compliance with FINMA rules and industry self-regulation standards. Our expertise extends to working closely with clients on sustainable and green finance projects. By combining our in-depth knowledge of ESG regulations and our collaborative approach with clients, we strive to support and guide businesses in achieving their sustainability goals while meeting the necessary financial and ethical standards.

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### Main Contacts

KEY CONTACT

PARTNER

**Dr. Vera  
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### Team Leaders

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## Team Members

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