

THE OSGOODE CERTIFICATE IN ESG, SUSTAINABILITY, CLIMATE RISK AND THE LAW

This program provides a fulsome view of today's rapidly evolving ESG frameworks along with practical advice on processes. And the faculty... these experts generously shared their views, challenges and the trends which made it even more dynamic. A must certificate program for ESG practitioners.

Suzanne LeClair
Superintendent, Community Relations – Global, Agnico Eagle Mines Limited

Managing ESG, sustainability and climate risk is a top business priority.

Engage with Canada's top climate risk, governance, policy and legal experts and get the practical knowledge and skills you need to effectively recognize, manage and disclose ESG, sustainability and climate risks and opportunities.

- Identify and distinguish the core ESG/sustainability and climate risk disclosure obligations and reporting standards, and learn how they are being handled by other organizations
- Develop an adaptive ESG/sustainability framework and risk management goals within the corporate culture and decision-making process
- Explore cutting-edge innovations and advancements guided by Indigenous communities, projects and solutions
- Comprehend how climate technologies and financial modelling tools work to clarify the scope of ESG, sustainability and climate risk and obligations

PROGRAM DIRECTORS

Murray Gold

Counsel, Koskie Minsky LLP, and
Fellow, Ontario Teachers' Federation

Jennifer King

Partner, Gowling WLG (Canada) LLP

REGISTRATION DETAILS

**November 25, 26, December 9, 10
and 11, 2024**

10:00 a.m. – 4:30 p.m. ET daily
In-Person or Online (Blended)

Can't make the date?

*Registration includes 120-day
unlimited, online access to the
recorded program.*

Register today at:

osgoodepd.ca/esg

The Osgoode Certificate in ESG, Sustainability, Climate Risk and the Law

In the face of growing stakeholder demand for greater corporate responsibility, sustainability and accountability, proper management and disclosure of ESG, sustainability and climate risk is essential.

5 Days of Targeted Learning:

- Connect with and learn from multidisciplinary experts and peers
- Interactive instructional sessions and discussion
- Reinforce key concepts using real-world examples and practical exercises
- Review what you've learned with 120-day online program access

There are new and emerging technical standards and legal obligations for managing and disclosing ESG, sustainability and climate risk in Canada. **As there is no 'one size fits all,' businesses must know how to evaluate risk and deliver on their obligations.** At the same time, organizations are expected to demonstrate the latest forward-looking developments and best practices, or risk increased exposure to shareholder activism, investor class-actions, lawsuits and public "naming and shaming."

If your work involves governance, investments, commercial transactions or infrastructure projects, you must have a solid grasp of the evolving laws and intricate expectations in this area.

This is the leading program of its kind for Canadian organizations, boards and legal advisors.

Over five (5) engaging modules, you will develop critical knowledge and skills using real-world examples to enhance your ability to evaluate, navigate and disclose – or advise on – relevant ESG, sustainability and climate-related issues, to establish adaptive frameworks, and to set suitable legal risk management and operational goals.

Register today at:

osgoodepd.ca/esg



Get the latest practical information and important insights on:

- Key terms, players and laws impacting ESG, sustainability and climate risk considerations – including the “ESG backlash” and debates
- Major economic and legal drivers of environmental/climate impacts and reporting elements, including biodiversity issues, nature-related dependencies, sustainability targets, and new standards
- Effective engagement and collaboration with Indigenous communities and other key stakeholders
- How and why social criteria and recent modern slavery legislation and policies are shifting litigation risk
- Identifying, managing and disclosing ESG and sustainability criteria and associated risks, including ‘greenwashing’ risk
- Anticipating and managing risks arising from global impacting events, conflicts and crises
- What’s currently considered ‘green’ and how climate-related investment standards are driving the rapid growth of financial instruments and allegations of greenwashing
- Frameworks for effective governance and ensuring climate change is on the agenda
- Mechanics of carbon markets, carbon pricing and carbon capture, utilization and storage (CCUS), including developments and debates impacting climate transition plans
- Climate economics, finance and green transition costs, and where things are heading
- How and why Indigenous-led solutions, stewardship and innovations are driving ESG/sustainability risk management standards and advancements
- Assessing and optimizing ESG, sustainability and climate-related opportunities – including sector-specific considerations for mining, energy and manufacturing/garment industries

Who Should Attend

- Commercial banking and finance law practitioners
- Corporate, governance and risk practitioners
- Government professionals
- In-house counsel
- Financial services professionals
- Corporate board and audit committee members
- Investors, dealers and their advisors
- Investor relations professionals
- Environmental and Indigenous law practitioners
- Professionals whose work involves governance, investments, transactions or infrastructure
- Indigenous Rights Holders

Register today at:

osgoodepd.ca/esg

Drawing on the expertise and experience of a distinguished faculty of leading governance, climate-risk, policy and legal professionals, including:

Program Directors



Murray Gold

Counsel, Koskie Minsky LLP, and Fellow, Ontario Teachers' Federation



Jennifer King

Partner, Gowling WLG (Canada) LLP

Advisory Board

Barnali Choudhury

Professor and Director of Jack & Mae Nathanson Centre on Transnational Human Rights, Crime and Security, Osgoode Hall Law School

Judy Cotte

Managing Director – Head of ESG, Onex Corporation

Lisa DeMarco

Senior Partner and CEO, Resilient LLP

Carol Hansell

Senior Partner, Hansell McLaughlin Advisory Group

Sarah Keyes

CEO, ESG Global Advisors Inc.

Jamie MacKinnon

Executive Vice President, Regen AG and Nature Based Solutions, Anew

Andrea Moffat

Senior Director, Addenda Capital

Anna Murray

Global Head of Sustainable Investing, Ontario Teachers' Pension Plan

Program Faculty

Brian Burkett

Counsel, Fasken Martineau DuMoulin LLP

Jessica Butts

Principal, ESG Global Advisors Inc.

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Founder Director, Ario Advisory UK

Ian Culbert

Executive Director, Canadian Public Health Association

Nicholas Daube

Counsel, Resilient LLP

Professor Simon Donner

University of British Columbia

JP Gladu

Founder and Principal, Mokwateh, and Board Member for Suncor, Institute for Corporate Directors, Broden Mining, First Nations Major Projects Coalition Advisory Centre, and Senior Fellow, Macdonald-Laurier Institute

Kelly Harris

Principal, Harris & Co

David Isaac

President and CEO, W Dusk Group

Michael Jacobs

Director and Co-Chair, Canadian Council for Aboriginal Business, and Chief Executive Officer, Cambium Indigenous Professional Services

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Chief Legal, ESG and Governance Officer, Ontario Power Generation

Stephen Pike

Partner, Gowling WLG (Canada) LLP

Sucheta Rajagopal

Investment Advisory and Portfolio Manager, Research Capital Corporation

Duncan Rotherham

Vice President, Energy, ICF International Inc.

Lorenzo Sani

Analyst, Power & Utilities, Carbon Tracker

Katie Sullivan

Managing Director, International Emissions Trading Association

Anton Tabuns

Principal, Sustainability Policy & Innovation, Investment Management Corporation of Ontario

Hillary Thatcher

Managing Director, Investments: Indigenous and Northern Infrastructure, Canada Infrastructure Bank

Cynthia Williams

Roscoe C. O'Byrne Chair in Law, Indiana University, Maurer School of Law, Professor, Vrije Universiteit (Amsterdam), Professor emerita, Osgoode Hall Law School, Co-Investigator, Canada Climate Law Initiative

Laura Williams

Managing Partner, Williams HR Law

Laura Zizzo

Co-Founder and CEO, Manifest Climate

Barb Zvan

President and CEO, University Pension Plan Investments, and Taxonomy Expert, Canada's Sustainable Finance Action Council

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Agenda

MODULE 1

Governance and Reporting: Setting the Stage

November 25, 2024 • 10:00 a.m. to 4:30 p.m. ET

Landscape of ESG, Sustainability, Climate Risk and Indigenous Perspectives in Canada

- Evolution of the ESG, sustainability and climate risk landscape in Canada
- Indigenous rights, communities, values and priorities – adding the “I” and embedding Indigenous perspectives within all considerations and conversations
- Exploring the range of views, controversies, areas of debate and trade-offs, including the “ESG backlash” and reactions to it
- Key terms and a map of key players – national and global – COP, IPPC, IEA, ISSB, CSSBP
- Where are things heading?

Understanding Duties, Roles and Responsibilities

- Shifting expectations involving ESG/ sustainability duties, roles and responsibilities:
 - Corporate directors
 - Investors
 - Pension Trustees
 - Lawyers
 - Public sector/government
- Important similarities and distinctions

Understanding Reporting and Disclosure Standards and Requirements

- Standards, requirements and approaches in North America vs. Europe
 - Single vs. double materiality, voluntary vs. mandatory
 - Core requirements and distinctions for entities (banks, insurance, pension funds, public vs. private companies, government and other public sector entities)
- Important issues requiring reporting – climate change, modern slavery, EDI/DEI and others
- What’s coming? (nature-based solutions, TNFD)

Interactive Discussion: Governance and Reporting

Using real-world examples, faculty will lead a discussion on the day’s key themes and takeaways, including insights and lessons learned on how to better manage ESG, sustainability and climate related governance and reporting obligations.

MODULE 2

Social Responsibilities, Impacts and Indigenous Perspectives

November 26, 2024 • 10:00 a.m. to 4:30 p.m. ET

Evolving Scope of Social Considerations

- Why is social a criteria? How does it rank/ intersect with other criteria?
- Indigenous rights, communities and stewardship priorities – national and international
- International standards: UN Global Compact and Guiding Principles on BHR, PRI, SFDR
- Global events, impacts and growing expectations for the “world of work”
- Key risks, challenges and legal issues – corporate, lender, community, and investment/ pension perspectives

Examples of Social Issues: Key Principles, Developments and Case Law

- DEI and Affirmative Action
- Indigenous communities and considerations
- Labour/Employment and ‘human capital’
- Human Rights
- Business and Human Rights (BHR)

Sector-Specific Considerations: Social Responsibilities, Risks and Impacts

Faculty will discuss social responsibilities, risks and impacts, including a focus on Indigenous communities and perspectives, as well as current debates/conflicts and supply chain issues in the following sectors:

- Mining
- Manufacturing/garment
- Energy and oil

Interactive Discussion: Social Responsibilities and Indigenous Perspectives

Faculty will lead an interactive discussion to reinforce the day’s themes and the importance of analyzing and prioritizing social responsibilities, risks and impacts, including Indigenous perspectives, when assessing the scope of your ESG, sustainability and climate risk obligations.

MODULE 3

Understanding Environmental and Climate-Related Risks and Issues

December 9, 2024 • 10:00 a.m. to 4:30 p.m. ET

Environmental/Climate Factors in Canada

- Where do we stand with climate regulation? What do the rules say?
- Evolving scope of environmental/climate factors, risks and considerations
- Canada’s Climate Policy – mapping out key legislation and regulation
- Canada’s Climate Strategy Standards – regulations, pricing, policy considerations, requirements, and stakeholder engagement

Science of Climate Change and the Physical and Transition Risks

- Overview of the science of climate change
- Certainty vs. uncertainty (for now), tipping points, etc
- Physical and transition risks of climate change
- Mitigation to adaptation/resilience – how to position your company, and what you need to know

Climate Economic Modelling: Uses and Abuses

- Overview of climate economic modelling
- Summary of the main models in use
- Understanding the main uses (and abuses) - pros and cons
- Limitations of the current economic/climate models

Climate Specific Reporting and Disclosure Standards

- Overview of reporting and disclosure standards and requirements – what’s new and different?
- Deeper dive into banking and insurance regulation – how is risk shifting?
- Implications for the cost and availability of credit and insurance in climate sensitive sectors
- Securities law requirements – SEC and the various Canadian securities regulators
- Accounting standards – ISSB and CSSB

MODULE 4

Climate Specific Requirements and Greenwashing Risk

December 10, 2024 • 10:00 a.m. to 4:30 p.m. ET

Climate Economics, Finance and Green Transition

- Overview of climate economics and finance
- What will the 'green transition' cost?
- Understanding investment and financial structures and opportunities
- Where are things heading?

Carbon Markets and Climate Transition Plans

- Overview of carbon markets
- What are climate transition plans? (including Climate Paths to Net Zero)
 - Who is actively participating in the transition?
 - Reviewing divestment vs. how to move toward the energy transition faster
 - Critical importance of the energy transition

What is 'Green': Understanding Climate-Related Investment Standards, Frameworks and Taxonomies

- What's considered 'green'? What are the issues with the standards?
- Core disclosure and transparency considerations
- Rapid growth of financial instruments and principles – green bonds, transition bonds, sustainability-linked loans, social bonds
- Investment product specific disclosure standards – CFA Society, EU SFDR, PRI, 'soft laws' and others

Overview of Carbon Capture, Utilization and Storage (CCUS) and Carbon Pricing Debates

- What do the concepts mean?
- Understanding CCUS and the debates
 - How does CCUS work – overview of each step, and the role in clean energy transitions
 - Current uses, pros and cons, innovations
 - Where do we need to go?
- Understanding carbon pricing debates - costs, risks, opportunities, key players, strategies, challenges, risks and legal issues
 - Circular climate and energy economy
 - Where do we need to go?
- Practical considerations and takeaways

MODULE 5

Climate-Related Legal Developments, Responsibilities and Advancements

December 11, 2024 • 10:00 a.m. to 4:30 p.m. ET

Crucial Developments in Climate Litigation and Case Law

- Key litigation, trends and the associated risks, nationally and globally
- Crucial impacts, distinctions and disproportionate impacts
- How and why litigation trends drive risk management – lessons learned, why things go wrong, mitigation/improvement ideas
- Best practices and tips to analyze and mitigate legal risk

Biodiversity Challenge and Climate-Related Impacts and Issues

- What is the biodiversity challenge?
- Challenges, resistance and systemic risk for investor groups – climate capital and biodiversity-related financing, nature-themed investment solutions/products
- Considerations to transition toward a nature-positive economy – sustainability targets, "bio-credits," thematic and impact investing
- New standards to be developed

ESG/Sustainability Risk Management in the Pension and Corporate Contexts

- ESG/sustainability in the pension and corporate contexts
- Understanding Indigenous perspectives, intersections and impacts
- Key risk management considerations and priorities
 - Board committee mandates
 - Management responsibilities, direct reports
 - Executive compensation
- Tying things together/execution – who's responsible for what, who reports to whom, downstream implications
- What now/how do we make it happen?

Interactive Discussion: Climate Risk, Sustainability and Indigenous Advancements, Innovations and Collaborations

Faculty will lead a discussion to explore where things are at with the integrity and actioning of ESG, sustainability and climate goals and Indigenous-led solutions. Highlighting key scientific and technological advancements and policy changes, the conversation will explore a series of collaborative works and projects, including Indigenous-led advancements, innovations and stewardship, which are serving to 'move the needle' in the right direction.

ONLINE PRIMERS

FOUNDATIONS IN ESG, SUSTAINABILITY, CLIMATE RISK AND THE LAW

Program includes six (6) on demand primer classes, covering core concepts to enhance in-class learning and discussion.

We strongly recommend viewing all primers prior to attending the program.

To obtain your Certificate, all six (6) primers must be viewed:

- **ESG, Law and Policy**
(75 mins, recorded in 2021)
- **Climate Science, Risk and Carbon Neutrality/Net Zero**
(90 mins, recorded in 2021)
- **Governance Framework**
(50 mins, recorded in 2021)
- **Indigenous Rights, Consent and the Duty to Consult in Canada**
(100 mins, recorded in 2021)
- **Indigenous-Led Projects and Partnerships**
(80 mins, recorded in 2021)
- **Trends in Sustainable Finance**
(~45 mins, to be recorded in 2024)

FINAL ONLINE EXAM:

*Distributed after module five (5), the online multiple-choice exam requires a passing grade of 80% by **January 7, 2025**.*

Register today at:

osgoodepd.ca/esg

Registration Details

Fee per Delegate: \$3,995 + TAX

Newly Licensed*: \$1,997.50 + TAX

**This fee applies to newly licensed regulated professionals within the past 2 years*

Fees include attendance, electronic program materials, technical support and 120-day access to the program archive. Group discounts are available. Visit www.osgoodepd.ca/group-discounts for details.

Financial Assistance

This program is eligible for OSAP funding. Federal and provincial job grants may be available. You may also apply for financial assistance with OsgoodePD. To learn more, visit: www.osgoodepd.ca/financial-assistance.

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted prior to the start date of the program. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the start of the program. If a cancellation request is made with less than 21 days notice, a \$250 administrative fee will apply per person. Within 7 days of the program start date, no refund is available. Payment is required to receive access to the program.

For Further Program-Related Information, Please Contact:

Alexandra Karacsony, Program Lawyer akaracsony@osgoode.yorku.ca


Certificate of Program Completion

You will receive a certificate upon completion of the **Osgoode Certificate in ESG, Sustainability, Climate Risk and the Law**. Participants must view all Online Primers, attend all Modules (whether live, by viewing the recordings, or both methods) and pass the online multiple-choice exam, **all by January 7, 2025**.

Register today at:

osgoodepd.ca/esg

 **Email:** osgoodepd@osgoode.yorku.ca

 **Phone:** 416 597 9724

 **Mail:** 1 Dundas Street West, 26th Floor, Toronto, ON, M5G 1Z3



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours

LSO (ON): 35h 45m (30h 15m Substantive, 2h Professionalism; 3h 30m EDI).

BC: This program is approved for 33.25 CPD hours with the Law Society of British Columbia.

AB: For Alberta lawyers, consider including this activity as a CPD learning activity in your annual Continuing Professional Development Plan.

OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.



“Excellent. Overall, there was a great group of presenters and the level of information provided was appropriate.”

Elsa Da Costa

Director of Performance Audit,
Commissioner of the Environment
and Sustainable Development,
Auditor General of Canada

“This has been a fantastic [and] enjoyable program – informed and insightful faculty and wonderful participants. The presentations were comprehensive, well-structured and included a great mix of law, policy, practical applications, tips, and what is coming in the future.”

Sarah Gilbert

Partner, Bennett Jones LLP

“Excellent. Very knowledgeable faculty and generous with their expertise, variety and teaching methods. [They] kept us focused. Merci!”

Mira Gauvin

Dentons Canada LLP