

## **THE EQUATOR PRINCIPLES IMPLEMENTATION NOTE**

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# The Equator Principles Implementation Note

**Malik R. Dahlan, Rosa M.  
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## **The Equator Principles Implementation Note:**

Necessary Evil David Kinley, 2018-02-01 Finance is the evil we cannot live without. It governs almost every aspect of our lives and has the power to liberate as well as enslave. With the world's total financial assets valued at a staggering 300 trillion being four times larger than the combined output of all the world's economies, there is apparently plenty to go around. Yet while proponents of finance-driven capitalism point to the trickle-down effect as its contribution to wealth redistribution, there are still nearly a billion people across the globe existing on less than 2 a day. 14 percent of Americans are living below the official poverty line, and disparities in wealth equality everywhere have reached unprecedented levels. Evidently, a trickle is not enough. How can this be when so much wealth abounds and when finance is supposedly chastened and reformed after its latest global crisis? How especially can it be in an age when human rights are more loudly proclaimed than ever before? Can the financial sector be made to shoulder more of the burden of spreading wealth, reducing poverty, and protecting rights? And if so, what role can human rights play in making it happen? In answering these questions, David Kinley draws on a vast array of material from bankers, economists, lawyers, and politicians as well as human rights activists, philosophers, historians, and anthropologists alongside his own experiences working in the field. Necessary Evil shows how finance can shed its conceit, return to its role as the economy's servant, not its master, and regain the public trust and credibility it has so spectacularly lost over the past decade, all by helping human rights, not harming them.

**Research Handbook on Energy, Law and Ethics** Malik R. Dahlan, Rosa M. Lastra, Gustavo Rochette, 2022-11-22 This Research Handbook offers crucial ethical perspectives on navigating the increasingly complex and contested landscape of contemporary energy law. Taking an interdisciplinary approach, it brings together diverse scholarship and expertise from academia, international organizations, legal practice, and the judiciary to address wide-ranging issues linking energy and law to ethical drivers such as wealth, peace, and war, development, climate change, and use and abuse of natural resources.

**Responsible Investment Banking** Karen Wendt, 2015-06-15 This book provides evidence on the relevance of environmental and social factors in decision making. It discusses the Gold Standard Frameworks for integrating extra-financial risks into the philosophy, culture, strategies, products, and value chain management procedures of investment and banking and highlights the current emergence of global administrative law. New emerging topics like positive impact investing and finance, climate-friendly markets, human rights, the enhanced role of fiduciary duties, and shared values are approached with a lot of examples for practical application. Steps towards a new banking culture, a new climate for double-loop learning, and sustainable financial innovation are outlined, and the additional benefits of robust stakeholder engagement explained. The anthology paves the way from robust impact and risk management to positive impact creation and a new investment culture. As well, challenges for the implementation and ways to overcome them are broadly discussed. The book is rooted in the fact that institutions and investors which fail to professionally integrate the management of extra-financial risk into their whole lending and investment chain and fail to move to positive

impact creation may well lose positions and mandates and finally the trust of their clients partners and stakeholders The contributing authors of this anthology are internationally renowned experts in the field of ESG and impact investing The compendium brings together practitioners and academics to allow a confluence of thoughts concepts and viewpoints This huge variety of perspectives and approaches makes this volume a comprehensive compendium on responsible investment and banking *The Implementation of Free, Prior and Informed Consent and Indigenous Peoples' Rights under the OECD Guidelines for Multinational Enterprises* Fanny Pulver, 2022-08-11 Corporations have become powerful actors exerting increasing influence on society and the living conditions of individuals worldwide including indigenous peoples While it is recognized that corporations have a responsibility to respect indigenous peoples rights and the important safeguard concept of free prior and informed consent FPIC it is rather unclear what such a corporate responsibility entails from a legal perspective This doctoral thesis thoroughly analyses the regulatory framework pertaining to indigenous peoples and corporations as well as the case law of the OECD National Contact Points NCPs Based on this analysis the thesis identifies currently applied features of indigenous peoples rights and FPIC in relation to corporate actors determines shortcomings in the regulatory framework and the jurisprudence of the NCPs and makes suggestions for possible improvements

Sustainability Accounting and Accountability Jan Bebbington, Jeffrey Unerman, Brendan O'Dwyer, 2014-06-05 The management and balancing of social environmental and economic sustainability is one of the most complex and urgent challenges facing both private and public sector organizations today with these challenges of sustainability posing many risks to and many opportunities for advancing the aims and performance of organizations Accounting and accountability processes and practices provide key tools to help organizations to more effectively identify and manage the risks and opportunities of sustainability Popular features from the first edition are retained whilst recent developments in theory and practice are accounted for New substantive chapters on water resource accounting carbon accounting and decision making have been introduced and the book continues to benefit from a host of expert contributors from around the world including Jesse Dillard Rob Gray Craig Deegan This comprehensive and authoritative textbook will continue to be a key resource for students of accounting and sustainability as well as being a vital tool for researchers **Environmental Assessment as a Tool for Climate Change Mitigation** Benoit Mayer, 2024-11-15 Most governments have established procedures to appraise the environmental impacts of proposed activities The focus of these environmental assessment procedures has long been on local environmental issues such as air water and land pollution which have a direct and concrete effect on communities In recent years however these procedures have increasingly been used to consider how activities could result in the emission of greenhouse gases and exacerbate climate change *Environmental Assessment as a Tool for Climate Change Mitigation* builds on a broad survey of over one hundred national environmental assessment practices legislation guiding documents cases and administrative practice to reflect on the main conceptual and practical issues facing climate assessment By presenting and

discussing jurisdictional developments and national debates in a global comparative perspective this book aims to enrich our collective understanding of the modalities of and ultimately the mitigation opportunities arising from the use of climate assessment in relation to proposed activities The author concludes this timely and forward looking volume by identifying good practices that lawmakers regulators national agencies judges and lawyers should consider when developing and applying the law on climate assessment

**The Economics and Law of Public Procurement** Annalisa Castelli, Gustavo Piga, Tünde Tátrai, 2024-12-11 Public procurement makes up a significant part of national economies 10 25% of gross domestic product GDP depending on the country Appropriate laws and regulations are an essential tool to direct the action of procurers towards the public good and avoid corruption and misallocation of resources while at the same time sustaining progress and social goals The original approach of this book combines juridical economic and technical expertise to find common terrain and a common language in order to debate the specific issues that affect public administrations across the world that need advancing and modernizing The book features contributions across four specific themes of interest to the procurer s day to day job in modern public purchasing organizations preferences and political economy in public procurement climate change defence procurement and human rights in public procurement The aim is to let the new emerging trade offs between competition and sustainability emerge highlighting at the same time the possible synergies between the relevant policy objectives The book takes into account sectoral specificities reinforced by recent global events such as wars natural disasters and populism The unique format features in each section an interdisciplinary debate between two experts across different disciplines who deliberate and engage one another so as to improve the mutual understanding across disciplines followed by two additional contributions This book will be of interest to scholars researchers and policymakers worldwide

Beyond Politics Michael P. Vandenbergh, Jonathan M. Gilligan, 2017-12-21 This book argues that government action alone will not prevent dangerous climate change but that private governance can fill the gap

**The Governance Gap** Penelope Simons, Audrey Macklin, 2014-07-11 This book explores the persistence of the governance gap with respect to the human rights impacting conduct of transnational extractive corporations operating in zones of weak governance The authors launch their account with a fascinating case study of Talisman Energy s experience in Sudan informed by their own experience as members of the 1999 Canadian Assessment Mission to Sudan Harker Mission Drawing on new governance reflexive law and responsive law theories the authors assess legal and other non binding governance mechanisms that have emerged since that time including the UN Guiding Principles on Business and Human Rights They conclude that such mechanisms are incapable of systematically preventing human rights violating behaviour by transnational corporations or of assuring accountability of these actors or recompense for victims of such violations The authors contend that home state regulation while not a silver bullet has a crucial role to play in regulating such conduct They pick up where UN Special Representative John Ruggie s Guiding Principles on Business and Human Rights left off and propose an

innovative robust and adaptable template for strengthening the regulatory framework of home states Their model draws insights from the theoretical literature leverages existing public private transnational national soft and hard regulatory tools and harnesses the specific strengths of state based governance This book will be of interest to academics policy makers students civil society and business leaders *Biodiversity Offsets Effective Design and Implementation* OECD,2016-12-07

This report examines the key design and implementation features that need to be considered to ensure that biodiversity offset programmes are environmentally effective economically efficient and distributionally equitable **International**

**Project Finance** John Dewar,2011-04-07 Providing a wide focus on financial techniques and sector coverage on an international scale this book gives a thorough treatment of the basic principles which affect the structuring and documentation of project financings It studies structural legal and contractual differences between the different sectors using project financing techniques **Policing the Banks** Maartje van Putten,2008-11-20 Describing how formerly

secretive financial institutions have been slow to accept responsibility for the consequences of their investments especially the problems that can result from projects in developing countries she shows that financing institutions can cause significant social and environmental damage and argues that new accountability mechanisms are necessary to reduce or prevent such damage Because such institutions operate on a global scale only semi judicial accounting mechanisms can provide the necessary accountability It is time for the private financial sector to follow multilateral financial institutions in creating independent mechanisms mediation procedures and access to decision makers for people harmed or potentially harmed by projects financed by their institutions *Sustainable Development Law & Policy* ,2004 **Vanderbilt Journal of**

**Transnational Law** ,2007 *Meaningful Stakeholder Engagement* Reidar Kvam,2019-11-07 This technical note summarizes key objectives principles and elements of stakeholder engagement It is based on lessons learned and evolving standards and has been prepared as a joint publication by several Multilateral Finance Institutions MFIs While the note is informed by and intended to be consistent with core principles and approaches shared by many MFIs and other institutions it does not represent official policy or formal requirements of any of the participating MFIs The note summarizes core principles and elements of international good practice but there may be cases where either national law or specific requirements of MFIs or other institutions have stricter or more specific requirements than the approach suggested in this note In such cases the formal requirements should be met The note s primary intended audience are practitioners tasked with organizing consultations and stakeholder engagement as part of preparing and implementing projects The emphasis in the note is on integrating stakeholder engagement into project design and implementation In some projects there may be one or more dedicated persons responsible for stakeholder engagement while in other projects this function may be combined with the role of social and environmental specialists responsible for risk management or other project aspects The note may also be of relevance for staff in financial institutions responsible for due diligence and advice to clients and borrowers for

licensing authorities and for managers and others responsible for ensuring that the stakeholder engagement process is appropriately resourced and integrated into project decision making

*International Environmental Law and the Global South* Shawkat Alam, Sumudu Atapattu, Carmen G. Gonzalez, Jona Razzaque, 2015-09-17 The unprecedented degradation of the planet's vital ecosystems is among the most pressing issues confronting the international community. Despite the proliferation of legal instruments to combat environmental problems, conflicts between rich and poor nations, the North-South divide, have compromised international environmental law, leading to deadlocks in environmental treaty negotiations and noncompliance with existing agreements. This volume examines both the historical origins of the North-South divide in European colonialism as well as its contemporary manifestations in a range of issues including food justice, energy justice, indigenous rights, trade, investment, extractive industries, human rights, land grabs, hazardous waste, and climate change. Born out of the recognition that global inequality and profligate consumerism present threats to a sustainable planet, this book makes a unique contribution to international environmental law by emphasizing the priorities and perspectives of the global South.

**Yearbook of International Environmental Law** Ole Kristian Fauchald, David Hunter, 2008 This yearbook contains articles from an international team of contributors. Each section of essays covers a topical subject focusing mainly on environmental law, and the year in review section offers a round up of world-wide legal developments.

**The Right Relationship** John Borrows, Michael Coyle, 2017-03-17 The relationship between Canada's Indigenous peoples and the Canadian government is one that has increasingly come to the fore. Numerous tragic incidents and a legacy of historical negligence combined with more vehement calls for action is forcing a reconsideration of the relationship between the federal government and Indigenous nations. In *The Right Relationship*, John Borrows and Michael Coyle bring together a group of renowned scholars, both Indigenous and non-Indigenous, to cast light on the magnitude of the challenges Canadians face in seeking a consensus on the nature of treaty partnership in the twenty-first century. The diverse perspectives offered in this volume examine how Indigenous people's own legal and policy frameworks can be used to develop healthier attitudes between First Peoples and settler governments in Canada. While considering the existing law of Aboriginal and treaty rights, the contributors imagine what these relationships might look like if those involved pursued our highest aspirations as Canadians and Indigenous peoples. This timely and authoritative volume provides answers that will help pave the way toward good governance for all.

*Socially Responsible Investment Law* Benjamin J. Richardson, 2008-06-30 Environmental harm is commonly associated with companies that extract, consume, and pollute our shared natural resources. Rarely are the unseen polluters, the financiers that sponsor and profit from eco-damaging corporations, placed at the forefront of the environmental debate. By focusing on these unseen polluters, Benjamin Richardson provides a comprehensive examination of socially responsible investment (SRI) and offers a guide to possible reform. Richardson proposes that greater regulatory supervision of SRI will help ensure that the financial sector prioritizes ethically based investments. In *Socially Responsible Investment Law*

he suggests that new governmental reforms should encourage companies to participate in socially responsible investments by providing a better mix of standards and incentives for SRI through measures that include redefining the fiduciary responsibilities of institutional investors to incorporate environmental concerns By doing so Richardson posits that corporate financiers including banks hedge funds and pension plans will become more accountable to the goals of ensuring sustainable development

**The Future of the Global Financial System: Downfall or Harmony** Elena G. Popkova, 2018-11-03 This book gathers the best papers presented at the conference The Future of the Global Financial System Downfall or Harmony which took place in Limassol Cyprus on April 13 14 2018 Organized by the Institute of Scientific Communications Volgograd Russia the conference chiefly focused on reassessing the role and meaning of the global financial system in the modern global economy in light of the crisis that began in 2008 and can still be observed in many countries and on developing conceptual and applied recommendations on spurring the development of the global financial system All works underwent peer review and conform to strict criteria including a high level of originality more than 90% elements of scientific novelty contribution to the development of economic science and broad possibilities for practical application The target audience of this scientific work includes postgraduates lecturers at higher educational establishments and researchers studying the modern global financial system Based on the authors conclusions and results readers will be equipped to pursue their own scientific research The topics addressed include but are not limited to the following issues which are interesting for modern economic science and practice financial globalization the role of finances in the global economy perspectives of transition in the financial system from part of the infrastructure to a new vector of development in the global economy in the 21st century reasons for the crisis of the modern financial system and ways of overcoming it problems and perspectives regarding the harmonization of the global financial system and scenarios of development for the global financial system The content is divided into the following parts development of financial systems at the micro meso and macro levels financial infrastructure of the modern economy legal issues of development of the modern financial system and management of the global financial system



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