

## For What It's Earth

Global ESG Headlines from Step toe

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### Litigation

On September 30, a federal judge dismissed a US Department of Justice lawsuit against eBay, which accused the platform of violating environmental laws by allowing the sale of harmful products. Judge Orelia Merchant ruled that Section 230 of the Communications Decency Act shields eBay from liability over user content. The court found that eBay's support to sellers did not contribute to the products' unlawfulness and that eBay was not a "seller" of the products.



### Legislation

On September 26, the European Commission initiated infringement procedures against 17 EU Member States for failing to communicate their national measures transposing the Corporate Sustainability Reporting Directive (CSRD). The Member States in question received notices for failing to transpose the CSRD, which sets out sustainability reporting rules for certain EU and non-EU companies, within the applicable transposition deadline (namely by July 6, 2024). The Commission's action is part of a broader effort to address 26 Member States' failure to adopt five EU directives focused on energy, environment, justice, and financial stability.



### Regulation

On October 2, the European Commission proposed delaying the implementation of a law banning the import of commodities linked to deforestation by a year, following global industry and government pressure. The law, aimed at combating climate change, faced criticism for being protectionist and potentially excluding small-scale farmers from the EU market. Environmental groups condemned the delay, arguing it undermines the EU's environmental commitments. The proposal requires approval from the European Parliament and member states.



### Standards

On October 11, leaders from Japan, Australia, and ASEAN agreed to adopt shared rules for calculating and reporting greenhouse gas emissions to combat climate change while promoting economic growth. At the Asia Zero-Emission Community (AZEC) meeting, they emphasized a "triple breakthrough" of addressing climate change, economic growth, and energy security. A 10-year action plan was established, focusing on emission reduction, clean technology investment, and sustainable aviation fuel development. Japan aims to lead in setting regional decarbonization standards.



### Statement

On October 9, the Government of Canada announced plans to mandate climate-related financial disclosures for large, federally incorporated private companies. This expansion includes developing a sustainable investment taxonomy. The initiative, aligned with the Task Force on Climate-related Financial Disclosures (TCFD), exempts small and medium-sized businesses but encourages voluntary compliance.

**"Today's release of a path for Made-in-Canada sustainable investment guidelines and climate disclosures from large companies will accelerate the flow of private capital into Canada, in turn growing our economy, creating good jobs, and advancing our progress to net-zero emissions by 2050."**

Canada's Deputy Prime Minister and Minister of Finance  
Chrystia Freeland, October 9, 2024