



Gorrissen Federspiel

DEI and ESG

The current situation

The US administration has issued several executive orders prohibiting – to a still not clear extent – companies' diversity, equity and including ("DEI") policies.

Also, the anti-ESG movement in the US has gained momentum over recent years and several companies have been met with claims that they are pursuing interests that are not solely related to a company's financial performance.

Key challenges

Danish and European companies that have direct or indirect trade with the US federal government or federal institutions risk being stuck between a rock and a hard place, trying to navigate both US and EU requirements.

In particular, under EU law, companies must comply with target setting requirements as well as transparency and reporting requirements on DEI and ESG in general.

The US prohibitions against so-called illegal DEI policies come with a threat of significant remedies in case of violations, including claims for damages as well as banning from federal contracts.

We can assist

We help clients identifying the risks related to their DEI and ESG policies:

- Assess and scope the DEI and ESG compliance requirements applicable under EU and Danish law to various types of companies.
- Assessing DEI and ESG policies under EU and Danish law.
- Assess the risks related to shareholder activism for Danish companies vis-à-vis sustainable corporate governance perspectives.
- Review and negotiate contractual provisions on DEI and ESG requirements with customers and suppliers.

Get in touch



Christina Rahbek

Partner

M +45 27 80 40 73

cra@gorrissenfederspiel.com



Camilla Collet

Partner

M +45 24 28 68 09

ccc@gorrissenfederspiel.com



Jacob Sand

Partner

M +45 24 28 69 09

jas@gorrissenfederspiel.com



Read more about how Gorrissen Federspiel can assist you in relation to geopolitical risks