

2022 ESAs Call for evidence on greenwashing

Fields marked with * are mandatory.

Responding to this Call for Evidence

The Call for Evidence (CfE) seeks input on potential greenwashing practices in the whole EU financial sector, including banking, insurance and financial markets, and which may be relevant to various segments of the sustainable investment value chain and of the financial product lifecycle.

All interested parties are welcome to contribute to the survey, including financial institutions under the remit of the three ESAs and other stakeholders ranging from retail investors and consumers associations to NGOs and academia.

Respondents are invited to contribute to this CfE, both to the common part and to the ESA-specific sections, or to those sections of the CfE which are relevant for a given respondent (by going directly to the relevant section).

All contributions should be submitted online via EU Survey.

UPDATE: The ESAs will accept contributions to the Call for Evidence via the EUsurvey link until the 16 January 2023 23:59 CET, after which the Call for Evidence will be closed.

Please refer to the below PDF version of the Call for Evidence which provides more details on the various questions:

[ESAs Call for evidence on Greenwashing.pdf](#)

Publication of responses

All contributions received will be published following the deadline, unless you request otherwise in the survey. A standard confidentiality statement in an email message will not be treated as a request for non-disclosure.

The ESAs reserve the right not to publish those responses which are assessed to be of an offensive or defamatory nature, are not related to the topic of the survey, or that include confidential information. A confidential response may be requested from us in accordance with EBA's, EIOPA's and ESMA's rules on access to documents. We may consult you if we receive such a request. Any decision we make not to disclose the response is reviewable by the ESAs' Board of Appeal and the European Ombudsman.

Data protection

Information on data protection can be found at www.esma.europa.eu under the heading Legal Notice, at

www.eiopa.europa.eu under the heading Legal Notice and on the webpage <https://www.eba.europa.eu/legal-notice>.

For technical support about this survey you can contact:

EBA: EBA.Greenwashing@eba.europa.eu

EIOPA: ESAsGreenwashingCfE2022@eiopa.europa.eu

ESMA: ESMA.Greenwashing@esma.europa.eu

A. Introduction and Background

I. Introduction

1. Growing demand for sustainability-related products combined with rapidly evolving regulatory regimes and sustainability-related product offerings create a context that may be conducive to increased greenwashing risks. In its Renewed Strategy of July 2021, the European Commission (EC) laid out its expectation that supervisors play an essential role in identifying, preventing, investigating, sanctioning and remediating greenwashing, suggesting that it would issue a request to work on the subject to the three European Supervisory Authorities (ESAs).

2. On 23 May 2022, the ESAs received a request for input from the EC relating to greenwashing risks and supervision of sustainable finance policies. The EC requests each ESA, separately but in a coordinated manner, to provide input on greenwashing risks and occurrences in the EU financial sector and on the supervisory actions taken and challenges faced to address those risks. Two deliverables are foreseen in the request: a progress report expected by end of May 2023 and a final report expected by end of May 2024.

3. The work for this request for input can be structured in the following main areas:

- a) Clearly defining greenwashing and better understanding the phenomenon, its scale and potential related risks;
- b) Taking stock of the implementation of relevant sustainable finance legislation within the remit of the ESAs and identifying early challenges for stakeholders and regulators;
- c) Mapping out various aspects of the supervisory response and assessing its adequacy from both a legal and a practical standpoint.
- d) Issuing recommendations based on findings within the areas referred to above.

4. In order to deliver on the EC's request, the ESAs will build on a number of actions already planned under their respective workplans and will rely on a variety of data sources, as well as on extensive outreach. This CfE will contribute to the collection of up-to-date, detailed evidence to complement other sources of information.

II. Objectives and scope

5. With regard to the term "greenwashing", it is important to note that this CfE uses the term broadly to also include sustainability-related claims relating to all aspects of the ESG spectrum (i.e., environmental, social

and governance dimensions). This is consistent with the EC's request for input where the term "greenwashing" is used as referring to sustainability-related claims on environmental, social and/or governance aspects. In this regard, it is important to note that some market participants have given more prominence recently to environmental aspects due to developing sustainable finance legislation focusing on the environment and the increased focus on climate change. As a result, there may be an increasing number of misleading claims on environmental topics leading to greenwashing risks. This does not mean, however, that social and governance aspect could not lead to a significant number of misleading claims.

6. Concretely, the ESAs are interested in collecting:

- i. The views from various stakeholders on how to understand greenwashing and what the main drivers of greenwashing might be;
- ii. Examples of potential greenwashing practices across the EU financial sector relevant to various segments of the sustainable investment value chain and of the product lifecycle; and
- iii. Any available data to help the ESAs gain a concrete sense of the scale of greenwashing and identify areas of high greenwashing risks.

7. This CfE seeks evidence of potential greenwashing practices in connection to sustainability claims regarding entities (hereafter entity-level claims) and products or services (hereafter referenced together under the term product-level). 'Product' is a generic term including all financial instruments, securities, investment, banking, insurance or pension products as well as all services relevant for each sector considered. Product-level claims are typically about how a product or service is taking into account sustainability. On the other hand, entity-level claims are made in connection to what an entity is doing at the overall firmwide level (e.g. an insurance undertaking or insurance intermediary, a corporate issuer, a bank, a pension provider, or a benchmark administrator).

8. Furthermore, in line with the scope of the EC's request for input, the CfE seeks evidence related to potential greenwashing practices both within and outside the scope of current EU sustainable finance legislation. Consequently, the ESAs encourage respondents to also consider providing examples of potential greenwashing practices relating to products, practices, and/or to documents or other means of communication of claims currently not explicitly covered by the EU sustainable finance legislation (e.g. references to ESG awards made in marketing materials, claims made on websites, social media, etc.). For instance, such products include ESG ratings or ESG derivatives. The collection of examples would be relevant given the fast-evolving nature of ESG markets and of the offer of sustainability-related products. The ESAs also encourage respondents to consider providing examples which comply with existing EU sustainable finance legislation but the outcome would still result in greenwashing.

9. This CfE seeks to collect information relating to practices and potential greenwashing risks in the sectors within the remit of the three ESAs. These sectors cover a great variety of financial market participants (e.g. insurers, credit institutions, benchmark administrators, product manufacturers, investors), which may also be present across the sustainable investment and sustainable products value chain (hereafter for simplicity referenced as "the sustainable value chain"). Indeed, there is value in looking at greenwashing from a multidimensional perspective with the help of the sustainable value chain which includes the entities operating in all of the sectors listed below as well as other stakeholders such as the retail investors /consumers.

10. This CfE contains a section on general greenwashing-related aspects relevant for the whole financial sector, as well as three additional sections covering specific aspects within the remit of each of the ESAs. Please note that the below list contains some unavoidable overlap in the form of some entities that fall under the scope of several ESAs (e.g. certain banks providing investment services would in fact be in scope of both EBA's and ESMA's remit).

a) EBA: credit institutions and related activities such as retail banking activities, corporate and project finance, investment services, own funds, funding, and liquidity instruments; payment service providers and payment services.

b) EIOPA: insurance undertakings, insurance intermediaries – including banks acting as insurance intermediaries, financial advisors acting as insurance brokers, and managing general agents – occupational pension schemes, and undertakings offering or planning to offer the Pan-European Personal Pension Product (PEPP).

c) ESMA: investment managers, investment firms, issuers and benchmark administrators. This sectoral prioritisation reflects ESMA's current understanding of the relative degree of greenwashing risks. Beyond these priority sectors, the CfE also aims to collect information on potential greenwashing issues within other segments within the sustainable value chain, in particular credit rating agencies and ESG data and rating providers.

Please note the below document which contains further explanations on the type of entities and products that fall under each sector.

[ESAs CfE- footnotes entities.pdf](#)

11. All interested stakeholders are invited to respond to this CfE, both to the common part and to the ESA-specific sections, or to those sections of the CfE which are relevant for a given respondent.

12. It is important to note that this CfE does not seek input in relation to sustainability-related claims made regarding entities, products or services not under the scope of the ESAs, such as sustainability-related claims regarding non-financial products (e.g. consumer goods).

III. Possible features of greenwashing

13. In providing feedback on greenwashing in the ESAs common section respondents are invited to consider a number of possible features of greenwashing that are listed below. These features are only illustrative and are not meant to set out a framework that the ESAs have approved or endorsed; they are only meant to help structure the analysis of the greenwashing phenomenon. Sectorial differences may exist.

14. Greenwashing is a complex phenomenon which can involve or impact a multitude of financial market participants and potentially affects all sectors in the sustainable value chain.

15. The drivers of greenwashing are multifaceted and may include demand for sustainability-related products, data-related issues, the need to build expertise and skills, challenges in the application of new rules, inconsistent interpretations of the legal regime and financial literacy gaps, etc. In order to address the causes, it is therefore necessary to understand more clearly the phenomenon and arrive at a shared

understanding of greenwashing issues.

16. Greenwashing could be analysed through four main dimensions:

a) **The role market participants can play in greenwashing, which could include three possible categories: trigger, spreader and receiver of a sustainability-related claim.** These three categories represent three potential roles that stakeholders across the sustainable value chain can have in any given occurrence of greenwashing.

b) **The actual topics on which the sustainability-related claims are made.** These topics can be cross-sectoral, can apply at entity- and product-level and can be grouped into 3 broad categories. This does not however mean that all 3 categories necessarily lead to greenwashing in all sectors. The 3 categories are: (1) Claims about an entity's governance and remuneration around sustainability and about an entity or a product's dedicated resources to sustainability matters, (2) Claims about sustainability strategy, objectives, characteristics or qualifications of a product, an entity, or a service and (3) Claims about sustainability-related metrics based on historical data or future targets.

c) **The misleading qualities of a sustainability-related claim, which specify in which way a claim can be construed as misleading** (e.g. selective disclosure or hidden trade-off such as cherry-picking positive information and/or omitting relevant negative information; exaggerated claims and/or failure to deliver on such claims; omission or lack of disclosure; vagueness or ambiguity or lack of clarity; poor advice; etc).

d) **The channels through which the sustainability-related claims are communicated to other actors across the sustainable value chain** (e.g. regulatory documents, ratings/benchmarks/labels, product information, marketing materials) **or the various stages of the product lifecycle in which they occur** (e.g. product delivery, product manufacturing).

B. Background questions/contact information

* Country

DE

* Name of the respondent or organisation

Gesamtverband der Deutschen Versicherungswirtschaft e.V.

* Email

m.preussner@gdv.de

* Type of respondent or organisation

- Auditors and third-party verifier
- Bank association
- Benchmarks administrator
- Conglomerate
- Consultancy company

- Consumer association
- Credit institution
- Credit Rating Agency
- Data provider
- ESG ratings provider
- Institutional investor
- Insurance intermediary
- Insurance undertaking
- Investment firm
- Investment manager
- Issuer
- Market association
- Non-Governmental Organisation
- Occupational pension scheme(s) provider
- Other, please specify
- Payment service provider
- Pension fund
- PEPP distributor
- PEPP manufacturer
- Policymaker
- Regulator/Supervisor
- Retail investor/Consumer
- Think tank, academic
- Trade union

All contributions received will be published following the deadline, unless you request otherwise. Please tick this box if you want your contribution to remain confidential:

- I want my contribution to remain confidential

C. ESAs common section of the CfE

1. Possible features of greenwashing

1.1 Core features or greenwashing

This part of the survey enquires about the views of respondents on what can be seen as core characteristics of greenwashing, including:

1) Similarly with the communication of other **misleading** claims there are several ways in which sustainability-related statements, declarations, actions, omissions or communications may be misleading. On the one hand, communications can be misleading due to the omission of information that consumers or investors would need to take an informed transactional or investment decision (including but not limited to partial, selective, unclear, unintelligible, inconsistent, vague, oversimplistic, ambiguous or untimely information, unsubstantiated statements). On the other hand, communications can be misleading due to the actual provision of information, relevant to an informed transactional or investment decision, that is false, deceives or is likely to deceive consumers or investors (including but not limited to mislabelling,

misclassification, mis-targeted marketing);

2) Greenwashing can occur either **at entity level** (e.g. in relation to an entity's sustainability strategy or performance), **at product level** (e.g. in relation to products' sustainability characteristics or performance) or **at service level** including advice and payment services (e.g. in relation to the integration of sustainability-related preferences to the provision of financial advice).

3) Greenwashing can be either **intentional or unintentional** (e.g. resulting from negligence or from misinterpretation of the sustainable finance regulatory framework requirement).

4) Greenwashing can occur at any point where sustainability-related statements, declarations or communications are made, including **at different stages of the cycle of financial products/services** (e.g. manufacturing, delivery, marketing, sales, monitoring) **or of the investment value chain** (e.g. issuer, benchmark/rating provider, investment firms, etc.).

5) Greenwashing may occur in **specific disclosures required by the EU sustainable finance regulatory framework** (e.g. SFDR Article 9 product-level disclosure requirements). Greenwashing may also occur as a result of **non-compliance with general principles** – as featured either in general EU financial legislation or more specifically in EU sustainable finance legislation (e.g. the requirement to provide information that is fair, clear and not misleading). In that context, greenwashing may occur in relation to **entities that are currently outside of the remit of the EU sustainable finance legislation** as it currently stands (e.g. ESG ratings).

6) Greenwashing **can be triggered by the entity to which the sustainability communications relate** or by the entity responsible for the product, **or it can be triggered by third parties** (e.g., ESG rating providers or third-party verifiers).

7) If not addressed, greenwashing will **undermine trust in sustainable finance markets and policies**, regardless of whether immediate damage to individual consumers or investors (in particular through mis-selling) or the gain of an unfair competitive advantage has been ascertained.

Q A.1: Please provide your views on whether the above-mentioned core characteristics of greenwashing reflect your understanding of and/or experience with this phenomenon and whether you have anything to add/amend/remove.

4000 character(s) maximum

Insurers support the Commission's efforts to develop a comprehensive Sustainable Finance Regulatory Framework (SF Framework). They also take concrete actions such as implementing sustainability-related disclosures, standards and strategies into their portfolios.

Currently, insurers face unclarity and inconsistency in the EU SF Framework when applying the rules. This is creating diverging interpretations and confusion for consumers and investors. The current difficulties of the SF Framework can undermine confidence in the Sustainable Finance Regulatory Framework and as a consequence, market participants could refrain from starting to act and from contributing to the sustainable transformation. This would contradict the EU's intention. In the absence of clear level 3 guidance diverging interpretations are inevitable and should not in themselves be considered as greenwashing. Therefore, further guidance on the application of the regulations of the EU SF Framework, e.g. Articles 8 and 9 of the SFDR as well as the Taxonomy is needed. Also, the definition and calculation of "sustainable investments" according to Art. 2(17) SFDR should be coherent with the rest of the EU SF Framework, e.g. EU Taxonomy Regulation.

The legal uncertainty and multiplication and sometimes contradicting terminology creates confusion and unclarity when applying the SF Framework and could result in an impression of flawed information. At the time being the Taxonomy only covers certain economic activities with regards to climate issues. This is a very important, but also limited aspect of sustainability. Additionally important asset classes as government bonds are out of scope. In addition, there is a need for improvement in the SFDR-templates. Currently, at best, they achieve transparency for experts - for the customer, on the other hand, they are very difficult to understand. Also, public education on how sustainability factors can be reflected in financial market products is needed. New regulatory concepts, terminology and display of information require concise yet effective guidance for consumers to mitigate the risk of misunderstandings. Further work on the information requirements is also needed to provide sustainability related product information in an easily accessible and understandable format.

The mismatch in timelines for the various initiatives on sustainable finance creates another structural obstacle to the implementation of legal requirements. E.g., the inconsistent application timeline between the Insurance Distribution Directive (IDD) sustainability preferences and the SFDR means that several different legal regimes apply successively during a short period. This not only creates substantial administrative expenditure for insurers but also potentially an impression of greenwashing on the part of customers. Guidance on the IDD requirements to incorporate customer sustainability preferences in the advice has been published only shortly before the entry into force of the relevant provisions. For their standardised SFDR reporting financial companies need reliable data from their investees on taxonomy data, which will be available on a quantitative basis only after 1 January 2023 on the basis of the new CSRD.

Notwithstanding the abovesaid difficulties arising from the new SF Framework it is, in our view, important to point out that there are well established and effective rules in place today which protect customers from unclear or misleading claims (including on sustainability-related characteristics). The Unfair Commercial Practices Directive (2005/29/EC) and the Unfair Terms Directive (93/13/EEC) precisely pursue this aim. Their abstract rules form the basis of an extensive jurisprudence and supervisory practice. In this way, they provide civil courts and supervisory authorities with robust and flexible means to deal with greenwashing when it arises. The existing framework should be examined before introducing legislation.

Q A.2: Do you have or use a specific definition of greenwashing as part of your activities? If so, please share this definition.

4000 character(s) maximum

1.2 Dimensions of greenwashing

1.2.1. The potential roles market participants can play in greenwashing

Q A.3: Market participants could potentially play three main different roles (trigger, spreader, receiver) in any given occurrence of greenwashing. For instance, a corporate issuer can trigger greenwashing by understating its carbon emissions. This misleading claim could be communicated to both investment managers, ESG data providers and/or other market participants some of whom might continue to spread the misleading claim to the end investors/consumers, who will be the receiver of greenwashing.

Q A.3.1: Do you agree that market participants could be involved in three different ways in greenwashing, as described above?

- a) Yes
- b) No

Q A.3.2: If no, could you please further elaborate on the roles market participants could play in greenwashing, including on potential alternative or additional roles to the ones identified above?

4000 character(s) maximum

Insurers can be affected by greenwashing from other market participants through different lines of liability insurance, e.g. general liability, PI and D&O. This is a fourth way, insurers could be involved.

As for the other three roles mentioned, the unclear legal situation already addressed under the above answer must be taken into account: Concepts, methodologies and metrics of ESG-data are currently only at an early stage of development. But insurers need to rely on them. Unintentional points of ambiguity or even inaccuracies in information provided by financial market participants may arise, due to the lack of maturity on ESG issues and methodologies. In that perspective, insurers welcome initiatives such as the standards for measuring insurance associated GHG emissions set out by the Partnership for Carbon Accounting Financials (PCAF). Insurers also contribute positively to the management of greenwashing (loss prevention or compensation in various affected lines of business), or to its avoidance (risk prevention know-how). They also contribute through industry initiatives (NZAOA, NZIA etc.). These initiatives set further targets and voluntary commitments and enable better measurability and comparability. This way they act as soft standard setters (in the sense of soft law), which diminishes greenwashing risks through concretisation.

Furthermore, challenges with the sequencing of the EU sustainable finance legislations create difficulties to access consistent and reliable companies' data needed by insurers. Therefore, European insurers welcome the upcoming SFDR reporting requirements application, and the finalisation of the CSRD and the ESRS Reporting Templates, improving investors' access to standardised sustainability data. However, until such legislations are implemented and work well in practice, reliable and consistent data availability will remain low.

As a consequence, potentially unclear or inaccurate information could be triggered, spread and/or received by financial market participants as a result of the unclarity and inconsistencies of EU legislations, low availability of sustainability data, too short implementation deadlines and low maturity of methodologies and metrics for measuring impacts on sustainability factors. The result could be allegations of greenwashing or green bleaching. Insurers apply a best-effort approach regarding their sustainability-related claims based on data provided by other market participants. It would therefore be inappropriate to characterize any unintentional act or omission as greenwashing, provided that the financial market participant has acted in good faith.

1.2.2. The topics of sustainability-related claims

Another dimension of greenwashing is the topic of a given sustainability-related claim, which can be grouped into 3 broad topics. These can be applicable to various sectors across the sustainable value chain and can be cross-cutting at entity- and product-level. However, this does not mean that all of these 3 categories necessarily lead to greenwashing in all sectors. Moreover, it is important to note that one given claim can fall under several topics, for instance an entity making claims about targeting positive impact on climate change can be split into its actual strategy around creating positive impact (falling under Topic 2), its governance around monitoring and implementing this strategy including dedicated staff composed of impact analysts (Topic 1), while the actual metrics referenced to measure the impact would fall under Topic 3. Furthermore, greenwashing can occur in relation to an isolated claim about one of the topics listed below or it may relate to a combination of claims which in aggregate constitute greenwashing.

Please note the enclosed document contains further explanations on the categories of topics listed below. We strongly encourage you to consult these in order to better understand the topics and sub-topics of sustainability-related claims listed below.

[ESAs CfE- footnotes topics.pdf](#)

- Topic 1: Claims about an entity’s governance and remuneration around ESG and about an entity or a product’s dedicated resources to sustainability matters:
 - i. Board and senior management's role in sustainability
 - ii. ESG corporate resources and expertise

- Topic 2: Claims about the sustainability strategy, objectives, characteristics or qualifications of a product, an entity, or a service:
 - i. ESG strategy, objectives, characteristics
 - ii. Sustainability management policies
 - iii. ESG qualifications / labels / certificates
 - iv. Engagement with stakeholders

- Topic 3: Claims about sustainability-related metrics based on historical data or future targets:
 - i. ESG performance to date (including metrics for impact claims)
 - ii. Pledges about future ESG performance (ESG targets, including net-zero commitments; transition plan, taxonomy alignment plans)

Q A.4: Please indicate the degree to which you consider each topic described above, as prone to the occurrence of greenwashing. Please provide a score from 1 to 5 (where 1 = very low occurrence ; 2 = low occurrence ; 3 = neutral ; 4 = high occurrence ; 5 = very high occurrence).

	1	2	3	4	5	Don't know
* Board and senior management's role in sustainability (Topic 1, i)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* ESG corporate resources and expertise (Topic 1, ii)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* ESG strategy, objectives, characteristics (Topic 2, i)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Sustainability management policies (Topic 2, ii)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* ESG qualifications / labels / certificates (Topic 2, iii)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Engagement with stakeholders (Topic 2, iv)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* ESG performance to date (including metrics for impact claims) (Topic 3, i)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Pledges about future ESG performance (ESG targets, including net-zero commitments; transition plan, taxonomy alignment plans) (Topic 3, ii)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q A.4.1: Please specify the underlying drivers of greenwashing in relation to the topics you scored higher.
 4000 character(s) maximum

ESG qualifications / labels / certificates: Unified standards are key. If not, every label defines “green” slightly differently.

Q A.5: For the same list of topics listed in the previous question, please provide a score from 1 to 5 on the potential harm/impact of a misleading claim made on that topic (where 1 = very low impact ; 2 = low impact ; 3 = neutral ; 4 = high impact ; 5 = very high impact).

	1	2	3	4	5	Don't know
* Board and senior management's role in sustainability (Topic 1, i)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* ESG corporate resources and expertise (Topic 1, ii)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* ESG strategy, objectives, characteristics (Topic 2, i)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Sustainability management policies (Topic 2, ii)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* ESG qualifications / labels / certificates (Topic 2, iii)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Engagement with stakeholders (Topic 2, iv)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* ESG performance to date (including metrics for impact claims) (Topic 3, i)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Pledges about future ESG performance (ESG targets, including net-zero commitments; transition plan, taxonomy alignment plans) (Topic 3, ii)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Q A.5.1: Please explain what types of impacts or harm and their consequences you anticipate as a result of greenwashing practices.

4000 character(s) maximum

Possible consequences might be:

- Reputational damages
- Loss of confidence with relevant stakeholders (e. g. customers, investors, employees)
- Lawsuits
- Misinformation leading to misallocation of resources to investees that are not as sustainable as proclaimed by the information provided, therefore undermining the goal of the Sustainable Finance Agenda and leading to increased financial risk
- failure to reach EU climate ambition / social and governance targets

Q A.6: In addition to the three topics and eight sub-topics above, do you identify any additional topics which would be relevant to potential greenwashing issues?

- a) Yes

b) No

Q A.7: Please indicate below if you have any additional comments regarding the relevance of the above topics on which sustainability-related claims are made in the context of a given sector or entity.

4000 character(s) maximum

1.2.3 The way in which a claim can be misleading

Q A.8: On a scale from 1 (i.e. “not at all relevant”) to 5 (“very relevant”), please indicate the extent to which you find each of the misleading qualities of a sustainability-related claim listed below relevant to greenwashing practices.

	1	2	3	4	5	Don't know
* Selective disclosure or hidden trade-off (cherry-picking positive information and/or omitting relevant negative information)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Empty claims (exaggerated claims and/or failure to deliver on such claims)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Omission or lack of disclosure	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Vagueness or ambiguity or lack of clarity	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Inconsistency across various disclosures and communications (marketing, regulatory, website, etc.)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Lack of fair and meaningful comparisons, thresholds, scenarios and/or underlying assumptions	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* No proof (unsubstantiated)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Misleading /Suggestive non-textual imagery and sounds (including the use of specific colours like green)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Irrelevance	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Outdated information	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Misleading / suggestive use of ESG-related terminology (naming-related greenwashing)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Outright lie (falsehood)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

Q A.8.1: Please provide further comments to the identified misleading qualities of communication in the context of greenwashing. In particular, should any of the qualities be added, amended or deleted from the list and if so, why?

4000 character(s) maximum

- Selective disclosure and/or omitted information is hard to identify (e.g., non-sustainable underlying options in Art. 8/9 funds are difficult and/or time consuming to find out, especially for retail clients).
- Vagueness or ambiguity or lack of clarity: risk of civil and supervisory lawsuits without clarification due to divergent interpretations.
- Amending: "Inconsistency across various disclosures and communications" (see list) with "including actions in case of "Deep Greenwash" (=contradicting lobbying)"

1.2.4 Which communication channel

Another dimension of greenwashing is represented by the channels through which sustainability-related claims are communicated to other actors in the sustainable value chain.

These channels include, but are not limited to, the following: (1) Regulatory documents (including Key Investor Documents or Key Information Documents (KIDs), prospectuses, financial statements, management reports, non-financial statements, benchmark statements and methodology documents, insurance—product information documents, pension benefit statements, etc.) or regulatory disclosures, (2) Ratings[1]/benchmarks/labels, (3) Product information (including internal classifications and internal target market, product testing and distribution strategy related documentation), (4) Intermediary/advice information, (5) Marketing materials (including website, social media), (6) Voluntary reporting, falling outside previous categories as reported on a voluntary basis.

Q A.9: Regarding the above dimension and the list of channels through which misleading claims can be communicated to other segments of the sustainable value chain, please indicate the likelihood that a given channel serves to communicate misleading sustainability claims made at entity level and/or at product/service level. Please score each channel from 1 (rather unlikely) to 5 (very likely):

	1	2	3	4	5	Don't know
* a) Regulatory documents (including Key Investor Documents or Key Information Documents, Prospectuses, Financial statements, Management Reports, Non-Financial Statements, Benchmark statements and methodology documents, insurance-product information documents, pension benefit statements, etc.) and/or any mandatory disclosures	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* b) Ratings (ESG ratings and/or other ESG data products)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* c) Benchmarks	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* d) Labels	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* e) Product information (including internal classifications, and internal target market, product testing and distribution strategy related documentation)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* f) Intermediary/advice information	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* g) Marketing materials (including website, social media, advertising)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

* h) Voluntary reporting, falling outside previous categories as reported on a voluntary basis	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* i) Other (please specify)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Q A.9.1: Please indicate below if you have any comments regarding the communication channels of potentially misleading sustainability-related claims?

4000 character(s) maximum

The necessary input for SFDR reporting will only be available from 2023 on the basis of the DA on Article 8 Taxonomy and only be available from 2025 for the fiscal year 2024 on the basis of the new CSRD, according to the draft proposal. This leads to a data gap, that is creating very significant compliance challenges.

Insurers also believe that the current variations of ESG ratings that can exist across different providers for the same company, due to the low levels of standardisation and transparency of methods, data availability (data are often based only on estimates) and low comparability of ratings, creates the risk of allegations of greenwashing for those making use of them, unless the reasons for the variation are transparent and easily identifiable.

Furthermore, an additional channel might be taking part in industry initiatives by participating in their claims.

1.2.5 At which stage of the lifecycle and where in the business model/management does greenwashing occur

In addition to the different channels of transmission of claims, greenwashing can also occur at various stages of the product lifecycle, including: the product manufacturing stage (product development, product design, market targeting), the product delivery stage (marketing, product-related disclosure, distribution, sales), the product management stage (product monitoring/review, ongoing product-related disclosure). Beyond the product lifecycle, greenwashing can occur at the entity-level: in the business model (value chains, group structures, innovation and technology, outsourcing) or in the business management (culture, governance arrangements, systems and processes).

Q A.10: For each of the stages of product lifecycle and with regard to the business model and management, please indicate the likelihood of the occurrence of greenwashing. Please provide scores ranging from 1 (rather unlikely) to 5 (very likely):

	1	2	3	4	5	Don't know
* a) Product manufacturing	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* b) Product delivery – marketing: advertisements, non-regulatory information	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* c) Product delivery – regulatory disclosure	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* d) Product delivery – distribution channels	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* e) Product delivery – sales: information asymmetry (this includes under or over emphasis of certain product features)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

* f) Product delivery – sales: misselling due to misleading information/disclosure	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* g) Product delivery – sales: misselling due to unsuitable product	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* h) Product delivery – sales: incentives at point of sale	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* i) Product management – product monitoring, product review, ongoing product disclosure	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* j) Business model at entity level – value chain, group structure, innovation/digitalization, outsourcing	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* k) Business management at entity level – culture, governance arrangements, systems and processes	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q A.10.1: Please indicate below if you have any comments on the above question

4000 character(s) maximum

1.2.6 Further considerations

Q A.11: Are there any relevant elements or features of greenwashing which have not been referenced in the questions above?

- a) Yes
 b) No

Q A.11.1: If yes, please provide below more information on your answer including, if possible, a short illustration:

4000 character(s) maximum

Care should be taken that the growing number of transparency requirements does not lead to a significant increase of greenwashing litigation risks for financial market participants. The complexity, detail and, in some cases, inconsistency of the information requirements create litigation risks which are difficult to estimate. Specific legislation on greenwashing should make it clear that not every infringement of a detail leads to civil or administrative sanctions.

Such an approach could also contribute to countering the tendency to flee into “green bleaching” (= withholding disclosures or lowering own standards due to data availability problems).

2. Examples of potential greenwashing practices

This section of the survey relates to the collection of examples of potential greenwashing practices that you may have encountered that we would like to encourage you to describe below. These examples can be within or outside the current scope of the EU sustainable finance legislation and should refer to the financial sector within the remit of at least one of the ESA’s. This CfE does not seek input in relation to sustainability-related claims made regarding entities, products or services not under the scope the ESAs, like sustainability-related claims regarding non-financial products (e.g. consumer goods). Please make sure to

provide examples for which you can answer at least some of the below questions. Please provide the details of the described cases to the best of your knowledge.

Please bear in mind that the purpose of this survey is to gather useful and concrete examples that will help the ESAs to better understand greenwashing. Greenwashing cases reported in this CfE are mainly sought for the purpose of informing the advice which the ESAs would provide to the European Commission. Therefore, you may either give full details about the actual names of the entities or products involved in a potential greenwashing practice, or you may refer to them as 'entity X', 'product Y'.

Respondents can provide up to 5 examples of greenwashing in this survey. If you are able to identify more examples of greenwashing, please choose those cases which are the most relevant in your view, and the most likely to occur.

Q A.12: Are you able to identify and characterize at least one example of potential greenwashing practice?

- a) Yes, I can provide at least one example of potential greenwashing practice
- b) No, I cannot identify a specific example of potential greenwashing practice

Q A.12.1: (If no) If you have not identified occurrences of greenwashing, what is the reason for that?

- a) There is no specific methodology on how to detect (potential) greenwashing cases
- b) As sustainable finance requirements (including definitions and disclosure standards) are new/not in force yet, greenwashing is hard to detect
- c) Few or no products with sustainability features are offered in my jurisdiction / entity / area of interest, decreasing the risk of greenwashing
- d) I have not encountered any instances of greenwashing
- e) Other, please specify below

Q A.13: Do you want to raise any additional points that was not included in this survey?

D. EBA section of the CfE

Greenwashing in the context of credit institutions, investment firms and payment service providers' activities

Types and forms of greenwashing

*The questions below aim at identifying the most common forms and types of greenwashing that may occur within **credit institutions, investment firms and payment service providers**. For some of the items listed, please provide a score from 1 (i.e. 'Very unlikely') to 5 (i.e. 'Very likely'), a brief explanation of the score when deemed relevant as well as some examples of how greenwashing may occur. Respondents are encouraged to provide a score to each item but may choose not to respond to some items (by reporting 0 'Don't know') if they consider themselves not in a position to express view.*

Question D.1: In the context of ESAs' work on greenwashing, claims on environmental (e.g., climate-related) and /or social (e.g., human rights) and/or governance (e.g. director's duties) topics are considered. Based on your

experience/knowledge, please indicate which of the following topics may be prone to the occurrence of greenwashing practices by EU banks, investment firms and payment service providers. [For each of the following items, please provide a score from 1 (i.e. 'Very unlikely') to 5 (i.e. 'Very likely'), or 0 ('Don't know')]:

	1 (Very unlikely)	2 (Unlikely)	3 (Neither unlikely /likely)	4 (Likely)	5 (Very likely)	0 (Don't know)
1. Misleading claim on E topics	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Misleading claim on S topics	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Misleading claim on G topics	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Misleading claims on combined E and S topics	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Misleading claims on combined S and G topics	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Misleading claims on combined E and G topics	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Misleading claims on combined ESG topics	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please briefly elaborate on your assessment:

4000 character(s) maximum

Question D.2: In the context of **credit institutions**, please indicate which of the following areas may be prone to the occurrence of greenwashing practices? [For each of the following items, please provide a score from 1 (i.e. 'Very unlikely') to 5 (i.e. 'Very likely') or 0 ('Don't know')].

D.2.1. Institution level:

	1 (Very unlikely)	2 (Unlikely)	3 (Neither unlikely/likely)	4 (Likely)	5 (Very likely)	0 (Don't know)
1. Green/ sustainability-related claim on the business strategy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Green/ sustainability-related claim on the corporate governance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Green/ sustainability-related claim on other entity-specific aspects (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'other entity specific aspects' (referred to in point 3) here:

50 character(s) maximum

D.2.2. Product and service level:

D.2.2.1. Green/ sustainability-related claim on retail and SME banking products and services including the following:

	1 (Very unlikely)	2 (Unlikely)	3 (Neither unlikely/likely)	4 (Likely)	5 (Very likely)	0 (Don't know)
1. Consumer loans	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Mortgages	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Deposits	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'Other':

50 character(s) maximum

D.2.2.2. Green/ sustainability-related claims on corporate and investment banking products and services including the following:

	1 (Very unlikely)	2 (Unlikely)	3 (Neither unlikely/likely)	4 (Likely)	5 (Very likely)	0 (Don't know)
1. Specialised lending and project finance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Venture capital and private equity	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Corporate bonds	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Sustainability bonds	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Portfolio management and investment advice	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'Other':

50 character(s) maximum

D.2.2.3. Green/ sustainability-related claims on own funds, funding and liquidity instruments, including the following:

	1 (Very unlikely)	2 (Unlikely)	3 (Neither unlikely /likely)	4 (Likely)	5 (Very likely)	0 (Don't know)
1. Capital instruments (common equity, other equity)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Bonds of which proceeds are used to finance green or social projects	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Sustainability-linked bonds	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Regular bonds	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Securitisations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Covered bonds	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'Other':

50 character(s) maximum

D.2.2.4. Green/ sustainability-related claims on the financing of governments, regional authorities, and public sector entities

	1 (Very unlikely)	2 (Unlikely)	3 (Neither unlikely /likely)	4 (Likely)	5 (Very likely)	0 (Don't know)
Claims on financing of governments, regional authorities, and public sector entities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

D.2.2.5. Green/ sustainability-related claims on payment account and (online) payment services

	1 (Very unlikely)	2 (Unlikely)	3 (Neither unlikely /likely)	4 (Likely)	5 (Very likely)	0 (Don't know)
Claims on payment account and (online) payment services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

D.2.2.6. Green/ sustainability-related claims on other products and services

	1 (Very unlikely)	2 (Unlikely)	3 (Neither unlikely /likely)	4 (Likely)	5 (Very likely)	0 (Don't know)
Claims on other products and services (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'Other products and services' here:

50 character(s) maximum

Please elaborate on your assessment to any points of Question D.2:

4000 character(s) maximum

Question D.3: In the context of **investment firms** please indicate which of the following areas may be prone to the occurrence of greenwashing practices? [For each of the following items, please provide a score from 1 (i.e. 'Very unlikely') to 5 (i.e. 'Very likely') or 0 ('Don't know')]

D.3.1. Institution level:

	1 (Very unlikely)	2 (Unlikely)	3 (Neither unlikely /likely)	4 (Likely)	5 (Very likely)	0 (Don't know)
1. Green/ sustainability related claim on the business strategy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Green/ sustainability related claim on the corporate governance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Green/ sustainability related claim on other entity-specific aspects (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'other entity specific aspects' (referred to in point 3) here:

50 character(s) maximum

D.3.2. Product and service level:

	1 (Very unlikely)	2 (Unlikely)	3 (Neither unlikely /likely)	4 (Likely)	5 (Very likely)	0 (Don't know)
1. Green/ sustainability related claim on portfolio management activities and investment advice	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Green/ sustainability related claim on underwriting of financial products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Green/ sustainability related claim on trading on own account activities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Green/ sustainability related claim on payment services (e.g. offsetting, clearing, reception transmission of orders)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Green/ sustainability related claim on other services and products (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'other services and products' (referred to in point 5) here:

50 character(s) maximum

Please elaborate on your assessment of any points of Question D.3:

4000 character(s) maximum

Question D.4: In the context of **payment service providers** that are not credit institutions, please indicate which of the following areas may be prone to the occurrence of greenwashing practices? [For each of the following items, please provide a score from 1 (i.e., 'Very unlikely') to 5 (i.e., 'Very likely') or 0 ('Don't know')]

D.4.1. Institution level:

	1 (Very unlikely)	2 (Unlikely)	3 (Neither unlikely /likely)	4 (Likely)	5 (Very likely)	0 (Don't know)
1. Green/ sustainability related claim on the business strategy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Green/ sustainability related claim on corporate governance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Green/ sustainability related claim on other entity-specific aspects (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'other entity specific aspects' (referred to in point 3) here:

50 character(s) maximum

D.4.2. Product and service level:

	1 (Very unlikely)	2 (Unlikely)	3 (Neither unlikely /likely)	4 (Likely)	5 (Very likely)	0 (Don't know)
1. Green/ sustainability related claim on online payment services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Green/ sustainability related claim on crypto currencies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Other products and services (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'other products and services' (referred to in point 3) here:

50 character(s) maximum

Please elaborate on your assessment of any points of Question D.4:

4000 character(s) maximum

Question D.5: Please fill-in the two tables below on a best effort basis with some illustrative examples of potential greenwashing (one cell can include several examples).

D.5.1. At product and service level:

	Retail banking	Corporate banking	Investment services	Payment services and electronic currencies	Own funds, funding and liquidity instruments
1. Misleading statements on the current sustainability characteristics (i.e. how sustainability is taken into account in the current objective, design, practice or strategy) <i>E.g., Incorrect disclosures on EU taxonomy alignment (green asset ratio) of mortgages and car portfolios.</i>					
2. Misleading statements on the sustainability results and/ or 'real world' impact of a product, service, financial instrument, or entity. <i>E.g., Unsubstantiated claim that ascertains that a green loan/ investment (e.g., in energy improvement) will allow the customer to reduce home energy consumption by X%.</i>					

<p>3. Misleading statements on the future sustainability commitments relying on medium and/or long-term plan (e.g., future GHG emissions reduction, transition to carbon neutrality).</p> <p><i>E.g., Companies making public commitments to reduce scope 3 emissions and/or reach net zero emissions for a given retail portfolio (e.g., mortgages, car loans) but transition plan is not credible.</i></p>					
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D.5.2. At entity level

	Business strategy	Internal corporate governance
<p>1. Misleading statements on the current sustainability characteristics (i.e. how sustainability is taken into account in the current objective, design, practice or strategy)</p> <p><i>E.g., Incorrect disclosures on EU taxonomy alignment (green asset ratio) of mortgages and car portfolios.</i></p>		
<p>2. Misleading statements on the sustainability results and/ or 'real world' impact of a product, service, financial instrument, or entity.</p> <p><i>E.g., Unsubstantiated claim that ascertains that a green loan/ investment (e.g., in energy improvement) will allow the customer to reduce home energy consumption by X%.</i></p>		
<p>3. Misleading statements on the future sustainability commitments relying on medium and/or long-term plan (e.g., future GHG emissions reduction, transition to carbon neutrality).</p> <p><i>E.g., Companies making public commitments to reduce scope 3 emissions and/or reach net zero emissions for a given retail portfolio (e.g., mortgages, car loans) but transition plan is not credible.</i></p>		

Scale and prevalence of greenwashing

The questions below aim at assessing the overall materiality, understood as the scale and prevalence, of greenwashing practices by credit institutions, investment firms and payment service providers.

Please elaborate and provide any justification or evidence underlying your response, whenever possible.

Question D.6: In your view, the materiality of greenwashing by **credit institutions**, is:

	Low	Medium	High	Don't know
1. Currently	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Going forward	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please briefly elaborate on your assessment:

4000 character(s) maximum

Question D.7: In your view, the materiality of greenwashing by **investment firms** is:

	Low	Medium	High	Don't know
1. Currently	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Going forward	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please briefly elaborate on your assessment:

4000 character(s) maximum

Question D.8: In your view, the materiality of greenwashing by **payment service providers** is:

	Low	Medium	High	Don't know
1. Currently	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Going forward	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please briefly elaborate on your assessment:

4000 character(s) maximum

Question D.9: Greenwashing can also generate financial risks to institutions. For credit institutions, what would be the risks most impacted by greenwashing? [For each of the following items, please provide a score from 1 (i.e. 'Extremely irrelevant') to 5 (i.e. Extremely relevant') or 0 ('Don't know'), and elaborate if deemed appropriate].

	1 (Extremely irrelevant)	2 (Irrelevant)	3 (Neither irrelevant /relevant)	4 (Relevant)	5 (Extremely relevant)	0 (Don't know)
1. Operational risk including losses related to litigation and liability risks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Conduct risk	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Reputational risk	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Strategic and business risk	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Funding risk	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Liquidity risk	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Credit risk	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. Market risk	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'Other' here:

50 character(s) maximum

Please briefly elaborate on your assessment. On an optional basis, you may also indicate what types of risks other (non-credit) institutions would be most materially exposed to as a result of greenwashing in your opinion.

4000 character(s) maximum

Question D.10: In your view, the potential overall impact of greenwashing (understood here as any detriment that greenwashing may cause, including in terms of financial implications but not limited to) is:

	Low	Medium	High	Don't know
1. For the credibility of sustainable financial markets	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. For end-investors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. For individual customers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. For individual institutions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. For national (if applicable) financial stability	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. For the EU financial stability	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please briefly elaborate on your assessment:

4000 character(s) maximum

Addressing greenwashing risks

The questions below aim at identifying the potential challenges to prevent greenwashing and at determining how greenwashing risk within EU credit institutions, investment firms and payment service providers could be further tackled. For some of the items listed, please provide a score from 1 (i.e., 'extremely irrelevant') to 5 (i.e., 'extremely relevant'), a brief explanation of the score as well as any justification or evidence underlying your response, whenever possible. Respondents are encouraged to provide a score to each item but may choose not to respond to some items (by reporting 0 ('Don't know')) if they consider themselves not in a position to express their view.

Question D.11: What are the main challenges to address greenwashing risk? [For each of the following items, please provide a score from 1 (i.e., 'Extremely irrelevant') to 5 (i.e., 'Extremely relevant'), or 0 ('Don't know')]

	1 (Extremely irrelevant)	2 (Irrelevant)	3 (Neither irrelevant /relevant)	4 (Relevant)	5 (Extremely relevant)	0 (Don't know)
1. Lack of relevant and reliable data on the sustainability credentials, performance and/or impact	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Uncertainty/ambiguity about sustainability standards, sustainability benchmarks, and sustainability eligibility criteria	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Lack of internal resources and knowledge to implement and monitor sustainability standards	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Lack of third-party verification or supervision	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Inappropriate legal basis and tool to investigate and take legal actions against greenwashing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'Other':

50 character(s) maximum

Please briefly elaborate on your assessment:

4000 character(s) maximum

Question D.12: For institutions, which of the following types of tools and processes are used internally to address greenwashing?

- Tools and processes for (only) greenwashing specifically
- Tools and processes related to regular business conduct, risk management and regulatory compliance
- None

Please briefly elaborate on your assessment:

4000 character(s) maximum

Question D.13: For institutions, what are the most important tools and processes you have in place (or are planning to put in place) to limit and address greenwashing risk. [For each of the following items, please provide a score from 1 (i.e., 'Extremely irrelevant') to 5 (i.e., 'Extremely relevant'), or 0 ('Don't know').

D.13.1. At institution level:

	1 (Extremely irrelevant)	2 (Irrelevant)	3 (Neither irrelevant/relevant)	4 (Relevant)	5 (Extremely relevant)	0 (Don't know)
1. Monitoring of factors and events that may give rise to reputational concerns	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Code of conduct	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Remuneration policies for sales staff that aim at mitigating the risk of mis-selling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Prudent communication for all sustainability -related communication	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Internal control mechanism	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'Other':

50 character(s) maximum

D.13.2. At product/service level:

	1 (Extremely irrelevant)	2 (Irrelevant)	3 (Neither irrelevant /relevant)	4 (Relevant)	5 (Extremely relevant)	0 (Don't know)
1. Applying market guidance and/or standards that contribute to anchor definitions and criteria	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Using external reviews and third verification parties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Establishing a clear list of eligible projects and activities for sustainability lending/finance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Clear new product approval process and policy that applies to sustainability products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'Other':

50 character(s) maximum

Please briefly elaborate on your assessment:

4000 character(s) maximum

Question D.14: In your opinion, to what extent is (or will) the EU regulations (or projects) on sustainable finance (e.g., Taxonomy regulation, EU Green Bond Standard, Eco-label project, SFDR and associated level 2 regulations, Pillar 3 ESG risks requirements under CRR, CSRD) help addressing greenwashing risk within EU banks, investment firms and payment service providers?

Please also comment on the expected benefits as well as on the potential shortcomings you may see in these regulations/projects presently?

4000 character(s) maximum

Question D.15: Beyond the existing and forthcoming implementation of the EU sustainable finance regulations, what actions could be taken to further mitigate greenwashing risk? [For each of the following items, please provide a score from 1 (i.e., 'Extremely irrelevant') to 5 (i.e., 'Extremely relevant'), or '0' if you do not know].

	1 (Extremely irrelevant)	2 (Irrelevant)	3 (Neither irrelevant /relevant)	4 (Relevant)	5 (Extremely relevant)	0 (Don't know)
1. Develop further labels	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Improve supervisory oversight	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Develop regulatory guidance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Further increase transparency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify 'Other' here:

50 character(s) maximum

Please briefly elaborate on your assessment:

4000 character(s) maximum

On an optional basis, please upload any documents (reports, position papers, press articles...) you deem relevant for the purposes of EBA part of the survey on greenwashing:

E. EIOPA section of the CfE

Greenwashing and its risks in the insurance and pensions sectors

Question E.1: Please outline below whether the occurrence of greenwashing can also lead to other risks for insurance or pension providers (e.g., reputational risks, litigation risks, solvency risks):

4000 character(s) maximum

Insurers support the EC's efforts on the Sustainable Finance Agenda, but would like to point out, that the lack of data and unaligned application dates of the various pieces of legislation coupled with increased scrutiny from NGOs lead to significantly increased reputational risk associated with greenwashing. Furthermore, the risk of litigation is also further exacerbated by the unclarity of many requirements and their application.

Due to these risks, insurers may opt for a very conservative approach out of fear of being accused of greenwashing. Nevertheless, insurance undertakings widely monitor and investigate greenwashing and greenwashing risks and have internal processes in place for that purpose.

Referring to the following Question E.2:

The insurance industry is highly regulated to ensure, notably in relation to sustainability claims, transparency and the implementation of robust processes and controls, therefore addressing potential greenwashing triggers.

- The IDD governs the sale and provision of advice related to all insurance products (life and non-life) by providing robust rules which work well and have had a positive impact on the industry and insurers' customers.
- The Sustainable Finance Disclosure Regulation (SFDR) increases transparency towards consumers by requiring insurers to provide a large number of disclosures regarding the financial products that they offer.
- The Corporate Sustainability Reporting Directive (CSRD) requires all large and listed insurance companies to report not only on the impacts of ESG factors on their financial statement, but also on the impacts of their activities on ESG factors (so-called 'double materiality').
- Insurance-based investment products (IBIPs) are currently in the scope of Ecolabel which will be, if well designed, an important tool to ensure that sustainable products meet minimum sustainability criteria, thereby increasing the trust of consumers who want to purchase sustainable products.
- Insurers respect the Prudent Person Principle (PPP) when investing on behalf of their clients and sustainability is a key aspect of how the principle is applied and is central in the insurers' risk management. From a risk management perspective, it is crucial for insurers to have greenwashing under control also in order to limit negative impacts on their reputation.
- Many Insurers are considered as Public Interest Entities (PIEs) and are therefore subject to extensive audit requirements under the Audit Directive. Some insurers even go beyond their legal requirement and have their sustainability disclosures voluntarily audited.

If designed correctly and putting aside the data and timetable or sequencing problems, ultimately, these legislations have the potential to address greenwashing. However, a significant part of the framework intended to prevent greenwashing is not fully in place yet and some of it has not yet been designed.

Furthermore, a considerable number of insurers have joined the Net-Zero Insurance Alliance (NZIA) and other initiatives such as the Net-Zero Asset Owner Alliance (NZAOA), the Principles for Sustainable Insurance (PSI) and the Principles for Responsible Investments (PRI) which supports them with guidance via a common standard to adhere to. This allows to reduce the risk of confusion and therefore of greenwashing.

Internal monitoring of greenwashing (Targeted stakeholders for this set of questions: insurance and pension providers)

Question E.2: Do you have governance processes to prevent and monitor greenwashing in your institution (e.g., sustainable finance committee)?

- Yes
- No, but you are planning to
- No

Question E.3: Do you have internal tools to monitor greenwashing in your institution (e.g., systems and controls and /or key risk indicators flagging potential greenwashing)?

- Yes
- No, but you are planning to
- No

Internal monitoring of greenwashing (Targeted stakeholders for this set of questions: insurance intermediaries)

Preventing and monitoring greenwashing:

Question E.4: Do you have governance processes to monitor greenwashing in your institution (e.g., sustainable finance committee)?

- Yes
- No, but you are planning to
- No

Other considerations related to the Insurance and Pensions sector

Question E.5: For the insurance and pensions sector, please indicate if the following types of claims can in your view give rise to greenwashing:

Question E.5.1: Misleading claims about the impact of an entity, product or service on environmental or social factors (example: misleading claim about the impact of an entity's activities on the environment)

- Yes
- No
- I don't know

Question E.5.2: Misleading claims about the financial impact of sustainability risks on the entity or on the performance of the product or service (example: misleading claim about the impact of a natural catastrophe on the financial performance of a product)

- Yes
- No
- I don't know

Question E.5.3: If you said yes or no to questions 5.1 and/or 5.2, please explain your reasoning below:

4000 character(s) maximum

Question E.6: In your view is this situation greenwashing: An insurance/pension provider says that it is improving environmental and social factors via its investments in companies. This insurance/pension provider has consequential voting shares in various companies, but it does not use these voting shares to push these companies to become more sustainable.

- Yes
- No
- I don't know

Question E.6.1: If you answered yes or no to question E.6 please explain your reasoning below:

4000 character(s) maximum

This example should not be considered per se as greenwashing. When using voting shares, a company takes into account a number of considerations, one of which is sustainability. Due to the Prudent Person Principle insurers have to take various consideration into account when managing their portfolios. Therefore, sustainability is not necessarily the predominant consideration. It is therefore misleading to expect that all voting decision will be in favour of sustainability without considering the broader context. Moreover, voting and engagement are only possible elements of a sustainability strategy alongside others such as best-in-class, exclusions, etc. It's a discretionary decision of the financial market participant on how to implement its sustainable finance strategy.

Question E.7: Are there any specificities related to greenwashing in the insurance sector that you would like to highlight? If so, please indicate them below:

4000 character(s) maximum

Insurers have a specific role in carrying greenwashing risk, e.g. as General liability, PI and D&O insurer. Therefore, they have an additional great interest, that regulators clarify and reduce legal risks resulting from greenwashing.

Question E.8: Are there any specificities related to greenwashing in the pension sector that you would like to highlight? If so, please indicate them below:

4000 character(s) maximum

F. ESMA section of the CfE

The ESMA-specific section of the survey below covers questions relevant to entities and products under ESMA's remit.

All financial market participants and issuers under the remit of ESMA are invited to provide answers to this section. Other stakeholders ranging from retail investors and consumers associations to NGOs and academia are also invited to participate to the extent the views and expertise provided are relevant to ESMA's activities.

Understanding the drivers and the scale of greenwashing risks

As stated previously, the drivers of greenwashing are multifaceted and better understanding them is critical to addressing the issue.

Question F.1. Which, of the elements listed below, do you consider to be the main driver(s) of greenwashing risks?
[multiple answers possible]

- a) New / innovative ESG products in rapidly evolving ESG markets
- b) Entry of new participants such as issuers of ESG products, ESG rating or data providers, etc.
- c) Lack of ESG expertise and skills of market participants
- d) A rapidly evolving regulatory framework
- e) Differing interpretations of the regulatory framework
- f) Desire to exaggerate the sustainability profile at entity/product or service level
- g) Competition (wanting to be better than a comparable issuer/product)
- h) Lack of reliable data
- i) Mismatch between retail investors' expectations and market participants' ability to deliver real-world impact
- j) Other, please specify below

Please elaborate briefly on the answer to question F.1

500 character(s) maximum

Through the questions below, we seek to better understand which ESG aspect(s), which segment(s) of the sustainable investment value chain, and which asset class(es) or product category(ies) may be more prone to greenwashing risks, in relative terms.

Question F.2. As stated before, this CfE uses the term greenwashing broadly, covering sustainability-related claims relating to all aspects of the ESG spectrum. While the sustainable finance legislation gives more prominence to environmental aspects, we would like to understand which aspects of the ESG spectrum may be more prone to greenwashing risks, at this stage. Please rate the three aspects below from 1 to 5 (where 1 = very low occurrence ; 2 = low occurrence ; 3 = medium occurrence ; 4 = high occurrence ; 5 = very high occurrence)

	1 = very low occurrence	2 = low occurrence	3 = medium occurrence	4 = high occurrence	5 = very high occurrence
a) Environmental aspects	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b) Social aspects	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c) Governance aspects	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Question F.3. Greenwashing may apply to claims at both entity- and/or product-level (including services). Based on your experience, we would like to understand which level may be more prone to greenwashing risks in various market segments. For each of the segments listed below, please select one of the four options.

	1) Greenwashing practices are... more likely at entity-level	2) ... more likely at product /service- level	3) ... equally likely at entity and product /service levels	Not Applicable
Investment managers[1] <i>[1] For Investment Management, entity-level claims refer to claims made by asset managers under the scope of SFDR. Product-level claims refer to claims regarding investment products like investment funds.</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Investment firms[2] <i>[2] For investment firms, entity-level claims refer mostly to claims made by product distributors and manufacturers. Product-level claims refer to claims regarding: a) products: all financial instruments (within the meaning of Article 4(1)(15) of MiFID II) (b) services: portfolio management and investment advice.</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Issuers [3] <i>[3] For Issuers' disclosure and governance, entity-level claims refer to claims made by issuers under the scope of NFRD, the upcoming CSRD and/or the Taxonomy Regulation (TR). Product-level claims relate to financial securities and instruments that fall under the remit of ESMA.</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Benchmarks administrators[4] <i>[4] For Benchmarks, entity-level claims refer to claims made by benchmark administrators. Product-level claims refer to claims regarding benchmarks.</i>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please elaborate on the answer provided to question F.3

1000 character(s) maximum

Question F.4. For market segments which you see as more prone to greenwashing risks, please provide below any quantitative or qualitative data (and relevant links) you may have and that could help inform our understanding of the scale and frequency of potential greenwashing practices. You may also upload files if relevant in the next field.

4000 character(s) maximum

Annex to question F.4 - please upload any file, if applicable.

Question F.5. With regards to product-level sustainability-related claims, we want to better understand which asset classes, financial products categories may be more prone to greenwashing risks. For each of the asset classes and/or financial products regarding which your expertise is relevant, please provide a score from 1 to 5 (where 1 = very low occurrence ; 2 = low occurrence ; 3 = medium occurrence ; 4 = high occurrence ; 5 = very high occurrence of greenwashing).

	1 = very low occurrence	2 = low occurrence	3 = medium occurrence	4 = high occurrence	5 = very high occurrence	Not applicable
a) Equity (common shares, other equity instruments)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b) Fixed income (green bonds, social bonds and other use of proceeds (UoP) bonds, sustainability-linked bonds, common corporate bonds, common government bonds or other fixed income securities)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c) Derivatives (ESG derivatives including those with an ESG underlying and with an ESG performance target, other derivatives)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d) Alternative investments (infrastructure, private equity)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e) Funds: UCITS funds, AIFs, ETFs, Private Equity funds or other funds (e.g. Hedge Funds, ELTIFs)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f) Benchmarks: Paris-aligned (PAB), Climate transitioning (CTB) Climate Benchmarks, other climate benchmarks or ESG benchmarks	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g) Other MiFID II instruments (e.g. securitisations)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h) Other products/services (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Question F.6. Greenwashing practices can be transmitted over more than one segment of the sustainable finance value chain. Various options are described below representing various greenwashing transmission trajectories of sustainability-related claims, where the first entity is always the trigger with subsequent entities being either in the role of spreader and/or receiver of the claims. Based on your experience, we would like to understand which transmission trajectory may be more prone to greenwashing risks. For each trajectory listed below, please provide a score from 1 to 5 (where 1 = very low occurrence ; 2 = low occurrence; 3 = medium occurrence; 4 = high occurrence; 5 = very high occurrence)

	1 = very low occurrence	2 = low occurrence	3 = medium occurrence	4 = high occurrence	5 = very high occurrence	Not applicable
<p>a) Issuer X --> Issuer Y[1] --> Investor or benchmark administrator</p> <p><i>[1] At entity-level, Issuer Y might be claiming to engage with its suppliers, including Issuer X, about a given E or S topic (e.g. human rights violations). Assuming Issuer X makes misleading claims about this topic, these claims can thus be spread by Issuer Y</i></p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b) Issuer --> Benchmark administrator --> Investment manager --> Investor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c) Benchmark administrators --> MiFID II manufacturer (e.g. ETF provider) --> Investment manager --> Investor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d) Benchmark administrator --> Investment manager --> Investor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>e) Investment manager --> Institutional investment managers[2] --> Investor</p> <p><i>[2] The institutional investment managers could select the first asset manager as an underlying investment in their products (e.g. fund of funds), which are then sold to final investors</i></p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f) Investment manager --> MiFID II Distributor (e.g. Investment firm) --> Retail Investor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

g) ESG ratings provider --> Investment manager --> Investor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h) ESG ratings provider --> Benchmark administrator --> Investor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i) Issuer --> Investment manager --> Investor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j) Issuer --> MiFID II Distributor (e.g. Investment firm) --> Retail Investor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
k) Other (please specify below)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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