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Adrienn Lajó

https://orcid.org/0009-0000-2807-3189
adriennlajo@gmail.com

Ludovika University of Public Service
https://ror.org/040yeqy86

The ethics of social communication in performance ESG reporting: A multi-dimensional approach

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Abstract

The ethics of social communication in performance ESG reporting: A multi-dimensional approach

The ethics of social communication in performance reporting is a crucial element of modern organizational governance, particularly within the Environmental, Social, and Governance (ESG) framework. This paper explores the multifaceted dimensions of ethical communication, addressing the interplay of legal, sociological, technological, and psychological aspects. By examining national and international legal frameworks, such as the EU's Non-Financial Reporting Directive (NFRD) and the U. S. The Federal Trade Commission (FTC) Green Guides highlights how regulations shape corporate behavior and promote accountability in ESG reporting. A key novelty of this research lies in its exploration of the dynamic relationship between corporate performance and legal frameworks, showcasing how organizational practices influence internal regulations and standards. The study delves into the ethical challenges that organizations face, such as greenwashing, selective disclosures, and the complexities of balancing transparency with competitiveness. It underscores the importance of values such as transparency, fairness, and accountability as the ethical foundation for corporate communication. Through case studies, including the Volkswagen emissions scandal and the Flint water crisis, the paper illustrates the consequences of unethical communication in both the competitive and public sectors, emphasizing the critical need for integrity and robust oversight mechanisms. The dynamic relationship between corporate performance and legal frameworks is examined, showcasing how organizational practices influence international regulations and standards. Feedback loops, such as stakeholder consultations and data-driven reporting, play a pivotal role in refining these frameworks, fostering enhanced accountability, global alignment, and innovation. The conclusion highlights the strategic importance of ethical communication as a driver of trust and long-term success. As organizations navigate increasing regulatory demands and stakeholder scrutiny, adopting proactive strategies that integrate ethical communication, standardized frameworks, and innovative technologies is essential. This paper argues that ethical communication is not merely a compliance obligation but a cornerstone of sustainable development, enabling organizations to align with societal expectations and contribute to a transparent and accountable global economy.

Keywords: ethical communication, ESG reporting, transparency, greenwashing, regulatory frameworks

The ethics of corporate communication is an increasingly critical issue in a globalized, interconnected world where stakeholders demand transparency, accountability, and integrity from organizations. This paper explores the multifaceted dimensions of communication ethics, incorporating sociological, technological, and legal perspectives (Burchell & Rettie, 2015). In the context of performance reporting, particularly within Environmental, Social, and Governance (ESG) frameworks, organizations often walk a fine line between promoting achievements and ensuring truthful representation of their operations. Misleading practices, such as greenwashing, not only undermine stakeholder trust but also pose significant legal and reputational risks (Ferguson, 2024).

Through a detailed analysis, this study examines the ethical challenges associated with performance communication and their implications for sustainability and governance. A novel aspect of this research is its investigation into the interaction between regulatory evolution and corporate adaptation, demonstrating how companies navigate increasing regulatory complexity while shaping best practices. It highlights the role of international regulations, legal enforcement mechanisms, and best practices in addressing unethical communication practices (Ahmad et al., 2019). By integrating these considerations, the paper aims to provide a comprehensive framework for promoting integrity in corporate communication, ensuring that performance reporting aligns with broader societal goals of trust and transparency.

Research scope and approach

This study employs a qualitative research approach, integrating a combination of legal analysis, case study evaluation, and theoretical framework development to examine the ethics of social communication in ESG reporting. The research focuses on assessing the alignment between corporate communication strategies and evolving regulatory frameworks, emphasizing ethical considerations in performance disclosure (Eccles et al., 2014; Friede et al., 2015).

The scope of the analysis covers both corporate and public sector communication practices, drawing on a diverse set of case studies, including the Volkswagen emissions scandal and the Flint water crisis, to illustrate how ethical breaches in communication impact stakeholder trust and regulatory developments (Eger & Schaefer, 2018; Hanna-Attisha, 2018). The research also considers international ESG reporting standards such as the Global Reporting Initiative (GRI), the Corporate Sustainability Reporting Directive (CSRD), and SEC disclosure proposals to contextualize corporate compliance behavior (European Commission, 2014).

Research methodology

The methodology of the study relies on four pillars that are intended to link to each other to embrace the conclusion of the research.

- Legal and Policy Analysis: Reviewing international and national regulations to assess their influence on corporate communication practices (Macchiavello & Siri, 2022).
- Case Study Examination: Analyzing real-world instances of ethical breaches and best practices in ESG communication (Noori & Athota, 2024).
- Content Analysis: Examining corporate ESG reports, sustainability disclosures, and regulatory statements to identify patterns of ethical communication (Keilmann & Koch, 2023).
- Comparative Analysis: Evaluating the differences and similarities in ESG reporting requirements and corporate communication strategies across different jurisdictions (Vannieuwenhuyse, 2023).

National and international legal implications in performance reporting

To consider the implications generated by national law as drivers of change management in the induction of a measurement system's processes, it is first necessary to clarify which indicators and factors are addressed in this study within the measurement system. Fundamentally, the measurement of the non-financial indicators of institutions and companies can be outlined within a qualitative or non-financial performance metric framework. This becomes tangible in international reports and disclosures due to the demands of compliance and accountability (Giese et al., 2019).

Performance measurement systems are central to the alignment of organizational activities with both regulatory frameworks and strategic objectives (Carreno, 2024). Domokos and Weltherné Szolnoki (2020) proposed a comprehensive model for performance measurement that emphasizes the integration of financial and non-financial indicators. By focusing on qualitative dimensions, such as transparency and stakeholder accountability, these models support organizations in meeting both legal and ethical requirements in their reporting practices.

Over the years, the importance of corporate social responsibility and sustainability has grown, leading to the incorporation of ESG factors into international reporting. ESG refers to a set of criteria used by investors, regulators, and other stakeholders to evaluate a company's performance in areas such as environmental impact, social responsibility, and corporate governance (GRI, 2021). These criteria have become integral to assessing not only the financial health of organizations but also their broader contributions to society and the environment.

A notable shift toward mandatory ESG reporting has occurred in recent years, driven by governments and regulatory bodies worldwide. For example, the EU's Non-Financial Reporting Directive (NFRD) requires large companies to disclose their sustainability practices, including those related to environmental protection, social responsibility, and governance diversity (European Commission, 2014). This paper advances the existing literature by evaluating how the expansion of the Corporate Sustainability Reporting Directive (CSRD) influences corporate compliance and strategic alignment, a relatively underexplored area in ESG research.

At a global level, the 2030 Agenda for Sustainable Development, adopted by all UN member states in 2015, provides a shared blueprint for achieving human well-being, peace, and planet protection in the present and future. At its core are the 17 Sustainable Development Goals (SDGs), which call for urgent action by all countries—both developed and developing—within a framework of global partnership. By identifying gaps in current disclosure mandates and examining how corporate responses contribute to the refinement of regulatory requirements, this research offers a unique perspective on the iterative nature of ESG governance. These goals encourage institutions and companies to align their operations with global sustainability objectives and to measure and report their impacts on environmental, social, and governance outcomes. For instance, the Paris Agreement highlights the need for transparent reporting on emission reductions, reflecting a broader trend of integrating sustainability goals into legally binding international frameworks.

At the national level, regulations such as the SEC's climate-related disclosure proposals in the United States aim to ensure that stakeholders have access to standardized and reliable ESG information. These laws emphasize the value of transparency in promoting organizational accountability and driving positive change. Friede et. al. (2015) further argued that integrating ESG factors into financial decision-making helps organizations align their performance measurement systems with sustainability objectives, fostering both compliance and resilience.

Role of legal implications as change drivers

The integration of legal requirements into performance measurement systems often serves as a catalyst for broader organizational change. Regulatory frameworks do more than enforce compliance; they shape corporate priorities by defining acceptable benchmarks and encouraging innovation to meet evolving standards. For instance, organizations may adopt new technologies, such as AI-powered data analytics, to streamline ESG reporting and improve accuracy. Similarly, the adoption of standardized frameworks, like the Global Reporting Initiative (GRI) or the Sustainability Accounting Standards Board (SASB), helps organizations navigate the complexities of legal and stakeholder demands.

Mandating disclosure fosters accountability while providing opportunities for organizations to position themselves as sustainability leaders. Transparent reporting builds trust, enhances reputational capital, and offers a competitive edge. The evolution of both international and national reporting frameworks reflects a growing awareness of the social and environmental impacts of business activities. These frameworks address legal compliance and align with broader expectations for corporate accountability, demonstrating the critical role of ethical communication in fostering trust and transparency. Moreover, high sustainability companies are more likely to exhibit higher measurement and disclosure of nonfinancial information (Eccles et al., 2014).

Integrity of corporate communication

The integrity of corporate communication is not only an ethical obligation but also a financial imperative. ESG factors increasingly serve as key determinants of financial health, influencing investor decisions and market valuations (Friede et al., 2015). Organizations that communicate transparently about their ESG performance are better positioned to attract sustainable investments (Giese et al., 2019), reinforcing the importance of aligning ethical communication with financial strategies. The integrity of corporate communication, especially concerning performance metrics, is central to building trust with stakeholders. Ethical communication mandates that organizations present their achievements and shortcomings transparently and accurately. In ESG reporting, selective disclosure, omission of critical data, or biased narrative framing can mislead stakeholders, undermining the credibility of sustainability efforts and potentially exposing organizations to reputational and legal risks (Keilmann & Koch, 2023).

The ethical bedrock of communication

Values like accountability, fairness, and transparency form the ethical bedrock of performance communication. Upholding these values not only aligns corporate reporting with the principles of social justice and responsible governance (Burchell & Rettie, 2015) but also strengthens long-term stakeholder relationships. Organizations that adopt a values-driven approach to communication are better positioned to foster trust, maintain credibility, and demonstrate genuine commitment to sustainable practices.

Psychological and sociological impacts

Corporate communication profoundly influences stakeholders' trust and decision-making processes. Misleading performance claims or greenwashing exploit psychological biases, such as the availability heuristic, where stakeholders overemphasize visible successes while ignoring unreported failures (Hanna-Attisha, 2018). Additionally, the halo effect can lead stakeholders to overgeneralize positive attributes, such as an organization's environmental initiative, while neglecting other areas where the company may underperform. This highlights the ethical imperative for corporations to provide a balanced and truthful representation of their operations.

From a sociological perspective, ethical lapses in communication can erode the social contract between corporations and their stakeholders, particularly in communities that are directly impacted by corporate activities. Misaligned communication can intensify feelings of distrust, alienation, or cynicism among stakeholders, undermining collaborative efforts toward sustainability.

Role of ESG reporting frameworks

Adopting widely recognized ESG reporting frameworks, such as the Global Reporting Initiative (GRI) and the Sustainability Accounting Standards Board (SASB), helps ensure the integrity of corporate communication. These frameworks establish standardized guidelines for reporting material information, requiring companies to disclose both their positive impacts and areas where they need improvement. By fostering consistency and comparability across industries, these standards reduce the risks of selective reporting and enhance the credibility of disclosures.

Despite the availability of these frameworks, maintaining communication integrity remains challenging. The pressure to meet stakeholder expectations, combined with competitive pressures, can lead organizations to exaggerate achievements or downplay unfavorable metrics. Additionally, the complexity of global supply chains and reliance on AI-driven reporting tools can inadvertently introduce biases or inaccuracies.

Companies face a delicate balancing act between transparency and safeguarding competitive advantages. Stakeholders increasingly demand detailed performance insights, but over-disclosure can reveal proprietary strategies or expose vulnerabilities. Successfully navigating this tension requires a clear communication strategy that prioritizes honesty without compromising critical business interests.

Implications for change management

Incorporating integrity into performance communication is particularly critical during periods of organizational change. Change management efforts that fail to communicate openly and truthfully risk alienating stakeholders and undermining their support. Ethical communication, on the other hand, fosters buy-in and resilience, enabling organizations to navigate transitions effectively while maintaining trust. Ultimately, the integrity of corporate communication is not just an ethical obligation but also a strategic necessity. Transparent and balanced performance disclosures build stakeholder confidence, reinforce organizational credibility, and contribute to a more sustainable and accountable corporate ecosystem. As ESG reporting becomes increasingly integral to corporate strategy, ethical communication will remain a cornerstone of trust and long-term success.

It is also interesting to see that regulatory mandates may further intensify changes in investors' greenwashing perceptions. How? They magnify the positive and negative effects of quantitative ESG goals, which in turn can drive changes in investment willingness, as stated by Fanning et al. (2024).

Ethical challenges in communication

Ethical communication, while essential, poses significant challenges for organizations, particularly in the context of Environmental, Social, and Governance (ESG). These challenges arise from the complexities of balancing transparency with strategic interests, navigating regulatory requirements, and addressing the diverse expectations of stakeholders (Fobbe & Hilletofth, 2021). This section explores the key ethical challenges and their implications for corporate communication.

At the heart of ethical communication are fundamental values such as transparency, accountability, and fairness. However, implementing these values often requires organizations to confront uncomfortable truths about their operations. For example, a company might face ethical dilemmas when reporting on sustainability metrics that reveal significant shortcomings, such as excessive carbon emissions or supply chain labor issues. Upholding these values demands a commitment to openness, even when it could lead to criticism or short-term reputational risks.

Ethical communication, while essential, poses significant challenges for organizations, particularly in the context of ESG reporting (Siew et al., 2024). Several studies highlight that one of the most significant obstacles is the tension between meeting stakeholder expectations and maintaining a truthful representation of performance. Organizations must navigate these challenges while ensuring that their change management efforts reinforce ethical communication practices.

Corporate communication operates within a web of psychological and sociological influences that shape how messages are received and interpreted by stakeholders.

- Psychological Biases: Miscommunication can occur when organizations unintentionally exploit cognitive biases. For instance, the framing effect can influence how stakeholders perceive performance metrics based on how information is presented. A report highlighting a 20% reduction in waste may seem impressive, but it might obscure the fact that overall waste levels remain unacceptably high. Such practices, whether intentional or not, challenge the integrity of communication.
- Sociological Context: Stakeholder perceptions of corporate communication are also shaped by broader social trends, such as the increasing emphasis on sustainability and corporate accountability. In communities where environmental or social issues are pressing, stakeholders may scrutinize ESG disclosures more rigorously. Organizations that fail to engage with these concerns risk alienating critical stakeholder groups, leading to reputational damage and loss of trust (Layzer & Rinfret, 2019).

Table 1. Examples of bias in corporate communication

Bias	**Description**	**Example in the public sphere**	**Example in a competitive market**
Framing effect	Information presented in a way that emphasizes certain aspects while obscuring others.	*Flint Water Crisis*: Highlighting cost savings while ignoring health impacts.	*Coca-Cola*: Promoting water replenishment efforts without addressing total water usage.
Halo effect	Overgeneralization of a positive attribute to other unrelated areas.	*United Nations*: Highlighting a single successful SDG initiative while neglecting broader progress.	*Tesla*: Focusing on electric vehicles while ignoring environmental concerns in battery production.
Availability heuristic	Overemphasis on easily remembered or recent information over comprehensive facts.	*WHO*: Focusing on recent vaccination successes while underreporting supply chain delays.	*Apple*: Emphasizing recent renewable energy milestones without addressing mining practices.

Bias	Description	Example in the public sphere	Example in a competitive market
Selective disclosure	Sharing only favorable information while withholding critical or unfavorable data.	*City of Flint*: Withholding contamination data during the water crisis.	*HM*: Highlighting sustainable clothing lines while omitting labor concerns.
Anchoring bias	Relying too heavily on the initial information provided as a reference point.	*UK Government*: Using outdated baselines to show progress in carbon reductions.	*BP*: Setting low initial targets for emission reductions to appear successful later.
Confirmation bias	Emphasizing information that supports a preconceived narrative while ignoring contradictory evidence.	*Public School Districts*: Focus on positive parent feedback while ignoring declining test scores.	*Volkswagen*: Using internal tests to dispute emissions cheating allegations initially.

Source: own editing.

The table above reveals that biases in corporate communication are widespread, cutting across both public institutions and competitive markets. In the public sector, examples like the Flint Water Crisis and outdated progress metrics highlight the consequences of incomplete or skewed reporting on public trust. Similarly, in the private sector, greenwashing and selective disclosures by companies like Coca-Cola, Tesla, and HM illustrate how biases can undermine credibility, even among organizations positioned as leaders in sustainability.

An industry-wide trend is the increased scrutiny from stakeholders, regulatory bodies, and independent watchdogs. Companies and institutions are under growing pressure to provide comprehensive, balanced, and unbiased reporting. Leveraging standardized frameworks, such as the Global Reporting Initiative (GRI) and third-party audits, will be critical in ensuring accountability and maintaining trust in both sectors.

Organizations must navigate the often-conflicting expectations of diverse stakeholders, including investors, regulators, customers, employees, and communities. What satisfies one group may be perceived as inadequate or misleading by another. For instance:

- Investors may prioritize concise, financially material ESG metrics that demonstrate a return on investment.
- Local communities might demand detailed disclosures on specific impacts, such as water usage or pollution levels. Balancing these needs while maintaining ethical communication can be particularly challenging, especially when trade-offs between stakeholder priorities are required.

Greenwashing and the ethical implications of misleading communication

Greenwashing remains one of the most pervasive ethical challenges in corporate communication. It involves presenting a false or exaggerated image of sustainability to gain stakeholder approval or a competitive advantage (Lew et al., 2024). Examples include vague claims of being "eco-friendly," selective disclosure of positive metrics, or omitting critical context that could alter stakeholder perceptions.

The ethical implications of greenwashing are far-reaching:

- Erosion of Trust: Once exposed, greenwashing can severely damage an organization's reputation and stakeholder trust.
- Legal Consequences: Regulatory bodies are increasingly penalizing misleading claims, as seen in high-profile cases against companies such as Volkswagen (Eger & Schaefer, 2018) and BP.
- Missed Opportunities: By focusing on superficial claims, organizations may neglect genuine efforts to improve sustainability and long-term performance.

The increasing use of technology in ESG reporting introduces new ethical dilemmas. For example:

- AI in Reporting: AI-generated reports can unintentionally introduce biases if the algorithms prioritize certain metrics over others. Without human oversight, these systems risk creating misleading or incomplete disclosures.
- Cross-Border Regulatory Variability: Differing global standards for ESG reporting can create ethical challenges. A disclosure deemed sufficient in one jurisdiction might be viewed as inadequate or misleading in another, complicating efforts to maintain consistent and ethical communication.

Organizations often face a tension between being fully transparent and protecting their competitive position. Detailed disclosures can reveal sensitive information such as cost structures or strategic initiatives that competitors could exploit. However, withholding or downplaying critical data risks accusations of dishonesty or greenwashing. Striking a balance requires careful consideration of ethical priorities and strategic imperatives.

Examples of breaches in communication ethics

As stated in Sejal's (2024) study, Greenwashing refers to the practice of companies presenting themselves as more environmentally responsible than they are, misleading stakeholders and undermining genuine CSR efforts. The study also explores ethical frameworks, such as Max Weber's typology of ethics, to understand how current CSR practices may inadvertently promote greenwashing.

By providing examples from the competitive and public sectors to demonstrate how breaches in communication ethics can undermine trust, cause harm, and lead to severe consequences, the current paper highlights the universal need for integrity, transparency, and accountability across all sectors.

In 2015, Volkswagen (VW) was exposed for installing software in its diesel vehicles to manipulate emissions tests as explored by Ramsha et. al. (2024). While the company marketed its cars as environmentally friendly, the vehicles emitted pollutants far above the legal limits during normal operation. This misrepresentation directly violated ethical communication standards by deceiving regulators, customers, and the public. Noori and Athota (2024) also discuss Volkswagen's greenwashing practices and offer empirical insights into the inconsistencies in their marketing claims of producing sustainable and eco-friendly products.

VW's actions constituted greenwashing—a form of deceptive communication—by falsely promoting its commitment to sustainability (Keilmann & Koch, 2023). The scandal exploited psychological biases, as stakeholders trusted the brand's claims without scrutinizing the underlying data.

The fallout included over $30 billion in fines and settlements, significant reputational damage, and loss of consumer trust. The incident highlighted the risks of prioritizing short-term competitive advantage over long-term ethical integrity. This breach underscored the importance of truthful communication in maintaining trust and emphasized the need for robust oversight mechanisms, both internally and externally, to prevent similar incidents.

Within the public sector, a significant example of greenwashing was the Flit water crisis. This began in 2014 and involved the city of Flint, Michigan, switching its water source to save costs. Despite evidence that the new water source was contaminated with lead, public officials and agencies repeatedly assured residents that the water was safe. This assurance persisted even as complaints about the water quality and health issues mounted.

The breach lay in the deliberate withholding and misrepresentation of critical information about the water's safety (Hanna-Attisha, 2018). Public sector entities failed to act transparently, prioritize public health, or address stakeholders' concerns effectively. This miscommunication betrayed the public's trust and caused significant harm. The crisis led to widespread lead poisoning, particularly affecting children, along with numerous lawsuits and a federal emergency declaration. Several public officials faced criminal charges for their role in the cover-up.

The Flint crisis illustrated how unethical communication in the public sector can lead to severe societal harm, loss of public confidence, and long-term damage to institutional credibility. It highlighted the critical role of transparency and accountability in safeguarding public interests.

Legal frameworks and enforcement against misleading communication

One challenge in enforcing ESG-related communication standards is the complexity of integrating financial and non-financial metrics. Several studies emphasize that robust financial decision-making frameworks, which incorporate ESG factors, can support organizations in navigating these complexities. By embedding ESG considerations in decision-making processes, companies can ensure that their disclosures are both accurate and aligned with regulatory expectations.

The legal frameworks addressing misleading communication have evolved to regulate and deter deceptive practices, ensuring that organizations uphold transparency (FTC, 2012) and accountability in their communications. These frameworks exist at both global and regional levels, targeting practices such as greenwashing, selective disclosure, and exaggerated claims in corporate performance reporting, particularly in the context of ESG metrics.

Overview of the global and regional legal mechanisms

Governments and regulatory bodies worldwide have implemented various legal measures to combat misleading communication. These mechanisms protect consumers, investors, and other stakeholders from deceptive practices while fostering fair competition and promoting ethical corporate communication. Here's a closer look at some key frameworks:

- European Union (EU): The Unfair Commercial Practices Directive (UCPD) sets a legal standard across EU member states to prohibit misleading and aggressive marketing practices. It ensures that consumers are not deceived by unsubstantiated claims, such as vague or exaggerated environmental benefits, which are often associated with greenwashing. Under the UCPD, companies must provide clear, accurate, and substantiated information to avoid misleading consumers.
- United States (U.S.): The Federal Trade Commission (FTC) Green Guides provide clear guidance to businesses on making truthful and non-deceptive environmental marketing claims. These guidelines emphasize the importance of substantiating claims with credible evidence and discourage the use of vague or broad terms like "eco-friendly" or "sustainable." Non-compliance with these principles can result in enforcement actions, including fines or mandated corrective measures.
- International Standards: In addition to national and regional regulations, international organizations have introduced standards and guidelines to promote consistency and ethical communication. For instance, the ISO 14021 standard provides principles for environmental labeling and declarations, ensuring that claims are accurate and verifiable.

Giese et al. (2019) note that investors and regulators increasingly demand that companies demonstrate compliance with human rights standards as part of their ESG commitments. These evolving expectations necessitate enhanced transparency in disclosures and create new challenges for enforcement mechanisms, particularly in sectors with complex global supply chains.

Challenges in enforcement

While these legal frameworks provide a foundation for addressing misleading communication, enforcement presents several challenges:

- Proving Intent: Determining whether a misleading claim was intentional or the result of oversight can be complex. Organizations may argue that misrepresentation was unintentional or due to misinterpretation of data, making it difficult to hold them accountable.
- Quantifying Harm: Assessing the harm caused by misleading communication is another challenge. For example, in cases of greenwashing, the harm may not always be tangible or immediate, as it often involves reputational damage or erosion of trust rather than direct financial loss.
- Global Value Chains: With companies operating across multiple jurisdictions, inconsistent regulations can create loopholes. What is considered misleading in one country may be permissible in another, complicating enforcement in global markets.
- Evolving Practices: The rapid evolution of digital marketing and AI-generated content introduces new forms of potential deception. Regulators often lag behind technological advancements, creating gaps in enforcement.

Broader implications and feedback loops

The relationship between legal frameworks, corporate behavior, and regulatory standards operates within a dynamic system of interaction and feedback. This section explores how these elements influence one another and the broader implications for sustainability, accountability, and governance in global markets.

Legal frameworks shape corporate behavior by establishing the boundaries within which organizations operate. Mandatory disclosure requirements, for instance, compel companies to report on their ESG performance, thereby encouraging transparency and accountability. These frameworks act as drivers for organizational change, often prompting companies to adopt more sustainable practices to comply with legal mandates and mitigate risks (GRI, 2021).

At the same time, corporate responses to these frameworks can influence their effectiveness. For example, companies that go beyond compliance by adopting proactive sustainability measures can set industry benchmarks, indirectly encouraging stricter regulatory standards. Conversely, organizations that seek loopholes or engage in performative compliance (e.g., greenwashing) can undermine the credibility of legal frameworks, necessitating regulatory revisions. What sets this research apart is its in-depth analysis of this bidirectional influence, demonstrating how corporate ESG communication does not merely react to regulatory frameworks but actively shapes them. This perspective highlights an often-overlooked aspect of ESG governance: the evolving and recursive nature of compliance, driven by both external mandates and internal strategic decisions.

Feedback mechanisms are vital for ensuring that legal frameworks remain relevant, effective, and aligned with evolving market conditions. Domokos and Weltherné Szolnoki (2020) highlight that well-structured performance measurement systems play a dual role: they not only guide internal decision-making but also provide valuable data that informs external regulatory bodies (Macchiavello & Siri, 2022). Such systems, when effectively designed, contribute to creating dynamic feedback loops that enhance accountability and support continuous improvement in governance practices. This research uniquely contributes by offering a systematic framework for understanding how organizations leverage ESG disclosures as strategic tools, influencing regulatory trends while simultaneously ensuring compliance.

These mechanisms can take various forms:

- Stakeholder Consultations: Regulators often engage with corporations, industry groups, and NGOs to gather input on the proposed laws and standards. This iterative process ensures that the frameworks are both practical and impactful.
- Data-Driven Feedback: Corporate ESG disclosures provide regulators with empirical evidence on the success and limitations of current regulations. Patterns in reporting can highlight gaps or inconsistencies, prompting revisions or new guidelines.
- Collaborative Platforms: Organizations such as the United Nations Global Compact and the World Economic Forum serve as intermediaries, facilitating dialog between corporations and regulators. These platforms enable the exchange of best practices and the co-creation of standards that address global challenges.

The interplay between legal frameworks, corporate behavior, and feedback mechanisms has far-reaching implications:

- Enhanced Accountability: Transparent reporting and regulatory oversight reduce the risk of unethical practices, fostering greater trust among stakeholders.
- Innovation and Leadership: Organizations that proactively adapt to regulatory trends can position themselves as industry leaders, driving innovation and setting new standards.
- Global Alignment: Feedback loops promote the harmonization of international standards, reducing disparities between jurisdictions and enabling more effective global governance.
- Resilience: A dynamic regulatory ecosystem that adapts to corporate feedback and market trends ensures long-term resilience, enabling businesses and regulators to collaboratively address emerging challenges.

Feedback mechanisms between regulatory frameworks and corporate behavior are increasingly influenced by integrating human rights considerations. Studies underscore the importance of aligning ESG reporting with international human rights standards, noting that doing so not only fosters greater accountability but also mitigates the risk of reputational damage. Similarly, Vannieuwenhuyse (2023) highlights how arbitration outcomes can provide valuable insights for refining ESG regulations, creating a feedback loop that strengthens both compliance and governance.

Conclusions

Ethical communication is essential for effective ESG reporting, as it builds trust between organizations and their stakeholders. Despite increasing sustainability demands, transparency and accountability in performance reporting are more important than ever. Clear and honest communication not only ensures compliance with legal standards but also strengthens an organization's reputation and fosters long-term success.

The connection between legal requirements, corporate behavior, and stakeholder expectations highlights the dynamic nature of modern governance. Regulations like the EU's Non-Financial Reporting Directive and the U. S. FTC Green Guides set a framework for truthful communication, but their success depends on companies prioritizing integrity. Missteps such as greenwashing or withholding key information damage trust, harm reputations, and slow progress toward sustainability goals, making alignment between regulations and corporate practices essential.

Going forward, organizations must find a balance between being transparent, accountable, and competitive. As regulations tighten and stakeholder scrutiny grows, businesses need proactive strategies that combine ethical communication with innovation. Using technology, fostering collaboration, and following global reporting standards will help companies overcome challenges while staying competitive. A novel contribution of this research is its demonstration of how corporate ESG communication is not merely a reaction to regulatory requirements but a proactive driver of regulatory evolution. By examining the dynamic interplay between disclosure practices and legal frameworks, this study highlights the strategic role of ESG reporting in shaping governance norms and industry standards.

Ethical communication is more than just a requirement—it is a strategic tool that builds trust, strengthens resilience, and creates value. By committing to transparency and integrity, organizations can meet stakeholder expectations, contribute to a sustainable future, and succeed in an ever-changing global environment.

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