From Compliance to Strategy: Why ESG Belongs on the Board Agenda

By Mashael Al Sulaiti, Founder & Managing Partner, MAS Law Firm | Governance Director, CIArb Qatar Branch

There is a persistent and costly misclassification in how many GCC boards treat ESG: as a reporting obligation that sits downstream of strategy, rather than an input that should sit upstream of it. The distinction matters more than it might initially appear, and the region's 2025 governance reforms are pushing boards toward the latter framing whether or not they have made the shift deliberately.

Reporting versus strategy

An ESG report answers the question: what did we do, and how do we describe it? An ESG strategy answers a different and harder question: what risks and opportunities does the transition to a more regulated, more scrutinized business environment create for us, and how does that change what we do next? Boards that only engage with the first question are, by definition, always looking backward at a moment when regulators, investors, and increasingly counterparties are asking them to look forward.

Where this shows up in practice

Energy-sector companies navigating the transition away from hydrocarbon dependence, family businesses preparing for eventual public listing, and companies competing for foreign institutional capital are all encountering the same pattern: ESG questions are arriving earlier in strategic conversations — in financing discussions, in M&A due diligence, in board search criteria — than they were even two years ago. A board that only encounters its ESG position when the annual disclosure is due is encountering it too late to use the information strategically.

What belongs on the agenda

A board genuinely treating ESG as strategy, rather than reporting, puts a standing item on its agenda that is distinct from the disclosure sign-off: a periodic review of how the regulatory and investor landscape around sustainability is shifting, and what that shift means for the company's access to capital, its licensing position, and its competitive standing. That is a fundamentally different conversation from approving a report — and it is the conversation that increasingly separates boards positioned to lead their sector's transition from boards positioned to react to it.

Mashael Al Sulaiti is Founder and Managing Partner of MAS Law Firm in Doha, Governance Director of the CIArb Qatar Branch, and a member of ICC Qatar. She is currently completing an SJD at HBKU College of Law researching GCC regulatory frameworks, ESG, and energy law.