

Sustainable Development

Preamble:

Sustainable development is defined by *the ability of present generations to meet their needs without compromising the ability of future generations to meet their own needs* "(Brundtland Report, 1987). In other words, sustainability refers to ensuring economic and social progress without endangering the natural balance of the planet, both in the present and the future.

For businesses, sustainable development means in this sense to balance the following three pillars:

- **Environmental** : impact of activities on the environment;
- **social/societal** : working conditions of employees, information policies, training, remuneration, subcontracting, existence and quality of relations with civil society, public health, etc;
- **economic** : relations with customers, suppliers, shareholders, etc.

Objective - As regards the content of ads, this approach induces a dual responsibility for advertising professionals:

- accurately present the meaningful action(s) of the advertiser or the properties of the advertised product(s) in terms of sustainable development;
- not convey messages that are contrary to the principles of sustainable development, defined in particular by the *National Strategy for Sustainable Development (NSSD)*.

Scope - This Code applies to advertisements containing:

- argumentation referring to sustainable development;
- ecological argumentation, whether or not it refers to the concept of sustainable development;
- social, economic or societal argumentation linked to sustainable development;
- presentation of elements not compatible with sustainable development goals, even without making reference to this concept.

Terminology - For the purposes of this Code:

- ⇒ the term "*Ecological argumentation*" refers to any claim, indication or presentation in any form whatsoever, that establishes a link between the brand(s), product(s), service(s) and/or action(s) of an advertiser, and the environment;
- ⇒ the term "*Product*" refers to all goods and services;
- ⇒ the term "*Life-cycle*" refers to consecutive and interlinked steps in the life of a product, from the stage of production to the final disposal of the product;
- ⇒ the term "*Impact*" refers to any influence on the environment or society, whether adverse or beneficial, wholly or partially resulting from the activities or products of an advertiser. For example, concerning the environment, a negative impact may be expressed in terms of pollution, emissions of greenhouse gases or reduction of biodiversity, among others;

- ⇒ the term "*advertiser*" refers to the brand under which the advertisement is issued and, where appropriate, the company to which it belongs if, and only if, membership is claimed.

Note: without further specifications, the rules below pertain to the overall issue of sustainable development. When the rules apply only to the environmental component of sustainable development, it is specified as such.

In addition to specific French and Community legislation, these advertisements need, no matter what form they take, to comply with the Consolidated Code of *the International Chamber of Commerce*¹ and with the following ethical rules:

1. Veracity of actions

1.1 Advertisements must not mislead the public about the actual actions of the advertiser or the properties of its products in terms of sustainable development.

1.2 Advertisements cannot make a general sustainable development claim if the commitment of the advertiser does not cumulatively include the three pillars of sustainable development.

1.3 The actions of advertisers and the properties of their products in this area should be significant before a claim can be made.

1.4 The advertiser must be able to support its sustainable development claims by means of evidence that is reliable, objective and verifiable at the time of advertising.

For any message based on a scientific claim, the advertiser must be able to present the origin of the findings and methodology used for the calculation.

Advertisements may not resort to demonstrations or scientific conclusions that do not conform to generally approved scientific findings.

2. Proportionality of messages

2.1 The advertisement must accurately express the action of the advertiser or the properties of its products, in accordance with the available evidence.

The reality of these actions or properties may be assessed in the light of the different pillars of sustainable development, the different types of impacts and the various stages of a product's life-cycle.

¹ Article 22 of the Consolidated ICC Code, and the principles enshrined in Chapter E "Environmental Claims in Marketing Communications" of the same Code

2.2 The advertising message must be commensurate with the scale of the advertiser's action(s) in terms of sustainable development and the properties of the product(s) he is promoting.

2.3 In particular

- a. The advertisement should not be presented in such a way as to imply that it relates to more pillars of sustainable development, more stages of a product's life-cycle or more impacts than can be justified by the evidence;
- b. The message should not unduly suggest a total lack of negative impact;
- c. The presentation of action(s), product(s) at an experimental or project stage (prototype, R & D, investment ...) must be clearly presented as such and their scope should not be exaggerated.

3. Clarity/qualifications of messages

3.1 The advertiser should add clear background information in the advertisement about the qualities the advertised activities or products claim to have.

3.2 If the argumentation is only valid in a particular context, it should be presented clearly as such.

3.3 When an explanation is necessary, it must be clear, legible or audible, and thus meeting the requirements of the *Terms and References Code* of the ARPP.

3.4 In cases where this explanation is too long to be included in the advertisement, essential information must be included, together with a reference to some means of communication allowing the general public to obtain further information.

3.5 Any messaging within an advertisement based on a scientific study must indicate the source.

3.6 Any argumentation about a decrease of a negative impact or an increase of efficiency must be precise and accompanied by detailed figures, indicating the basis for the comparison.

4. Loyalty

4.1 The advertising must not attribute exclusive virtues in terms of sustainable development to a product or an advertiser when competitor products or competitors have similar properties.

4.2 An advertiser can not claim that certain actions are exclusive to it if they are imposed on all by existing regulation.

This does not rule out the possibility for an advertisement, for pedagogical purposes, to inform about the existence of regulation in order to promote its implementation.

4.3 An advertisement should not unduly create a link between general corporate actions of an advertiser concerning sustainable development and the properties of a product.

4.4 Concerning ecological claims:

- a. An environmental claim should not emphasise the absence of a component, ingredient, characteristic, or impact (typified by formulations such as "*without ...*", or "*no ...*", or "*...-free*") that never affected the family of products or activities presented by the advertisement;
- b. A claim that a product does not contain an ingredient or a specific component (typified by formulations such as "*without ...*", or "*no ...*", or "*...-free*") should be used only in line with the rules of the competent authorities that define the maximum thresholds, or, failing that, under the conditions laid down in ISO 14021;
- c. A reduction of a negative impact should not be presented as a direct "recovery" of natural ecosystems.

5. Signs, labels, logos, symbols, self-statements

5.1 Signs or symbols may be used only if their origin is clearly indicated and if there is no likelihood of confusion about their meaning.

Further explanations regarding the meaning of these symbols should be made according to the conditions set by article 3.4 of this text.

5.2 These signs should not be used in ways that suggest unfounded official approval or certification by a third party.

5.3 The advertisement must not attribute a higher value to any signs, logos or symbols used in the ad than they actually have.

5.4 The use of logos of associations, foundations or any other body should not create a misleading link between the partnership with these bodies and the properties of the product(s) or the action(s) presented.

6. Vocabulary

6.1 The terms and expressions used must not mislead the public about the nature and scope of the product's properties or the advertiser's actions in terms of sustainable development.

6.2 When the terms and expressions used are already defined by a standard, they must be employed in a way that fits this definition.

6.3 Where it would be impossible to justify general formulations (e.g., *ecological, green, ethical, accountable, to preserve, fair, sustainable, etc.*), advertising must make these claims relative by using formulations such as "*helps to...*".

6.4 Words, phrases or prefixes used must not unduly reflect a lack of negative impact of the product or activity of the advertiser.

6.5 Technical vocabulary, scientific or legal, may be used if it is appropriate and used in a way that can be readily understood by those to whom the message is directed.

7. Visual or audible elements in an ad

7.1 The visual or sound elements in an ad should be used in a manner proportionate to the ecological argumentation of the ad and the evidence that supports it.

7.2 They should not be used in a way that suggests a guarantee of safety if this cannot be justified.

7.3 Without excluding their use, the use of natural elements or evoking nature must not mislead the consumer about the environmental properties of the product or the actions of the advertiser.

7.4 When an advertisement uses an environmental claim, it cannot assimilate directly a product that has a negative environmental impact to a natural element (e.g. a car like an animal, a plane covered in plants, etc).

8. Complex systems

Some recognised systems may be based on highly technical argumentations or complex schemes, whose benefits in terms of sustainable development are indirect (e.g., systems known as "green electricity", "carbon offset", "socially responsible investments", etc).

When an advertisement refers to these types of systems:

8.1 It should take care not to mislead the public about the true scope of the mechanism.

8.2 If it uses simplified language for educational purposes it must provide the public with the necessary explanations, as per the conditions defined in article 3-4 of this Code.

8.3 The advantage of using systems to indirectly compensate the negative impact of a product or an activity should not be referred to in the ad as being a direct quality of the product or activity.

9. Eco-responsibility

The advertisement must be placed in a context of social responsibility taking into account the sensitivities of society at the time the ad is released as well as the context of ad dissemination.

Without reference to the concept of sustainable development or any of its components, an advertisement must avoid conveying a message contrary to the common principles of sustainable development. To this end:

9.1 Advertising should avoid any representation likely to trivialise, or even enhance, practices and ideas contrary to the objectives of sustainable development. For example:

- a. Advertising must not portray or make reference to behaviour that shows disregard for environmental protection and the preservation of natural resources (e.g. damaging or wasting natural resources, damaging biodiversity, polluting air, water or soil , contributing to climate change, etc.) except for the purpose of exposing such conduct.
- b. Advertising must not explicitly or implicitly encourage excessive consumption patterns or wastage of energy and/or natural resources. It must not appear to approve or endorse conducts that are manifestly inappropriate or irresponsible.
- c. Arguments used in advertising must not minimise the consequences of consuming products and services that may have a negative impact on the environment.
- d. Advertising must not portray or suggest behaviour that is contrary to the objectives of product recycling or the specific methods for waste content recovery.
- e. The representation, in any form whatsoever, of motor vehicles in a natural environment should clearly position them on roads open to traffic.

- f. Advertising must not be seen to approve working conditions that are contrary to social and human rights.

Thus for example, advertisements that would endorse child labour, any form of discrimination, harassment or working conditions that fail to meet health, safety and environmental standards are unacceptable.

- g. Advertisements must not contain any statement or visual representation likely to create irrational or unfounded fears among the public.

9.2 Advertisements must not discredit the principles and objectives, neither the advice nor the solutions, commonly accepted for sustainable development.

Advertisements should not use and distort known environmental messaging for commercial purposes.