

Climate change: Paris and New York join the legal action against TotalEnergies

Paris, September 21, 2022 - At a press conference and before the Paris Judicial Tribunal, the cities of Paris and New York officially joined the coalition of associations and local authorities that have taken TotalEnergies to court for failing to meet its climate duty of vigilance. The city of Poitiers and Amnesty International France also now support this historic lawsuit.

Local communities continue to defend themselves against those responsible for climate change.

Cities and local authorities are at the forefront of the many challenges of adapting to and mitigating the impacts of climate change. They must face rising challenges such as energy insecurity, reinforcement of financing to protect biodiversity, preventing wildfires and floods, etc.

Local authorities are also forced to bear the costs of climate inaction resulting from the companies that emit the most greenhouse gases, led by TotalEnergies. In partnership with the NGOs behind the litigation against TotalEnergies (formerly Total), notably Notre Affaire À Tous, the cities of New York, Paris and Poitiers have joined the coalition of local authorities and associations aiming to raise the oil and gas major's climate ambitions.

For Anne Hidalgo, mayor of Paris, *“All the signals are in the red. To get out of this and keep the increase in global temperature below 2°C, the Paris Agreement must absolutely be respected. But some people continue to think of their financial interests before the collective interest and the protection of life on Earth. With this lawsuit, we want to force a major energy player to respect the Paris Agreement. We know, in New York, in Grenoble, in Bayonne, in Poitiers, how important this case is to give hope again”*

A strategy in complete contradiction with the Paris Agreement objectives

Considering its impact on climate change, TotalEnergies is particularly responsible for the current climate crisis. The company is part of the top 20 fossil fuel multinational companies which have directly or indirectly emitted the most greenhouse gas emission (GES) since 1965. To this day, TotalEnergies remains linked to approximately 1% of worldwide GES emissions, equivalent to France's annual emissions.¹ A historical player in climate denial in France,² TotalEnergies is also legally challenged for its ongoing greenwashing³: despite its ambition to become "carbon neutral by 2050", the multinational corporate group continues to research new oil and gas fields, even devoting nearly 80% of its investments to the development of fossil fuels, which still account for 90% of its business.

Nearly four years after Total and its CEO Patrick Pouyanné were [first challenged](#) by an unprecedented coalition of associations and local authorities, this litigation, now supported by new local authorities and NGOs, aims to have the Court order Total to take the necessary measures to drastically reduce its greenhouse gas emissions and align itself with the objectives of the Paris Agreement, in accordance with the French law of March 27, 2017 on the duty of care of parent companies, similar to the [Shell decision](#) in the Netherlands.

Jean-Claude Samouiller, President of Amnesty International France (AIF), said: *“Climate change is an unprecedented threat to human rights, threatening the survival of humanity. Fossil fuel companies like*

¹ Data : cf. Total, reference document 202118, p. 607-608202 and High Council for Climate, Annual carbon neutrality report 2019, p. 29

² An article published in the [Global Environmental Change](#) academic review documents proof that Total knew very early on about climate change. It also demonstrates the different strategies the company implemented as a strategic production of doubt around climate emergency in order to prevent, through fierce lobbying, any type of regulation of their activities.

³ On 2nd Mars 2022, Greenpeace, Notre Affaire A Tous and Friends of the Earth, supported by the NGO ClientEarth, sued TotalEnergies for misleading commercial practices, or “greenwashing”. In addition, on 28th May 2020, Notre Affaire A Tous and Sherpa reported to the French Autorité des Marchés Financiers (AMF) (*Financial Markets Authority (AMF)*) potential contradictions, uncertainties and omissions within financial documents, as well as in recent public communications made by the fossil fuel company in regards to climate risks.

TotalEnergies have a major responsibility towards the environment and therefore towards human rights, which is why we support the parties' claims".

A historical lawsuit

For Notre Affaire à Tous, *"If we wish to effectively follow the necessary trajectories in order to mitigate the impacts of climate change, fossil fuel companies such as TotalEnergies and other highly emitting multinational companies must change their business behaviours. To ensure such a change, court injunctions and new laws and regulations, such as the current proposal for an European directive on Corporate Sustainability Due Diligence have become absolutely necessary".*

For the mayor of Poitiers, Léonore Moncond'huy: *"Local authorities are on the front line when it comes to the effects of climate change: crisis management, fires, floods, sheltering the most vulnerable, drought... They are the ones who pay the financial and human cost of adaptation. The responsibility of fossil fuel producers for the situation we are experiencing in the territories is considerable."*

On September 21st 2022, an additional court session in the Paris judicial court will make official the addition of the cities of Paris, New York, Poitiers and Amnesty France to the coalition, as well as advance the judicial proceedings. It is now 16 local authorities and 6 NGOs now demand that the French court recognise the liability of TotalEnergies in regards to the climate crisis, as well as order the company to set a GES emissions trajectory that is compatible with global climate objectives :

Listing of the 16 local authorities parties to the lawsuit: Arcueil, Bayonne, Bègles, Bize-Minervois, Région Centre-Val de Loire, Correns, Est Ensemble, Grenoble, La Possession, Mouans-Sartoux, Nanterre, New-York, Paris, Poitiers, Sevran, Vitry-Le-François.

Listing of the 6 NGOs parties to the lawsuit: Notre Affaire À Tous, Sherpa, Les Eco-Maires, France Nature Environnement, ZEA. Accessory voluntary intervention : Amnesty International France.

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