

Victory: TotalEnergies Found Liable for Failing to Fulfil Its Climate Vigilance Obligations!

In the [climate lawsuit](#) brought by Notre Affaire à Tous, Sherpa, France Nature Environnement, and the City of Paris against TotalEnergies, the Paris Judicial Court has just ruled against the multinational for failing to meet its duty of climate vigilance. The court recognized that the company does indeed have a duty of climate vigilance that extends to its emissions from the combustion of oil and gas products (Scope 3), which account for nearly 90% of its carbon footprint. It ordered the multinational to improve its climate vigilance plan within six months, including appropriate measures to reduce its impact on climate risks. Failure to do so will result in TotalEnergies being found liable once again.

[Read the full ruling here.](#)

A major court ruling establishing multinationals' climate vigilance obligations

The court recognises that large French companies subject to [the Duty of Vigilance Law](#) are obligated to identify the climate risks resulting from their activities and those of their subsidiaries and to take the necessary measures to reduce their greenhouse gas emissions. This ruling marks an important milestone by confirming that the duty of vigilance fully applies to climate risks generated by multinational corporations. The court thus rejected the position defended by [the Public Prosecutor at the hearing—in support of TotalEnergies](#)—that the law does not apply to climate risks.

The judges adopted a broad interpretation of the scope of the duty of vigilance regarding climate change, which extends not only to the company's direct emissions (known as Scope 1 and 2) but also to emissions resulting from the use of its products (known as Scope 3). **While TotalEnergies argued that Scope 3 emissions are those of its consumers, the court recognized that the company has leverage to cut these emissions.**

The court has not yet ruled on TotalEnergies' climate strategy

The company has been ordered to publish a new vigilance plan within six months, which must include a new climate risk assessment and appropriate measures to mitigate climate risks. A new hearing is scheduled for January 21, 2027. **If the company's emission reduction measures are deemed insufficient, the court could order the company to take additional measures.**

A victory for the European due diligence obligations

The court confirms that climate considerations are within the scope of the European CS3D Directive of June 13, 2024, on the obligations of multinational corporations regarding human rights and the environment. Through an ambitious interpretation, the judge ruled that the directive includes climate obligations, despite the removal of the former Article 22 of the CS3D Directive regarding the obligation for corporations to adopt climate transition plans.

Are additional measures on the horizon to prevent damage to the atmosphere?

The court has suspended its decision pending the completion of TotalEnergies' duty of vigilance plan. The company could therefore be ordered at a later date to implement specific measures regarding its fossil fuel activities to prevent ecological damage to the atmosphere. The group has a massive carbon footprint of 376 MtCO₂e—nearly 1% of global emissions—which is roughly equivalent to the annual domestic emissions of a country like France.

“This is an important decision during these days of unprecedented heat waves: fighting climate change also means fighting for a livable future in our daily lives. Multinational corporations—particularly oil and gas companies like TotalEnergies—must do their part to protect our loved ones, the regions we hold dear, and those most vulnerable to the effects of climate change. We will continue the fight to ensure that this happens,” the organisations stated.

Resources

- [Press kit.](#)
- [Photos of the coalition.](#)
- [The coalition's substantive arguments](#) and [summary.](#)
- [Judgment of the Paris Judicial Court dated June 25](#)