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Date: 27 May 2026

Subject: **Risk of misleading information disseminated to investors by issuers regarding fossil fuel expansion**

Dear Sirs,

1. Friends of the Earth France, Notre Affaire à Tous and ClientEarth are writing to you in this letter to highlight the risk of value destructive misleading statements to investors made by high-emitting listed companies.

2. A letter of today's date calling for investigation of potentially misleading statements by TotalEnergies SE has been sent to the French Autorité des Marchés Financiers (the AMF) and is enclosed.

Final judgment in *Greenpeace France et al vs TotalEnergies et al*

3. On 23 October 2025, the Paris Judicial Court issued its judgment in the case of *Greenpeace France et al vs TotalEnergies et al*.[1] The Court ruled that TotalEnergies SE misled consumers in marketing statements by giving the impression that TotalEnergies was contributing to the fight against climate change, while planning to expand production of fossil fuels. TotalEnergies has declined to appeal the decision, and so the judgment is final.

[1] English translation here: English translation of Judgment dated 23 October 2025, Greenpeace France, et al vs. Totalenergies, et al | ClientEarth

4. TotalEnergies' marketing statements scrutinised in the case claimed to put "*climate at the heart of its strategy, with the aim of providing cleaner, safer and more affordable energy to as many people as possible*", along with claims that TotalEnergies was a "*major player in the energy transition*" and that it had set the ambition to achieve net zero by 2050.

5. The Court examined the veracity of these statements, drawing on scientific evidence from the IPCC, the International Energy Agency, the United Nations Environment Programme and the UN High Level Expert Group on Net Zero Commitments. It found that TotalEnergies' claims were deliberately likely to mislead consumers, because the company continues to substantially increase its production and investment in oil and gas. This is incompatible with scientific advice aligned with the Paris Agreement, which calls for an immediate decline in fossil fuel production. [2]

6. The Court's key finding is set out below.

> "*… by referring in 2021, in its commercial communications, to the dual ambition of achieving carbon neutrality within the meaning of the Paris Agreement, and of being a major player in the energy transition, without specifying to consumers that it had its own scenario, the veracity of which is not for the court to assess, consisting in particular of making compatible with its ambition of carbon neutrality, the continuation of its investments in oil and gas, contrary to the recommendations of scientific studies aligned with the Paris Agreement,* ***the TotalEnergies group deliberately made an environmental claim likely to mislead consumers, by leading them to believe that by buying its products or services, they were participating in the emergence of a low-carbon economy****, by following the recommendations of the scientific community, based on the Paris Agreement*" (emphasis added).[3]

7. The Paris Judicial Court's judgment further confirms consumer law jurisprudence in other EU Member States.[4] For example, in a 2024 judgment regarding the airline KLM, the Amsterdam District Court found that: "*KLM has, according to this advertisement, committed itself to the goals of the Paris climate agreement. This can mean nothing other than that KLM has endorsed these objectives in the sense that it has aligned its own objectives with them*".[5] Following this judgment, the EU network of consumer authorities extracted commitments from 21 airlines to cease a variety of climate-related marketing statements deemed likely to mislead consumers. Authorities are now assessing the practices of the rest of the aviation sector operating in the EU.[6]

8. At the time of writing, it appears that a preliminary criminal investigation commenced by the Nanterre public prosecutor into consumer greenwashing by TotalEnergies continues.[7]

Climate change represents a major financial risk

9. As ESMA will be aware, climate change poses an existential risk to the global economy.

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[2] Paris Judicial Court Judgment, 23 October 2025, para. 130. Available here.

[3] *Ibid.*

[4] See, for example, German Court Bans Adidas' Climate Neutrality Advertising | Sustainability Magazine.

[5] Amsterdam District Court ruling, 20 March 2024, para. 4.32. Available here.

[6] Twenty-one European airlines agree to modify their practices regarding environmental claims.

[7] French prosecutors probe fossil fuel giant TotalEnergies over 'greenwashing' | Mediapart.

10. In 2022, the Intergovernmental Panel on Climate Change (the IPCC) found that: "*Our current 1.1°C warmer world is already affecting natural and human systems in Europe (very high confidence). Since AR5 [in 2014], there has been a substantial increase in detected or attributed impacts of climate change in Europe, including extreme events (high confidence).[…] Climate change has resulted in losses of and damages to people, ecosystems, food systems, infrastructure, energy and water availability, public health, and the economy (very high confidence).*"[8]

11. The EU Environment Agency has examined economic losses (and fatalities numbering in the hundreds of thousands) since 1990 from climate change. It found that "*Climate-related hazards, such as temperature extremes, heavy precipitation and droughts, pose risks to human health and ecosystems and can lead to substantial economic losses. These losses equally create pressures on public finances.*" Losses from climate-related impacts in Europe have increased steeply. "*The average annual (constant 2024 EUR prices) economic losses were around EUR 8.6 billion in 1980-1989, 14.9 billion in 1990-1999, 16.5 billion in 2000-2009, 19.7 billion in 2010-2019 and 44.9 billion for the period 2020-2024*".[9]

12. The European Central Bank has coined the phrase 'climateflation' to describe the effect on prices of climate-driven environmental degradation. For example, ECB researchers estimate that the 2022 European heatwave increased food inflation by 0.67 percentage points.[10] Other research points to climate disruptions to global supply chains, from Malaysian semiconductors to shipping on the Rhine.[11]

13. For the future, the EU Environment Agency's first climate risk assessment concluded that "*climate risks are accelerating and that cascading climate risks can lead to system-wide challenges affecting whole societies. Climate-related extreme events are expected to intensify further and the adaptation pace is not following the same speed […] Associated economic losses will likely continue to increase*."

14. In its assessment of European losses and damage, the IPCC details what this means.[12]

"*The number of deaths and people at risk of heat stress will increase two-to threefold at 3°C compared with 1.5°C [global warming level] (high confidence). Risk consequences will become severe more rapidly in Southern and Western Central Europe and urban areas (high confidence)*"

"Due to a combination of heat and drought, substantive agricultural production losses are projected for most European areas over the 21st century, which will not be offset by gains in Northern Europe (high confidence)"

"In Southern Europe, more than a third of the population will be exposed to water scarcity at 2°C [global warming level]; under 3°C [global warming level], this risk will double, and significant

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[8] Page 1819, Chapter 13, IPCC AR6 WGII Full Report, IPCC_AR6_WGII_Chapter13.pdf.

[9] Economic losses from weather- and climate-related extremes in Europe | Indicators | European Environment Agency (EEA) .

[10] The impact of global warming on inflation: averages, seasonality and extremes.

[11] Climate Change Is Disrupting the Global Supply Chain Too | WIRED.

[12] All quotes from Pages 1819-1820, Chapter 13, IPCC AR6 WGII Full Report, IPCC_AR6_WGII_Chapter13.pdf.

economic losses in water- and energy-dependent sectors may arise. For Western Central and Southern Europe, and for many cities, the risk of water scarcity will be strongly increasing under 3°C [global warming level]"

"Coastal flood damage is projected to increase at least tenfold by the end of the 21st century, and even more or earlier with current adaptation and mitigation (high confidence). Sea level rise represents an existential threat for coastal communities"

"European cities are hotspots for multiple risks of increasing temperatures and extreme heat, floods and droughts (high confidence). Warming beyond 2°C [global warming level] is projected to result in widespread impacts on infrastructure and businesses (high confidence)"

In general, "*the number of people exposed to [key risks] and economic losses are projected to at least double at 3°C [global warming level] compared with 1.5°C [global warming level]*".[13]

15. Europe is also indirectly exposed to the global impacts of climate change, because of European reliance on global supply chains and finance in a globalised economy. According to the IPCC, "*Flows of commodities and goods, as well as people, finance and innovation, can be driven or disrupted by distant climate change impacts on rural populations, transport networks and commodity speculation (high confidence). For example, Europe faces climate risks from outside the area due to global supply chain positioning and shared resources (high confidence)*". The foreseeable key risks are in particular in energy and food security, migration and financial stability.

16. These are the conclusions of scientific consensus.[14] Major fossil fuel producers have known about these impacts for decades. To take just one example, in 1980, the 'Climate Task Force' of the US American Petroleum Institute (a major oil and gas trade association) was presented with scientific warnings of climate change, including "*LIKELY IMPACTS: […] 2.5°C RISE (2038): MAJOR ECONOMIC CONSEQUENCES*".[15]

17. However, current economic models underestimate the financial impacts of climate change. Even with the limitations (and risk of under-estimation) of modelling, the financial impacts of 3°C of global average temperature rise have been forecast to cause more economic losses than *any* previous economic shock. Crucially, the impact is not temporary like the global financial crisis or COVID-19 pandemic, but compound and worsen indefinitely, because the profound change of our climate system is not a short-term 'blip'.[16] The chart below is based on modelling by the central banks' Network for Greening the Financial System (**NGFS**).[17]

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[13] Page 1820 Chapter 13, IPCC AR6 WGII Full Report, IPCC_AR6_WGII_Chapter13.pdf.

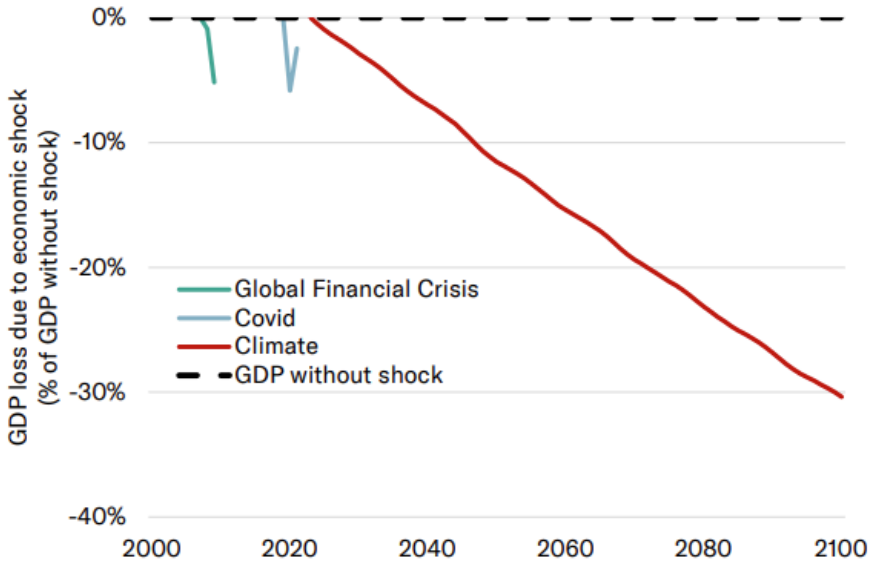
[14] The IPCC synthesises thousands of scientific papers to provide a summary of the causes, impacts and risks of climate change and how adaptation and mitigation can reduce those risks. After multiple stages of scientific expert and State review, formal acceptance of IPCC reports indicates that States accept that they represent a comprehensive, objective and balanced view of the subject matter. See IPCC, 'Factsheet: How does the IPCC approve reports?; IPCCFactSheet_ReviewProcess.pdf.

[15] AQ-9-Task-Force-Meeting-1980.pdf; see further information about historic knowledge and disinformation here: https://www.budget.senate.gov/imo/media/doc/fossil_fuel_report1.pdf.

[16] The chance of using carbon dioxide removal to lower warming levels are uncertain and entail major risks. IPCC AR6 Ch.4, page 354 "*CDR ramp-up rates and absolute deployment levels are tightly limited by techno-economic, social, political, institutional and sustainability constraints*".

[17] Taken from slide 29, eqnr_2025agm_investorbriefing.pdf; The NGFS scenarios are underpinned by a study (Kotz et al, 2024) which has been retracted for revision, as is common in the scientific process. In the revised version

Incomplete estimates of climate damages under current policies show a larger GDP impact than any 21st century economic event, but lasting effectively indefinitely



Climate impacts from NGFS data: adapted from NGFS V5 scenario dataset, 2024

18. Recent analyses have shown large climate economic impacts and highlighted the deficiencies of the economic models used in mainstream financial analysis. In a March 2025 study, Boston Consulting Group and the University of Cambridge underscore that impacts are widely underestimated: "*Economic models most likely underestimate economic damages on the aggregate, regional, and local levels. As a proof point, as methodologies have steadily improved, estimates for economic damages have been continuously revised upward... the earlier work of many economists estimated relatively modest GDP losses. More recent work estimated* ***significantly higher potential damages of up to 24%, while others put damages as high as 61% of global GDP in 2100***" (emphasis added).[18]

19. A Carbon Tracker Initiative and University of Exeter study which drew on expert judgment from more than 60 climate scientists presents the key conclusion: "***climate change introduces forms of risk that exceed the design assumptions of existing economic and financial frameworks****. The appropriate response is not to wait for perfect models, but to recalibrate governance toward precaution, robustness, and transparency, recognising that avoiding irreversible outcomes is ultimately less costly than attempting to price them after the fact*." The study highlights rising uncertainty at higher temperatures, particularly beyond 2C, the compounding risk and second-order effects of climate risk, which is cumulative, interactive and reinforcing, and the limits of economic modelling in assessing tipping points.[19]

20. It is worth highlighting further what models are struggling to capture. According to the Global Tipping Points report published by climate scientists in 2023, "***by far the biggest issue with the existing empirical evidence, predictions and models that try to estimate climate***

(which awaits peer review) the results have been slightly reduced. However, the core findings hold. See: *Nature study on economic damages from climate change revised — Potsdam Institute for Climate Impact Research*.

[18] Page 27, landing-the-economic-case-for-climate-action-with-decision-makers-wo-spine-mar-2025.pdf.

[19] Recalibrating Climate Risk - Carbon Tracker Initiative.

damage for the financial sector is that they do not account for Earth system tipping points *(Keen et al., 2022; Galaz et al., 2018)".*[20] Passing these tipping points (which are sea current collapse, ice sheet collapse, major forest dieback, permafrost thaw, etc.) involves unprecedented non-linear impacts such as the loss of the world's coastal regions, the total failure of the insurance market or the collapse of entire industries based on forests or fisheries. These would have profoundly negative global impacts on food and energy security, forced migration and conflict.[21] However, "*most existing economic assessments of climate tipping points have taken a narrow approach, focusing primarily on relating GDP to mean annual temperature effects while neglecting the broader systemic impacts (Keen, 2020).*"[22] However, scientific evidence shows that tipping points impacts are approaching.[23]

21. As well as tipping points, the authors of the recent attempts to produce headline estimates of climate damages point out that they are all likely to underestimate the real world impact, as modelling excludes (for example): climate induced migration, changes in extreme weather at higher temperatures, long-term sea level rise, damages from heatwaves and tropical cyclones, physical changes to water table and soil quality and impacts due to biodiversity loss.[24] Furthermore, they exclude cascading risks. Climate impacts do not stop at the point of physical damage. For example, an extreme heatwave and drought would cause agricultural yields to fall, driving food inflation, exacerbating social and political instability, leading to insurance coverage withdrawal or re-pricing and abrupt asset value re-pricing as 'remote' risks become unavoidable.

22. The British Institute and Faculty of Actuaries (**IFoA**) is blunt: "*global risk management is currently failing and blind to [climate and nature] systemic risk*".[25] As risk management professionals on which the pensions and insurance markets depend, the actuaries propose a set of "***realistic and effective risk management***" principles to improve assessments of climate risk and better inform decisions on risk reduction.[26]

23. The actuaries' risk management framework begins with the observation that "*[o]ur society and economy fundamentally depend on the Earth system which provides essentials such as food, water, energy and raw materials*".[27] They note that *"[c]limate change impacts are materialising at lower temperatures than estimated. The severity and frequency of extreme events are unprecedented and beyond model projections […] if unchecked, then mass mortality,*

[20] Page 201, https://report-2023.global-tipping-points.org/download/4608.

[21] See for example Table 2.4.4 at page 150 and pages 151-157, Full Report, Global Tipping Points | understanding risks & their potential impact.

[22] Page 153, https://global-tipping-points.org/download/1418.

[23] "*I now am increasingly worried that we may well pass that Amoc shutdown tipping point, where it becomes inevitable, in the middle of this century, which is quite close*" Critical Atlantic current significantly more likely to collapse than thought | Oceans | The Guardian.

[24] Climate damage projections beyond annual temperature | Nature Climate Change; The economic commitment of climate change; Global non-linear effect of temperature on economic production | Nature.

[25] Page 7, planetary-solvency-finding-our-balance-with-nature.pdf.

[26] "*A risk management approach, although informed by science and data, is different to a scientific approach. […] A risk management approach instead requires that, even where evidence is not available, we should explore plausible outcomes and take steps to manage the risk, especially if the outcomes have the potential to be severe. We apply expert judgement to estimate the likelihood and severity, revising our estimates as more evidence becomes available*." Pages 4, 16, planetary-solvency-finding-our-balance-with-nature.pdf

[27] Page 3, planetary-solvency-finding-our-balance-with-nature.pdf.

involuntary mass migration, severe economic contraction and conflict become more likely. Severe societal upheaval could spread from vulnerable regions through our globalised socio-economic systems, driving responses such as food or water hoarding, acting as feedback loops to worsen social, economic, and political challenges".[28] The IFoA has also given an indication of the magnitude of the consequent economic risk, finding in a 2025 report that "*[t]he global economy could face a 50% loss in GDP between 2070 and 2090 unless immediate policy action on risks posed by the climate crisis is taken*".[29]

Climate change poses a major risk for investors

24. Climate change is direct and material financial risk to investments. Investors face unprecedented diminution in the value of their holdings from the increasing impacts of climate change.

25. Investors are faced not only with the question 'what is the most likely future climate outcome', but also with the question 'what happens if the foreseeable tail risks (higher impact, lower probability events) materialise'. The actuaries' IFoA risk assessment looks at various plausible future scenarios ("*catastrophic or extreme impacts are eminently plausible*").[30] The "*Decimation*" scenario is where global warming is limited to 2°C, with several climate tipping points triggered. It risks "*[s]evere socio-political fragmentation in regions exposed to climate and/or nature impacts. Failure of vulnerable states and mass mortality events in impacted areas*", "*800 million deaths*", "*>$10 trillion annual losses*" and *">10%*" GDP losses. Higher levels of warming are rated "*catastrophic*" and "*extreme*", with risk of much greater financial and non-financial impacts.[31]

26. Notwithstanding the limitations of economic models, research is already available showing the implications for the value of securities.

27. According to the leading French business school, the Ecole Des Hautes études Commerciales (EDHEC), "*The **difference in equity valuations** between a no climate-damage world and a world with climate damages can be significant, ranging from less than 10% if prompt and robust abatement action is taken, rising to more than 40% in a close-to-no-action case. In the presence of climate tipping points, **this range widens from less than 10% for robust abatement to more than 50% in the case of very low emission abatement***".[32]

28. Analytics and risk management firm Ortec Finance analysed the investment portfolios of 30 large UK pension schemes for exposure to climate risk. They estimated that real estate and equity portfolio returns could decline from 30% to 63% depending on levels of warming.[33]

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[28] 'Critical Observations' Pages 3-4, 7, planetary-solvency-finding-our-balance-with-nature.pdf.

[29] See Current climate policies risk catastrophic societal and economic impacts, where the main conclusion is summarised.

[30] Page 3, planetary-solvency-finding-our-balance-with-nature.pdf.

[31] Page 32, planetary-solvency-finding-our-balance-with-nature.pdf.

[32] How Does Climate Risk Affect Global Equity Valuations? A Novel Approach | EDHEC Climate Institute and see page 26, 4962416.pdf.

[33] How climate change will impact pension portfolios | News | Pensions Expert.

29. The levels of loss projected by investors themselves are rising steadily upwards, even where they do not measure the systemic nature of climate risk and fail to take account of tipping points. In 2024, the world's largest asset manager, Norges Bank Investment Management (NBIM) (AUM: c. $2.2 trillion), modelled that "***the present value of average expected losses from physical climate risk on our US equity investments under a Current Policy scenario is 19%***" (emphasis added).[34] This scenario assesses current global policies, assuming no additional climate action taken, meaning warming of 3°C by 2100.

30. NBIM warn that even this modelling is likely to "*underestimate physical climate risk, as the damage functions fail to capture the losses associated with the systemic impacts of climate change*".[35] The NGFS has also acknowledged that its scenarios "*do not claim to capture the exhaustive impact of climate change (e.g. the impact of tipping points)*", and warned financial institutions to exercise caution when using the scenarios in light of the high uncertainty surrounding its projections.[36]

31. Across these evolving models, scientific conclusions and risk assessments it is clear that climate change will cause significant investment value destruction, with risks heightened by uncertainties in the transmission of global heating to financial losses. Physical shocks trigger economic stress, which in turn drives financial instability, but these effects are underestimated.

32. How much value destruction will occur depends on the extent of global heating. In turn, this largely depends on fossil fuels.

Fossil fuels are the primary cause of climate-related value destruction

33. Fossil fuels are the primary cause of climate change.[37] It is therefore the extent of future production of fossil fuels which is the primary driver of the expected diminution in investor portfolios.[38] Conversely, as the IPCC states, "*Limiting warming requires shifting energy investments away from fossil fuels and towards low-carbon technologies (high confidence).*"[39]

34. Scientists have quantified what existing fossil fuel extraction and use infrastructure will do to temperature rise. This is shown in the below diagram from the United Nations Environment Programme's 2025 Emissions Gap Report.

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[34] NBIM's 2026 discussion paper gives more detail on this estimate, varying from 8% to 19% depending on the scenario. Page 15, gpfg_economic-impacts-and-pricing-of-climate-risk.pdf.

[35] NBIM, p. 28, Climate and nature disclosures 2024.

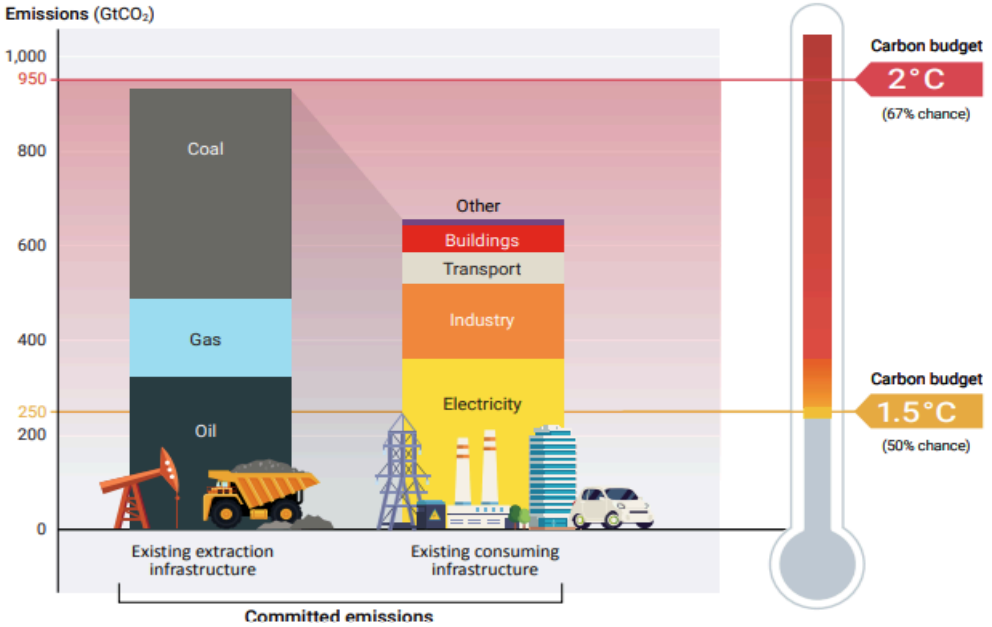
[36] See p. 28 of ngfs_scenarios_main_presentation.pdf.

[37] The primary cause of climate change is greenhouse gas ("**GHG**") emissions from the extraction and combustion of fossil fuels, which account for over 75% of global GHG emissions and nearly 90% of all emissions of carbon dioxide ("**CO2**"): United Nations, "Causes and Effects of Climate Change", accessible here. Combustion is an inevitable consequence of production, as found by (among others) the UK Supreme Court: "*It is […] agreed that it is not merely likely, but inevitable, that the oil extracted will be sent to refineries and that the refined oil will eventually undergo combustion, which will produce GHG emissions*" *R (on the application of Finch on behalf of the Weald Action Group) v Surrey County Council and others* [2024] UKSC 20 at [7].

[38] IPCC AR6 WG3, Technical Summary, page 59, Fig. TS.2 and TS.3 IPCC_AR6_WGIII_TechnicalSummary.pdf.

[39] IPCC AR6 WG3, Technical Summary, page 85, IPCC_AR6_WGIII_TechnicalSummary.pdf.

Figure ES.5 Committed CO_2 emissions from existing fossil fuel infrastructure, compared with carbon budgets reflecting the long-term temperature goal of the Paris Agreement



35. On the left-hand side, the diagram shows the CO2 emissions which would result from the operating lifetimes of existing and under-construction coal, oil and gas extraction infrastructure (the 'committed emissions').[40] The right-hand side shows the committed emissions from existing power, transport, industrial and buildings infrastructure which consumes fossil fuels.[41]

36. The diagram shows that the emissions from fossil fuel extraction projects already take the world far past a fair (50%) chance of 1.5°C and even lock in a high probability (67% chance) of global heating of 2°C. This is whilst the harms and impacts on investor value are becoming increasingly significant up to and over 2°C.

37. 2°C of average global temperature rise implies far greater impacts than suffered so far. However, the diagram demonstrates that *expanding* the production of fossil fuels beyond even these committed emissions will likely push global temperatures *above* 2°C, with even greater consequences for financial stability and investor portfolios.[42]

38. The cause of this systemic value destruction is highly and disproportionately concentrated in a very small number of fossil fuel-linked entities, the so-called 'Carbon Majors'. Historically, over half of global CO2 emissions from 1750 to 2024 can be attributed to just 81 companies. Listed companies account for about a third of these emissions.[43] In 2024, over half of fossil CO2 emissions can be traced to just 32 companies, many of which are investor owned. [44] By virtue of their outsized role in shaping our climate, these are systemically important companies.

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[40] The full analysis is here: (PDF) Existing fossil fuel extraction would warm the world beyond 1.5 °C.

[41] Page 23 (XXIII), content.

[42] Page 23 (XXIII), content.

[43] InfluenceMap The Carbon Majors Database: Launch Report.

[44] InfluenceMap The Carbon Majors Database: Launch Report.

39. One of these climate systemic companies is TotalEnergies SE, whose greenhouse gas emissions represent a substantial share of global emissions. Taking into account Scopes 1, 2 and 3[45], the Group's emissions amount to approximately 1% of annual global GHG emissions in 2025.[46] This is roughly equivalent to the territorial emissions of a country such as France[47] (over 14 million companies are incorporated in France),[48] but from a single corporate actor. The company is among the world's largest corporate emitters, far exceeding the footprint of an average listed company. Even when limited to Scopes 1 and 2, the company itself acknowledges emissions representing approximately 0.1% of global GHG emissions.[49]

40. As such, TotalEnergies SE can be said to have contributed to 1% of the impacts, environmental, human and economic, which are resulting and will result from 2025's GHG emissions. This includes the impacts on investor value described above.

41. The company's high emissions come from its overwhelmingly fossil-based energy mix. In 2025, oil and gas accounted for approximately 92% of TotalEnergies energy production (50% oil and 42% gas). The remaining 8% is electricity, which itself includes power generated from fossil gas-fired power generation as well as renewable energy.[50]

42. TotalEnergies plans to continue its high emissions activities. The company continues to allocate the vast majority of its capital expenditure to oil and gas activities (around 80%[51]), including 37% directed toward new fossil fuel projects. The remainder is allocated to its power segment, which includes fossil gas power generation.[52]

43. In fact, TotalEnergies plans to increase its hydrocarbon production by approximately 3% per year over the period 2026-2030 [53], alongside an overall increase in energy production of around 4% per year.[54] As a result, fossil fuels are expected to continue to represent between 80% and 90% of the company's energy production by 2030.[55] This is despite findings by the International

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[45] Pages 108 and 109, *Sustainability & Climate 2026 Progress Report* : 368 Mt CO_2e (excluding Scope 3 emissions other than Category 11), of which 33 Mt CO_2e relates to Scopes 1 and 2 within the operated perimeter, and 335 Mt CO_2e relates to Scope 3, Category 11. According to the sustainability reporting prepared under the CSRD, total location-based GHG emissions amount to 380 MtCO_2e : see Page 350, TotalEnergies URD 2025.

[46] According to the Global Carbon Budget 2025, global emissions are estimated at 38.1 GtCO2e.

[47] Citepa, *Baromètre des émissions mensuelles*: the initial estimate of greenhouse gas (GHG) emissions in France for 2024 is 366 Mt CO_2e.

[48] Companies in France | Top 100 List available - CompanyData.

[49] Page 313, TotalEnergies URD 2025.

[50] See p. 119, glossary: "*as well as the gas-fired power stations in the Integrated Power sector…*" p. 49: "*In the combined cycle gas turbine (CCGT) power stations in the Integrated Power sector…*" TotalEnergies, *Databook 2024*, in *Sustainability & Climate 2026 Progress Report.*

[51] Page 335, TotalEnergies URD 2025.

[52] Pages 51 and 335, TotalEnergies URD 2025.

[53] Pages 174 and 303, TotalEnergies URD 2025.

[54] Ibid. pp. 15, 17, and 304.

[55] Ibid, pp. 16, 174, and 303.

Energy Agency and IPCC demonstrating that such a production trajectory is not necessary to serve the world's energy needs.[56]

44. The concentration of emissions from TotalEnergies SE's high-carbon activities is not an isolated example. As the below selection shows, a small number of the highest emitting companies listed on EU exchanges account for a disproportionate and significant part of global CO2 emissions.

LISTED COMPANY	**REPORTED GHG EMISSIONS**
TotalEnergies SE (Euronext Paris)	380 MTCO2e[57]
Eni S.p.A. (Borsa Italiana)	370 MtCO2e[58]
Equinor ASA (Oslo Børs)	296 MtCO2e[59]
Repsol S.A. (Madrid Stock Exchange)	204 MTCO2e[60]
RWE AG (XETRA / Frankfurt)	72 MtCO2e[61]
Heidelberg Materials AG (Frankfurt Stock Exchange)	91 MtCO2e[62]
Holcim Ltd (SIX Swiss Exchange)	92 MtCO2e[63]
PGE (Warsaw Stock Exchange)	85 MtCO2e[64] in 2023
TOTAL:	**1,590 MtCO2e**

45. The future actions of these highly emitting companies listed in Europe exert a material influence on how much climate-related value-destruction to investor capital will occur. It is important to highlight that high-emitting companies' decisions affect entire portfolio risk. The impact is much

[56] Climate Change 2022: Mitigation of Climate Change, World Energy Outlook 2025 – Analysis - IEA.

[57] Rounded to the nearest MTCO2e, "*Total GHG emissions (location-based)*", Page 350, TotalEnergies URD 2025.

[58] Rounded to the nearest MTCO2e, "*Net GHG Lifecycle Emissions (Scope 1+2+3)*", Page 167, ENI Annual Report 2025.

[59] Rounded to the nearest MTCO2e, "*Total GHG emissions (location-based)*" Page 113, Equinor Annual Report 2025.

[60] Rounded to the nearest MTCO2e,"*Total absolute value of greenhouse gas emissions (location based)*" Page 120, Repsol consolidated management report 2025.

[61] Rounded to the nearest MTCO2e, "*Total GHG emissions (location-based)*" Page 114, RWE Annual Report 2025.

[62] Rounded to the nearest MTCO2e, "*Total GHG emissions (location-based)"*, Page 121, Heidelberg Materials Annual and Sustainability Report 2025.

[63] Rounded to the nearest MTCO2e, "*Absolute emissions (Scope 1, 2 & 3) (location-based)*" Page 86, Holcim Sustainability Statement 2025.

[64] Rounded to the nearest MTCO2e, 2023 numbers. "*Total scope 1 + scope 2 + scope 3 Location-based*" PGE Group's carbon footprint - PGE Integrated Report 2023.

more than high-emitting companies' own value, as through climate change they will impact broader equity portfolios, and the financial system is much larger than the oil and gas sector.

46. It is therefore critically important to ensure investors protected from any misleading information regarding the actions and plans of such companies.

47. Whilst this letter does not allege that misleading information has been disseminated to investors from all the above companies, there are examples of potentially misleading information, explained further below.

Misleading information by high-emitting companies distorts investor decision-making and threatens market integrity

48. Investors and supervisory institutions alike need high integrity information on climate risks. According to the European Central Bank's opinion on corporate climate disclosure rules, "*[p]hysical and transition risks related to the climate and nature crises have profound implications for both price and financial stability because of their impacts on the structure and cyclical dynamics of the economy and the financial system. High-quality sustainability reporting by companies is essential for effectively monitoring economic impacts and financial risks arising from climate-related and nature-related factors at both the systemic and individual company and bank levels*."[65]

49. It is investors, through their trading decisions and the exercise of shareholder rights, who influence company decisions. High-integrity information about the activities of high emitting companies, and in particular about the compatibility of their activities with the transition to a low carbon, and less value destructive economy, is clearly material to investor decision-making and is a constant theme of investor engagement with high-emitting companies. This is particularly important given that traditional risk management strategies of diversification are not capable of adequately mitigating systemic climate losses, because they affect the entire economy and financial systems across the world.

50. Some asset owners are cutting ties with fossil fuel expansion companies,[66] groups of investors seek to act to manage climate risks to their portfolios,[67] and fossil fuel companies frequently focus on their purported climate credentials when engaging with investors.[68] In BP plc's 2026 AGM, 50% of the shareholders demonstrated they needed transparency on the company's climate compatibility, when they refused the Board's proposal to roll back climate-related shareholder resolutions which required climate disclosures.[69] For many years, large coalitions of investors have formed specifically to engage with high-emitting listed companies on their plans and have repeatedly emphasized the weight they attribute to climate-related corporate information.[70]

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[65] Page 4, ECB staff opinion on the revised European Sustainability Reporting Standards (ESRS).

[66] AP7 excludes BP, Woodside, Chevron and TotalEnergies over Paris alignment concerns | Netzeroinvestor.

[67] IIGCC publishes Net Zero Standard for Oil & Gas.

[68] Af2i opens a direct dialogue with the big names of the CAC 40, starting with TotalEnergies - L'Agefi; and another article available here.

[69] Oil giant BP suffers shareholder revolt over climate transparency at tense AGM

[70] For example, the investor-led Climate Action 100+ initiative, which coordinates action to ensure the world's largest corporate greenhouse gas emitters take necessary action on climate change has over 600 members over

51. In September 2025, a group of institutional investors (including, Sarasin & Partners, Robeco, Brunel Pension Partnership, West Yorkshire Pension Fund, Railpen, KBI and Rathbones) representing $1.3 trillion in assets wrote to the Financial Supervisory Authority of Norway requesting an examination of the statements which another Carbon Major, Equinor ASA, made to the market. According to the investors,

"*As long-term investors, we view oil and gas companies' climate-related disclosures to be material to our decision-making […]*

….] a growing number of investors depend on the veracity of company climate claims in fulfilling their own climate commitments for clients. An important aspect of this is commitments to help mitigate systemic risk (i.e. the risk that accelerating climate change could lower system wide prosperity and destroy value across portfolios) that comes from continued investment into carbon-intensive activities that are not consistent with the Paris goals.

For example, investors representing $57.5 trillion in assets made commitments to align their investment activity with a 1.5°C trajectory as signatories to the Net Zero Asset Managers' Initiative as of the end of December 2024. The investors rely on the information provided by investee companies on their adherence to this goal. Depending on the investor, this information could impact their investment, engagement and/or voting activities."[71]

52. The investors alleged that Equinor ASA's statements that its strategy was supportive of the Paris Climate Agreement goals, and specifically a 1.5°C pathway, are "*potentially misleading*" and give a "*sense of false comfort*".[72] A 1.5°C pathway implies a lesser impact on asset values and investor value than a higher emissions pathway. The letter highlights the materiality of reliable climate and transition related information to investors, who are subject to their own legal duties in relation to systemic climate risk, and have accordingly made their own climate commitments to their clients.

53. The institutional investors' letter echoes certain findings of the Paris Judicial Court regarding consumer-facing statements made by TotalEnergies SE. Certain statements made by TotalEnergies to investors appear similar to some of the statements which the Paris Judicial Court considered "*deliberately […] likely to mislead*" consumers by the Paris Judicial court.

"*TotalEnergies supports the objectives of the Paris Agreement and is deploying a strategy to meet the needs of both development and energy transition: more energy and less emissions*."[73]

"*Our ambition of carbon neutrality by 2050, together with society […] The energy transition requires the participation of all stakeholders, from regulators to end customers, and industrial players. TotalEnergies is deploying a strategy that supports this collective transition*" [74]

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30 markets: Investors | Climate Action 100+. The Institutional Investors Group on Climate Change, which has over 400 members from 20 countries (Our members), has advocated for many years on the relevance of climate-related risk and opportunities for investors. See, for example the November 2010 Global Investor Statement on Climate Change: Reducing Risks, Seizing Opportunities & Closing the Climate Investment Gap, available here.

[71] Investor-letter-to-FSA-on-Equinor-Sept-2025-FINAL.pdf

[72] Investor-letter-to-FSA-on-Equinor-Sept-2025-FINAL.pdf; 'Sense of false comfort': Investors ask watchdog to probe Equinor's Paris-alignment statements

[73] Page 16, *Sustainability & Climate 2026 Progress Report*; Page 14,TotalEnergies URD 2025

[74] Pages 16, 174, and 302, TotalEnergies URD 2025.

"*How TotalEnergies' 2030 objectives compare to the IEA Scenarios*

Reducing GHG emissions at the operated facilities (Scope 1+2) is key to TotalEnergies' ambition to supply more energy while curbing GHG emissions. The objective of cutting net Scope 1+2 emissions from our operated activities by 40% is consistent with the reduction targets of the European Union's "Fit-for-55" program (a 37% decrease between 2015 and 2030) and the IEA's 2024 Net Zero Emissions (NZE) scenario (a 28% decrease between 2015 and 2030). The targets for lowering the lifecycle carbon intensity(1) of energy products sold (a 17% reduction by 2025 and a 25% reduction by 2030) put the Company on a trajectory close to the Announced Pledges Scenario (APS) in the IEA's World Energy Outlook 2024, which assumes that the States parties to the Paris Agreement fulfill all their net zero objectives."[75]

54. The enclosed letter to the French Autorité des Marchés Financiers (AMF) of today's date sets out more analysis of TotalEnergies' statements to investors (see the section titled "*Possibles déclarations trompeuses de TotalEnergies à l'égard des investisseurs*"), both regarding the compatibility of its strategy with the Paris Agreement goal / net zero by 2050 and regarding its fossil gas business.

55. Multiple reports and alerts have been submitted to the AMF over time regarding the climate-related disclosures of TotalEnergies SE. To our knowledge, three separate notifications or alerts have been raised since 2020 by different stakeholders, including (i) a formal submission addressed in March 2020 by Notre Affaire à Tous and Sherpa, raising concerns about omissions, inconsistencies and potentially misleading statements in the company's public disclosures,[76] (ii) concerns publicly raised by Greenpeace in 2022 regarding the accuracy of the company's carbon footprint and the credibility of its net zero 2050 commitments,[77] and (iii) a further alert submitted in November 2023 by a group of shareholders regarding, in particular, the treatment of climate-related financial risks[78].

56. These successive alerts have repeatedly centred on the adequacy and reliability of TotalEnergies' climate-related disclosures.[79] Alongside this, the Court proceedings referred to above resulted in a judgment of the Paris Judicial Court dated 23 October 2025 finding that core climate-related claims made by the company were misleading. These reports, alerts and the Court judgment do not appear to have resulted in any supervisory or enforcement action by the AMF.

57. High-emitting company misstatements to the market carry a clear potential to mislead investors about the material impacts which the highest emitting companies, and fossil fuel expansion generally, will inflict on investor portfolios. They impede the ability of investors to assess the preparedness and resilience of high emitting companies to scenarios that accelerate transition,

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[75] Page 26, TotalEnergies URD 2025.

[76] https://notreaffaireatous.org/signalement-de-total-aupres-de-lautorite-des-marches-financiers.

[77] https://www.greenpeace.fr/espace-presse/rapport-bilan-carbone-de-totalenergies-le-compte-ny-est-pas-la-major-serait-responsable-de-pres-de-quatre-fois-plus-demissions-de-gaz-a-effet-de-serre-que-ce-quelle-dec.

[78] https://www.aefinfo.fr/depeche/703024-totalenergies-de-nouveau-dans-le-viseur-dactionnaires-et-dong.

[79] https://actionnairespourleclimat.org/index.php/2023/07/06/engagement-actionnarial-lassignation-de-totalenergies-par-le-groupement-dactionnaires-metamorphose.

and the risk of impairments fossil assets that cannot be economically exploited if the world transitions away from fossil fuels. However, as explained in this letter, TotalEnergies' statements also risk misleading investors about the much wider impact high emitting companies are expected to have on asset values, liabilities, and financial and business assumptions across investor portfolios. On both fronts, this undermines market integrity and informed investor decision-making.

European enforcement and supervision is lacking

58. The dissemination by high-emitting issuers of climate-related information that gives, or is likely to give, false or misleading signals as to their situation or prospects may constitute market manipulation and raise questions as to compliance with the obligation to disclose inside information promptly and in full. Yet, despite the presence of potentially misleading statements to investors on information material to investor value, there is to our knowledge no effective securities supervisory activity, and no securities regulatory enforcement, in the EU regarding these issues.

59. The Australian securities regulator has carried out a series of enforcement actions *relating to climate-related market disclosures*: "*we have secured 23 corrective disclosure outcomes, issued 12 infringement notices, and commenced our first civil penalty proceedings*".[80] The UK Financial Conduct Authority has commenced an investigation into a listed company for greenwashing in investor-facing statements.[81]

60. As explained above, there is intensifying judicial and regulatory enforcement in the consumer space. But European investors remain unprotected from the risk of climate-related misleading information disclosed by the highest emitting companies, despite the systemic climate-related risk these companies pose to their investments.

61. ESMA's June 2024 report on greenwashing concluded that National Competent Authorities supervise the climate-related aspects of the company's annual reporting package and can act under existing EU rules prohibiting misleading information, but that action on greenwashing occurrences – and in particular enforcement – has been very limited. [82] ESMA also noted that issuer "*net-zero commitments and so-called "transition plans") appeared to be particularly exposed to greenwashing risk*", one of the high-risk areas for greenwashing which "*warrant[s] specific attention in the issuers sector*".[83]

62. Fossil fuel expansion, perpetrated by a small number of systemically important listed companies, will cause significant harm to investor value and financial stability. The dissemination of information to the market by issuers which risks a false or misleading impression on these crucial issues should be an enforcement priority for supervisory authorities, not least because it has knock-on effects throughout the sustainable investment value chain

63. In its 2024 report, ESMA stated that it will take various actions to support effective sustainability-related supervision of issuers. This includes establishing converged supervisory

[80] ASIC Chair's AFR ESG Summit speech | ASIC.

[81] Investigation into Drax Group | FCA.

[82] Pages 24-25, para. 83, report available here.

[83] *Ibid.*, page 30, para. 105.

practices, listing high-risk areas in the annual identification of European Common Enforcement Priorities and drawing on the European Environment Agency for support.[84] ESMA also publishes thematic notes for the attention of market participants.

64. We welcome ESMA's commitment to improve sustainability-related supervision. We call on ESMA to use its powers to encourage National Competent Authorities to take effective action against high-emitting issuer climate-related greenwashing.

65. Our organisations are available to provide any additional information or to discuss this letter further. Please address any response to jwhite@clientearth.org in the first instance.

Yours sincerely,

Friends of the Earth France (*Amis de la Terre*)

Laura Thieblemont

Co-president

Marie Cohuet

Co-president

Notre Affaire à Tous

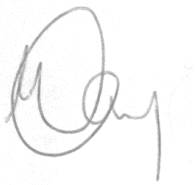
Jérémie Suissa

Director

ClientEarth

Megan Clay

Head, Finance & Economic System



[84] *Ibid.*, page 37, para. 135.