FRENCH CLIMATE LITIGATION

Case Name	Introductory date	Jurisdiction	Status	Defendant	Basis	Problematic	Contribution	Link to a comment
Association vents rageurs du Gâtinais v. France et Parc éolien des Ailes du Gâtinais	2026-09-24	Versailles Administrative Court of Appeal	**Pending**	State and Corporation	Protected species/ Wind-farm	Did the presence of protected bat and bird species make a protected-species derogation necessary despite the project's avoidance, reduction, curtailment and monitoring measures?	The Court confirmed that the existence of protected species does not automatically require a derogation. The assessment must focus on the residual risk after taking into account effective and specifically calibrated avoidance and reduction measures. Here, those measures reduced the risk below the threshold of a sufficiently characterised risk.	https://www.green-law-avocat.fr/eoliennes-et-especes-protegees-lefficacite-des-mesures-erc-ecarte-la-derogation/
EcoDDS, SEB France, Plastalliance	2025-10-28	French State Council	French State Council, September 25, 2026	State	Recycled plastic incorporation / Extended Producer Responsibility	Can the French government lawfully introduce financial incentives encouraging the incorporation of recycled plastics into products under the Extended Producer Responsibility scheme, and under what conditions must such measures comply with public participation requirements and EU environmental law?	While validating the government's strategy of financially rewarding the incorporation of recycled plastics, the French State of Council reaffirmed that environmental regulations must respect procedural guarantees. A significant modification to a draft environmental measure requires renewed public consultation where the amendment alters the substance of the original proposal	
Association les amis de la terre France et autres	2025-04-25	Council of the State	CE, 25 avril 2025, n°428409, Publié au recueil Lebon	State	Ambient air quality	Does the French State have any obligations to improve air quality in the cities of Paris and Lyon, and can it be forced to take action or face sanctions?	This concerned the State's compliance with targets for reducing atmospheric concentrations of nitrogen dioxide in the cities of Paris and Lyon at levels complying with Article R221-1 of the Environment Code. The State had been ordered to take measures by the Conseil d'Etat in a decision dated 12 July 2017, all under penalty, by a decision dated 10 July 2020. In this 2025 ruling, the Conseil d'Etat recognised that the French government had taken measures to improve air quality, so that nitrogen dioxide concentration levels would be reached in the near future. The judgment of 12 July 2017 is recognised as executed.	https://consultation.avocat.fr/blog/laurent-gimalac/article-2972005-la-decision-du-conseil-d-etat-du-25-avril-2025--une-treve-judiciaire-dans-la-quete-d-un-air-pur.html
Parc éolien du Chemin Perdu v. France	2024-12-13	Council of the State	**Pending**	State	Visual saturation from wind farms	Could refused wind-farm projects be taken into account when assessing the visual saturation caused?	The Council of State clarifies the practical method for assessing visual saturation in wind-farm projects: (i) the assessment must consider the cumulative encirclement effect, the local landscape, and the impact on occupation and breathing angles, (ii) only existing, authorized or concurrently examined projects likely to be authorized may be taken into account; projects already refused,	https://www.green-law-avocat.fr/leffet-eolien-de-la-saturation-visuelle-une-construction-juridictionnelle-toujours-en-chantier/
Oxam France, Notre Affaires à Tous, Fondation de la Nature et pour l'Homme, Greenpeace France v, France	2024-12-13	Council of the State	**Pending**	State	Climate damage/GHG emissions reduction	Can the French State be condemned by the administrative courts for failing to meet its obligations in the fight against climate crisis and be enjoined by the courts to take the necessary measures to reduce GHG into the atmosphere to a level compatible with the objective of containing the rise in average global temperature to below 1.5 degrees Celsius?	An appeal has been lodged against a judgment ordering (i) the payment of a sum of one euro in compensation for each of the moral and ecological damages, and (ii) an order that the French State cease or mitigate the effects of all breaches of its obligations to combat climate change. The Paris court's judgments in this case were subject to appeal, and we are referring them back to the Paris Court of Appeal.	https://www.dalloz-actualite.fr/flash/fumee-verte-renvoi-de-l-affaire-du-siecle-devant-cour-administrative-d-appel-de-paris
Eolise, Energies renouvelable association, Seider and Enolya v. France	2024-11-6	Council of the State	Council of the State, November 6th, 2024, n°471039	State	Renewable energy	Are the objectives set by the Article L100-4 (reducing greenhouse gases and developing renewable energies) binding on public authorities ?	The Council of the Statet pointed out that the objectives set by Article L. 100-4 (reducing greenhouse gases and developing renewable energies) of the French Energy Code are important for guiding public policy, but that they have no direct normative scope and cannot form the basis of a binding legal obligation for public	https://www.dalloz-actualite.fr/flash/energies-renouvelables-nouveau-type-de-contentieux-climatique
European Gas Limited v. France	2024-07-24	Council of the State	**Pending**	State	Climate damage/ Hydrocarbon exploration	Could the administration lawfully refuse an exclusive hydrocarbon exploration permit on the ground that the project was incompatible with France's climate and energy-policy objectives?	The Council of State held that limiting global warming by reducing GHG emissions and fossil-fuel consumption is a public interest ground directly related to the purpose of a hydrocarbon exploration permit. The administration may therefore refuse such a permit on that basis, even if the applicant satisfies the technical and financial requirement	Lefebvre Dalloz Archives des CE 24 juillet 2024 req. n°471780 et 471782 - Green Law Avocat
Commune de Val-de-Reuil v. France	2024-07-12	Council of the State	**Pending**	State	Climate impact of public infrastructure	Could increased CO2 emissions, land consumption and financial changes justify repealing the public-utility declaration for a highway?	An infrastructure project does not lose its public-utility status merely because it increases CO2 emissions or faces financial and environmental criticism.	https://www.gossement-avocats.com/blog/l-affaire-du-siecle-n-a-pas-d-incidence-sur-les-autres-affaires-conseil-d-etat/
TotalEnergiesSE	2024-06-18	Paris Court of Appeals	CA Paris, June 18th, 2024, n° 23-14358 French Court of cassation April 17th 2025 n° 24-20.137 (withdrawal of appeal)	Corporations	Duty of vigilance/Plan of vigilance	What are the conditions under which a party can take action against a company that has breached its duty of care with regard to climate change ?	In the specific context of climate litigation, the plaintiff must prove his interest in bringing an action - This is the Court's first climate case against a private company in France - regardless of the global nature of climate change, claimants must demonstrate a "local public interest", i.e. a particular impact or repercussions of global warming on their territory. Otherwise, they cannot claim to be a "climate victim"	https://www.dalloz-actualite.fr/flash/devoir-de-vigilance-decryptage-des-premieres-decisions-de-chambre-5-12-de-cour-d-appel-de-pari

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Ferme éolienne de Plaine Argenson v. Préfète des Deux-Sèvres	2024-06-12	Bordeaux Administrative Court of Appeal	Bordeaux Administrative Court of Appeal, September 22, 2026	State	Wind Energy Development	Can a local urban planning document lawfully impose a general prohibition on the installation of large wind turbines throughout its territory on the grounds of landscape protection and local opposition, or does such a restriction disproportionately undermine national renewable energy objectives?	The Bordeaux Administrative Court of Appeal held that a general and absolute ban on new wind turbines exceeding 50 metres in height, as provided for by the Niort intermunicipal urban development plan (PLUi-D), was unlawful. The court found that the restriction was insufficiently justified by landscape and environmental concerns and failed to strike a proper balance between the objectives set out in Article L. 101-2 of the Urban Planning Code, particularly those relating to the development of renewable energy. The court also clarified that the absence of local consensus among elected officials or residents cannot, in itself, constitute a lawful ground for refusing an environmental permit.	https://www.lexis360intelligence.fr/document/KC_NEWS-2040852_0KVW?doc_type=actualites&q=environnement&typeDoc=Actualit%C3%A9s&sort=document_date&from=0&to=1794152069273&source=history&numero=2
Concession de Bleue Lorraine	2023-12-19	Council of the State	Council of the state, December 16, 2025, n°490266	Corporations and State	Mining Exploitation	To what extent may environmental risks justify the refusal or annulment of a mining concession despite the economic benefits associated with the project?	The French State Council held that a mining concession can not be granted where the applicant has not proven its capacity to operate safely, particularly when exploration failures have endangered groundwater in a sensitive subsoil. The decree granting the « Bleue Lorraine » concession was accordingly annuled.	https://www.conseil-etat.fr/fr/arianeweb/CE/decision/2025-12-16/490266
Commune de Grande-Synthe, Ville de Paris, Notre Affaire à tous, Oxfam France, Fondation pour la nature et l'homme, Greenpeace France v. France	2023-05-10	Council of the State	Council of the State, October 24th, 2025, n° 467982	State	GHG emission reduction	Did the measures adopted by the State sufficiently implement the Council of State's previous climate rulings and make the 2030 emissions-reduction target reasonably achievable?	The Council of State confirms a dynamic and forward-looking assessment of climate-policy implementation. It held that the target was reasonably achievable and therefore refused further injunctions or penalties.	https://www.dalloz-actualite.fr/flash/conseil-d-etat-reforme-un-chapitre-historique-du-contentieux-climatique
Comissão Pastoral da Terra and Notre Affaire à Tous v. BNP Paribas	2023-02-27	Paris Judiciary Tribunal	**Pending**	Corporations	Duty of vigilance/Natural resource extraction	Whether BNP Paribas' plan is adequate to prevent the violation of human rights and the deforestation.	The complainant accuses BNP Paribas of being responsible for the deforestation of the Amazon and violations of human rights.	Nouvelle plainte contre BNP Paribas, accusée de financer la déforestation au Brésil (lefigaro.fr) https://climatecasechart.com/non-us-case/comissa%cc%83o-pastoral-da-terra-and-notre-affaire-a-tous-v-bnp-paribas/
MENA Rights Group v. Total	2023-02-23	Paris Judiciary Tribunal	**Pending**	Corporations	Duty of vigilance/Plan of vigilance	Whether TotalEnergies complied with its duty of vigilance in the Balhaf gas liquefaction plant in Yemen. The plaintiffs seek compensation for two victims of torture and ask that the Balhaf site be included in Total's vigilance plan to prevent the recurrence of such abuses.	/	La société française Total assignée en justice pour les violations des droits humains commises par les forces des Emirats arabes unis sur le complexe gazier de Balhaf, au Yémen | MENA Rights Group
BNP Paribas v. Notre affaire à tous, Oxfam and Les amis de la Terre	2023-02-23	Paris Judiciary Tribunal	**Pending**	Corporations	Duty of vigilance/Plan of vigilance	Does the financial sector have a responsibility for climate change?	NGOs are asking BNP Paribas to stop supporting new oil and gas projects.	BNP Paribas, première banque assignée en justice pour son financement des énergies fossiles (lemonde.fr) https://affaire-bnp.fr/wp-content/uploads/2023/04/20230223_assignation_bnp_paribas_signifiee.pdf
/	2023-01-26	Nanterre Judiciary Tribunal (criminal law)	**Pending**	Corporations	Misleading advertising	TotalEnergies is the subject of a preliminary investigation for greenwashing,	/	TotalEnergies est visée par une enquête préliminaire pour mensonges climatiques | Mediapart
ONG Zeo Waste France, ClientEarth and others v. Danone	2023-01-09	Paris Judiciary Tribunal	**Pending**	Corporations	Duty of vigilance/Plan of vigilance	Does a vigilance plan must comply with deplastfication objectives?	Liability for issuing a vigilance plan that allegedly is not consistent with deplastification objectives.	https://www.law.com/international-edition/2023/01/15/in-europe-climate-litigation-grows-teeth/
Eolise v. France	2022-10-05	French State Council	**Pending**	State	Climate damage/Renewable projects	Whether the French government's failure to take further action to implement renewable energies violates the law.	Plaintiff asks the Council of State to order the French State to take all useful measures in favor of the development of renewable energies to achieve the binding objectives set by the applicable laws and Treaties and, even more, to accelerate the development of these energies in the public interest, within a maximum period of six months. A financial penalty per every six months of delay has been requested.	Eolise attaque le Gouvernement pour inaction en faveur des énergies renouvelables | Éolise
Yves Rocher	2022-03-23	Paris Judiciary Tribunal	**Pending**	Corporations	Duty of vigilance/Plan of vigilance	Whether Yves Rocher' plan is adequate to prevent the violation of freedom of association and fundamental rights of workers.		https://www.asso-sherpa.org/liberte-syndicale-et-droit-des-travailleurs-et-travailleuses-en-turquie-yves-rocher-assigne-en-justice
Greenpeace France and Others v. TotalEnergy SE and TotalEnergy Electricity & Gas France	2022-03-02	Paris Judiciary Tribunal	Paris Judiciary Tribunal, October 23, 2025, n°22/02955	Corporations	Misleading advertising	Does TotalEnergies' campaign to achieve "net zero" by 2050 and become a major player in the energy transition amount to misleading marketing practices?	This is the first case challenging a major oil and gas company's net-zero claims for greenwashing in Europe.	http://climatecasechart.com/non-us-case/greenpeace-france-and-others-v-totalenergies-se-and-totalenergies-electricite-et-gaz-france/
Groupe la Poste	2021-12-22	Paris Judiciary Tribunal	Paris Judiciary Tribunal, December 5, 2023, no. 21/15827	Corporations	Duty of vigilance/Plan of vigilance	Whether La Poste' plan is adequate to effectively implement various vigilance measures concerning harassment, undeclared work and illegal subcontracting	This is the first case introduced on the basis of the French Law on the Corporate Duty of Vigilance which led to the conviction of the company.	La Poste condamnée à renforcer son devoir de vigilance, une première - LE MONDE DU DROIT : le magazine des professions juridiques

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Volvic	2021-10-15	Paris Judiciairy Tribunal	Paris Judiciary Tribunal, June 23, 2026, n°21-13092	Corporations	Misleading advertising	Can environmental claims such as "carbon neutral", "100% recycled", and "100% recyclable" on products be considered misleading where they overstate the environmental qualities of a product?	Following on from the TotalEnergies ruling and the emerging body of case law on greenwashing, this decision clarifies what a company may and may not say on environmental matters, and confirms the tightening of scrutiny exercised by the Paris Judicial Court over environmental communications.	https://kohenavocats.fr/2026/08/10/greenwashing-volvic-pratiques-commerciales-trompeuses-neutralite-carbone-100-recycle-tj-paris-23-juin-2026/
Groupe ADP v. Environmental activists	2021-10-03	Bobigny Judiciary Tribunal	Bobigny Judiciary Tribunal, November 12, 2021	Protesters	State of climate necessity/Freedom of expression	Did climate activists protesting the expansion of a Paris airport act in a "state of necessity" to warn of the effects of climate change?	As the investigation failed to prove any disturbance or obstruction, the activists were found not guilty. However, the court did not recognise that the intrusion was a matter of necessity or freedom of expression, arguing that other actions were possible to raise awareness about climate change.	https://www.leparisien.fr/seine-saint-denis-93/aeroport-de-roissy-relaxe-partielle-pour-les-militants-ecologistes-qui-avaient-envahi-le-tarmac-12-11-2021-YRW3JYZRZNGNVDS7PVBSUWDWTQ.php
Complaint against J. Castex and others before the Cour de Justice de la République	2021-06-16	French Court of justice of the Republic	French Court of justice of the Republic 11 octobre 2021	State	Inaction on climate change	The complaint emphasizes the inadequacy of the Climate and Resilience Bill compared to the proposals of the Convention Citoyenne sur le Climat (Citizen's Convention on Climate).	The complaint has been declared inadmissible.	https://www.linfodurable.fr/politique/la-plainte-contre-cinq-ministres-pour-inaction-climatique-irrecevable-29129
SUEZ	2021-06-07	Nanterre Judiciary Tribunal	Paris Judiciary Tribunal, June 1, 2023, n0, 22/07100	Corporations	Duty of vigilance/Plan of vigilance	The complaints emphasize the inadequacy of suez's duty of vigilance plan.	The complaint has been declared inadmissible.	https://navacelle.law/fr/les-contours-du-respect-du-devoir-de-vigilance-precises-par-le-juge-au-travers-des-decisions-totalenergie-et-suez-groupe/
Greenpeace France and others v. Patrick Pouyanné, CEO of TotalEnergies	2021-04-22	Versailles Administrative Court	**Pending**	Corporations	Conflict of interest/Renewable projects	The complainants claim there is a conflict of interest by Mr. Pouyanné (CEO of TotalEnergies) in establishing a Total research and development center dedicated to renewable energy in the campus of the École Polytechnique, a French public institution of higher education and research.	Whether there was a conflict of interest created when an oil company executive served on the board of directors of a public institution that was deciding whether to establish a research center funded by the oil company.	http://climatecasechart.com/non-us-case/patrick-pouyanne-ceo-of-totalenergies-v-greenpeace-france/
Association Sauvegarde du Trégor-Goëlo-Penthièvre	2021-03-24	Nantes Administrative Court of Appeal	CAA Nantes, 5e ch., 16 juin 2026, n° 23NT02746	State	Agricultural pollution / Green Algae Proliferation	To what extent can governmental failures in regulating intensive agricultural activities give rise to State liability for ecological damage?	The Nantes Administrative Court of Appeal confirmed the partial liability of the French State for ecological damage caused by the proliferation of green algae in Brittany. The court found that the State had failed to effectively exercise its regulatory and supervisory powers over intensive agricultural activities and classified installations contributing to nitrate pollution. It also reaffirmed that ecological damage must be remedied in kind and ordered the authorities to strengthen environmental regulations, monitoring mechanisms, and inspections in order to prevent further	https://www.lexis360intelligence.fr/document/KC_NEWS-2038879_0KVW?doc_type=actualites&q=environnement&typeDoc=Actualit%C3%A9s&sort=document_date&from=0&to=1794152069273&source=history&numero=16
Epoux Panchaud v. Var Department	2021-03-23	French State Council	French State Council, 2e - 7e ch., September 20, 2022, no. 451129	State	Right to live/Utilities	Does environmental protection constitute a fundamental freedom within the meaning of Article L. 521-2 of the Environmental Code?	In a landmark judgment, the Conseil d'Etat annulled the order of first instance, recognizing that the right of everyone to live in a balanced and health-friendly environment is a fundamental freedom. However, it rejects the application, on the ground, inter alia, that no significant conservation issue has been identified on the applicants' plot.	https://green-law-avocat.fr/le-droit-a-un-environnement-sain-une-liberte-fondamentale/
Envol vert v. Casino	2021-03-03	Saint-Etienne Judiciary Tribunal Transfer to the Paris Judicial Court	**Pending**	Corporations	Duty of vigilance/Plan of vigilance	Has the supermarket chain Casino violated the French law on the duty of vigilance because of its involvement in the beef industry?	applicants refused mediation	http://climatecasechart.com/non-us-case/envol-vert-et-al-v-casino/
Parc éolien des Sources du Mistral v. Préfet de la Côte d'or	2020-12-07	French State Council	CE, September 18, 2026, n°511092	State	Wind Energy Development	Can a wind farm operator continue to exploit its installation without obtaining a protected-species derogation where a sufficiently characterised residual risk to protected wildlife remains despite reinforced avoidance and mitigation measures?	By refusing to admit the operator's appeal, the French Council of State allowed the Lyon Administrative Court of Appeal's judgment to stand, thereby confirming the broad powers of environmental courts to require a protected-species derogation and suspend the operation of a wind farm where a sufficiently characterised residual risk to protected species persists. The decision reinforces the principle established in the Council of State's 6 November 2024 ruling that avoidance and mitigation measures are sufficient to dispense with a derogation only if they provide adequate guarantees of effectiveness and reduce the residual risk below the legally	https://www.green-law-avocat.fr/parc-eolien-confirmation-dune-suspension-liee-a-labsence-de-derogation-especes-protegees/#telecharger

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Commune de Grande-Synthe	2020-11-19	French State Council	**French State Council, 6e - 5e ch. July 1, 2021, no. 427301 Decision no. 467982 of May 10, 2023**	State	Paris treaty	Does the French government's failure to take further steps to reduce greenhouse gas emissions violate national and international law?	The annulment of the implicit refusal to take additional measures to bend the curve of greenhouse gas emissions produced on national territory in order to ensure its compatibility with the objectives for reducing those emissions necessarily implies the enactment of such measures. Consequently, it is necessary for the Conseil d'Etat to order this enactment before 31 March 2022. On May 10, 2023, the Conseil d'état considered that, although additional measures have been taken and reflect the Government's willingness to implement the decision, there is still no sufficiently credible guarantee that the greenhouse gas emission reduction trajectory can be effectively respected. This is why the Conseil d'état has ordered the Government to take new measures by 30 June 2024.	Emissions de gaz à effet de serre : le Gouvernement doit prendre de nouvelles mesures et transmettre un premier bilan dès cette fin d'année (conseil-etat.fr)
Guyane Nature Environnement and France Nature Environnement v. France	2020-10-22	Guyane Administrative Court	Guyane Administrative Court, July 27, 2021, no. 2100957 French State Council, 6e - 5e ch, February 10, 2022, no. 455465	State	Paris treaty/Utilities	Does the national energy policy objective of reducing GHG emissions by 40% between 1990 and 2030 apply to private companies? Does the rule of limited extension of urban development near the coast apply to environmental permits?	There is no legislative provision requiring the GHG emission reduction target set by law to be taken into account for this type of authorisation.	https://www.editions-legislatives.fr/actualite/annulation-de-lautorisation-environnementale-de-la-centrale-du-larivot
Representatives of the indigenous Zapotec community of Unión Hidalgo, ProDESC and European Center for Constitutional and Human Rights v. EDF	2020-10-13	Paris Judiciary Tribunal	Paris Judiciary Tribunal, November 30, 2021, no. 20/10246 Paris Court of Appeal, Pôle 5, ch. 11, March 17, 2023, no. 22/00749	Corporations	Duty of vigilance	The claimants allege that EDF interfered with a meaningful FPIC of the indigenous community with respect to its wind park project failing to comply with its duty of vigilance.	The court confirmed the competence of the judicial court in matters relating to the duty of vigilance law.	https://www.business-humanrights.org/fr/derni%C3%A8res-actualit%C3%A9s/edf-assign%C3%A9-en-justice-pour-ses-activit%C3%A9s-au-mexique/
Bordeaux-Mérignac Airport v. Climate Activists	2020-10-03	Bordeaux Criminal Tribunal	Bordeaux Criminal Tribunal, March 29, 2021	Protesters	State of climate necessity	Whether climate activists protesting the expansion of a Paris airport acted in a "state of necessity" to warn about the effects of climate change	The Bordeaux Court sentenced the seven activists to the payment of a 500 euros suspended fine.	http://climatecasechart.com/non-us-case/bordeaux-merignac-airport-v-climate-activists/
Guyane Nature Environnement and France Nature Environnement v. France	2020-04-28	Guyane Administrative Court	Guyane Administrative Court, April 28, 2022, no. 2100237 Appeal	State	Objective of reducing emissions/Utilities	Analysis of the derogation from the prohibition on harming protected species, included in the environmental permit.	This judgment testifies to an evolution of administrative case-law which tends towards an increasingly rigorous analysis of the condition of legality of the "protected species derogation" relating to the absence of a "satisfactory alternative solution".	https://blog.gossement-avocats.com/blog/environnement/derogation-especes-protegees-ta-guyane-28-avril-2022-centrale-de-larivot-n-2100237
Braconniers des Calanques	2020-03-06	French Court of Cassation	French Court of Cassation, criminal chamber, October 4, 2022, no. 21-85.290	poachers	Climate damage/Natural resource extraction			
Notre Affaire à Tous, Sherpa et autres c. TotalEnergies SE	2020-01-28	Nanterre Judiciary Tribunal	Paris Judiciary Tribunal, July 06, 2023, no. 22/03403	Corporations	Duty of vigilance	Has a company violated the French Commercial Code by failing to adequately report climate risks associated with its activities and to take steps to mitigate those risks in line with the objectives of the Paris Agreement?	It follows from Article L. 211-20 of the Code of Judicial Organisation that the legislature intends to entrust actions relating to environmental damage to the specially designated courts only.	https://www.business-humanrights.org/fr/derni%C3%A8res-actualit%C3%A9s/r%C3%A9sum%C3%A9-du-proc%C3%A8s-total-changement-climatique-france-1/#:~:text=Proc%C3%A9dure%20judiciaire&text=En%20f%C3%A9vrier%202021%2C%20le%20tribunal,Versailles%20a%20conf
ISB France	2019-11-xx	Rennes Judiciary Tribunal	Rennes Judiciary Tribunal, September 11, 2023	Corporations	Timber	What are the diligence due by timber operator in France?	Second time a timber company has been convicted under the Regulation in France. ISB FRANCE fined €100,000 and required to publish the decision	Réglementation contre le bois illégal : condamnation du leader français des importations de bois - Espace Presse Greenpeace France
Amis de la Terre and other v. TotalEnergies	2019-10-29	Paris Judiciary Tribunal	French Court of Cassation, December 15, 2021, no. 21-11.957 Paris Judiciary Tribunal February 28, 2023, no. 22/53942 and 22/53943	Corporations	Duty of vigilance	NGOs have sued an oil company alleging an inadequate environmental assessment of the proposed oil project.	the court dismissed the case against Total because it was "inadmissible" on procedural grounds. The court stated the NGO plaintiffs did not follow proper court procedures, as the NGOs' December 2019 submissions to the court were "substantially different" from its 2019 submissions.	https://www.business-humanrights.org/fr/derni%C3%A8res-actualit%C3%A9s/total-lawsuit-re-failure-to-respect-french-duty-of-vigilance-law-in-operations-in-uganda/
Amis de la Terre and Sherpa v. Perenco	2019-08-02	French Court of Cassation	French Court of Cassation, March 9, 2022, no. 20-22.444	Corporations	Disclosures	Do associations have standing to act in defence of a collective interest and obtain a measure of inquiry against a French company operating in a foreign country?	It follows from Articles 3 of the Civil Code, 31 and 145 of the Code of Civil Procedure that the locus standi of an association for the defence of a collective interest with a view to obtaining a measure of inquiry on the basis of Article 145 of the Code of Civil Procedure is to be assessed, not in the light of the foreign law applicable to the action on the merits, but according to the law of the forum as regards the conditions for the exercise of the action and according to the law of the grouping as regards the limits of the object of the	http://climatecasechart.com/non-us-case/amis-de-la-terre-and-sherpa-v-perenco/

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Case Name	Introductory date	Jurisdiction	Status	Defendant	Basis	Problematic	Contribution	Link to a comment
Works on line 17 North of the Grand Paris Express transport network	2019-02-22	Montreuil Administrative Court	Montreuil Administrative Court, November 15, 2019, no. 1902037	State	Environmental assessment and permitting/Utilities	The environmental authorization issued by the prefects of Seine-Saint-Denis, Seine-et-Marne and Val d'Oise for the works of line 17 North of the Grand Paris Express transport network.	By its judgment of 15 November 2019, the Administrative Court considered that two illegalities taint the environmental authorization issued by the prefects of Seine-Saint-Denis, Seine-et-Marne and Val d'Oise. On the one hand, it considered that the impact study did not sufficiently study the cumulative impacts of the line 17 North project, which includes the creation of the Gonesse Triangle station, and the ZAC project of the same name. On the other hand, the judgment considers that the decree could not authorise the disturbance, destruction and degradation of resting areas and/or breeding sites of twenty-seven protected avian species, without ensuring that the potential gains in biodiversity that could result from the compensation measures planned at other sites in Ile-de-France would be sufficient.	http://montreuil.tribunal-administratif.fr/Actualites/Actualites-Communiques/Les-travaux-de-la-ligne-17-Nord-du-reseau-de-transport-du-Grand-Paris-Express-sont-partiellement-suspendus-par-le-tribunal-administratif-de-Montreuil
Removal of the portrait of the President of the Republic in town halls "Décrochons Macron"	2019-02-01	French Court of Cassation	Montreuil Administrative Court, September 22, 2021, no. 20-85.434 ECHR appeal	Protesters	State of climate necessity	Was civil disobedience necessary to draw attention to the France's inability to achieve its climate goals?	The judges considered that the theft of the portraits of the President of the Republic is not likely to prevent the environmental danger denounced by the activists: it is neither an adequate means nor the last resort to avoid a negative impact of global warming on the planet.	https://www.courdecassation.fr/toutes-les-actualites/2021/09/22/affaire-dite-des-decrocheurs-du-portrait-du-president-de-la
Pierre Robert	2019-xx-xx	Châteauroux Judiciary Tribunal	Châteauroux Judiciary Tribunal, September 6, 2023	Corporations	Timber	What are the diligence due by timber operator in France?	First time a timber company has been convicted under the Regulation in France. Pierre ROBERT fined €20,000 and required to publish the decision	Victoire dans la lutte contre le bois illégal ! - Greenpeace France
L'Affaire du Siècle	2018-12-17	Paris Administrative Court	Paris Administrative Court, February 03, 2021, no. 1904967	State	Paris treaty/Climate-justified measures	Does the French government's failure to take further action against climate change violate a legal obligation to act under national and international law?	The Faulty shortcomings of the State in respecting its commitments in the fight against global warming undermine the collective interests defended by each of the applicant associations.	http://paris.tribunal-administratif.fr/Actualites-du-Tribunal/Espace-presse/L-affaire-du-siecle
L'Affaire du Siècle	2018-12-17	Paris Administrative Court	Paris Administrative Court, October 14, 2021, no. 1904967	State	Paris treaty/Climate-justified measures	Does the French government's failure to take further action against climate change violate a legal obligation to act under national and international law?	The court ordered that the excess of the greenhouse gas emissions ceiling set by the first carbon budget (2015-2018) be offset by 31 December 2022, at the latest.	http://paris.tribunal-administratif.fr/Actualites-du-Tribunal/Espace-presse/L-Affaire-du-Siecle-l-Etat-devra-reparer-le-prejudice-ecologique-dont-il-est-responsable
Metaleurop case	2018-08-14	Douai Administrative Court of Appeal	Douai Administartive Court of Appeal 1st dh., May. 23, 2024 n° 22DA00216	State	Climate damage	The operation of the steel plant, considered to be one of the world's largest producers of crude lead and zinc, caused multiple pollution of the soil through the discharge of heavy metals. Living in the vicinity of the plant, the claimants requested that the State be ordered to strip their land and to compensate them for the damages suffered, primarily the loss of value of their property and the anxiety experienced due to the risk of developing a serious pathology.	The Court acknowledged that the State committed a fault of nature to incur its liability by failling to require, through the prefectoral orders governing the operation of this plant, a more significant reduction in atmospheric polluants, covering more emission sources, including diffuse pollution, even anicipating, if necessary, broader requirements than national standards.	/
Petroleum France SA v. France	2018-05-28	French State Council	French State Council, 6e - 5e ch., December 18, 2019, no. 421004	State	Property right/Natural resource extraction	Does placing a possible expiry date on a fossil fuel extraction permit violate the permit holder's right to peaceful enjoyment of the property?	The Court ruled that the deadline of 1 January 2040, more than 20 years after the adoption of the law of 30 December 2017, weighed the Company's right to enjoy its property against the France's commitment to limit climate change.	http://climatecasechart.com/non-us-case/ipc-petroleum-france-sa-v-france/
Amis de la Terre v. Prefect of Bouches-du-Rhône and Total	2018-05-16	Marseille Administrative Court	Marseille Administrative Court, April 1, 2021, no. 1805238	Corporations State	Environmental assessment and permitting/Climate adaptation	Does a biorefinery operating permit have to take into account the climate impacts of palm oil production and use?	The court considered that the authorisation to operate the biorefinery granted to SAS Total raffinage France was vitiated by an inadequacy of the project's impact assessment with regard only to the point relating to its effects on the climate, given the use of very substantial quantities of palm oil and its derivatives.	http://marseille.tribunal-administratif.fr/A-savoir/Communiques-Selection-de-decisions/Jugement-du-tribunal-administratif-n-1805238-sur-la-requete-des-associations-Les-amis-de-la-terre-France-et-autres-contre-la-decision-prefectorale-autorisant-la-societe-Total-raffinage-France-a-poursuivre-l-exploitation-de-la-raffinerie-de-La-Mede
Ms. Farida T v. France	2018-02-27	Montreuil Administrative Court	Montreuil Administrative Court June 5, 2019, no. 1802202	State	Climate damage/Climate adaptation	A former resident of Seine-Saint-Denis, acting on her own behalf and on behalf of her minor daughter, asked the State to compensate for damages resulting from air pollution in the Ile-de-France region, due to its faulty default.	The Administrative Court held that the State had committed a fault because of the inadequacy of the measures taken in terms of air quality to remedy the exceedance, between 2012 and 2016, in the Ile-de-France region, of the limit values for the concentration of certain polluting gases. On the other hand, he considers that the prefect of police did not commit a fault in the management of the pollution episode of the end of 2016	http://montreuil.tribunal-administratif.fr/Actualites/Actualites-Communiques/Communique-de-presse-du-25-juin-2019

FRENCH CLIMATE LITIGATION

Case Name	Introductory date	Jurisdiction	Status	Defendant	Basis	Problematic	Contribution	Link to a comment
Three applicants v. France	2017-06-07	Paris Administrative Court	Paris Administrative Court, July 04, 2019, no. 1709333	State	Quality of air/Climate adaptation	Three applicants, who had resided in Paris for more than twenty years and suffered from various respiratory pathologies, asked the court to order the State to compensate them for the damage they considered they had suffered as a result of air pollution in Ile-de-France.	The Administrative Court of Paris recognizes the faulty failure of the State due to the inadequacy of the measures taken in the Ile-de-France region to reduce, as quickly as possible, the values of nitrogen dioxide and fine particles in the air. However, the court rejected the applicants' claims for compensation since it did not follow from the investigation that their pathologies had been directly caused or aggravated by the inadequacy of the measures taken by the State to limit as far as possible the periods of exceedance of the thresholds of the	http://paris.tribunal-administratif.fr/Actualites-du-Tribunal/Espace-presse/POLLUTION-DE-L-AIR
Fédération environnement durable and Vent de colère ! Fédération nationale case	2017-03-17	French State Council	French State Council, 6e-5e ch., June 14, 2018, no. 409227	State	Environmental assessment and permitting/Renewable projects	Is the petition for annulmentn for excess of power of Decree No. 2017-81 of January 26, 2017 on environmental authorization, insofar as it provides that, for wind turbines, the environmental authorization exempts from building permit admissible?	The Conseil d'Etat confirmed the Government's decision to simplify by ordinance the procedures for wind power project holders by relieving them of the obligation to obtain a building permit. The principle of non-regression is not infringed by a regulation exempting onshore wind turbine installation projects subject to environmental authorisation from obtaining a building permit.	/
Triangle de Gonesse case	2016-09-21	Versailles Administrative Court of Appeal	Versailles Administrative Court of Appeal, 2e ch., July 11, 2019, no. 18VE01634	State	Environmental assessment and permitting/Utilities	Seized by opponents, including France Nature Environnement (FNE), the administrative court of Cergy-Pontoise, had annulled in March 2018 the prefectural order of 21 September 2016 approving the ZAC. In particular, the court had found that the impact assessment had shortcomings. But the State and Grand Paris Aménagement had appealed.	The urbanization of the 300 hectares of agricultural land located north of Paris has stumbled on the examination in court of its climate footprint. The study of the decisions rendered by the administrative courts illustrates the possible permeability of the review of the legality of administrative acts to climate issues, but also testifies to the uncertainties it generates.	http://versailles.cour-administrative-appel.fr/A-savoir/Communiques/Arret-n-18VE01634-18VE01635-18VE02955-du-11-juillet-2019-EuropaCity-Triangle-de-Gonesse
Société pour la protection des paysages et al c. SAS Les Moulins du Lohan	2015-02-04	Nantes Administrative Court of Appeal	Nantes Administrative Court of Appeal, 5e ch., March 5, 2019, no. 17NT02791- 17NT02794	Corporations State	Environmental assessment and permitting/Renewable projects	Challenge to a wind farm that could harm protected species.	The court held that the project should be considered as responding to an imperative reason of overriding public interest that could justify the harm to protected species.	http://climatecasechart.com/non-us-case/society-for-the-protection-of-landscapes-and-aesthetics-of-france-et-al-v-the-mills-of-lohan/
60 députés et 60 sénateurs	2010-12-21	Constitutional Council	**Constitutional Council, Decision n°2010-622**	State	GHG emissions reduction/Emission quotas	Challenge to assignment of quotas	Article 64 of the finance law of 2011 provides that companies will have to purchase their greenhouse gas emissions quotas for 2011 whereas quotas were distributed free of charge in 2010. Some of the companies have still not received their quotas, even though they carried out activities in 2010, and as a result challenged the validity of the law as violating the principle of equality between companies. However the Constitutional Council upholds the validity of the article as the quota purchase will only apply for 2011 and 2012.	
Société Arcelor Atlantique et Lorraine	2005-11-15	French State Council	French State Council, February 8, 2007, no. 287110	State	System of exchange of greenhouse gas emission quotas /Steel Industry	Challenge to validity of decree transposing EU directive	The French Conseil d'Etat referred the question to the European Court of Justice for a preliminary ruling. The European Court of Justice held that the directive did not violate the principle of equality as the difference of treatment between the industries was justified by objective criteria, such as the very low carbon dioxide emissions from the non-steel industries	

INTERNATIONAL CLIMATE LITIGATION

Case Name	Introductory date	Jurisdiction	Status	Against a state	Basis	Relevant texts	Problematic	Contribution	Link to the decision	Link to a comment
Greenpeace Nordic and Others v. Norway	2025-10-28	European Court of Human Rights	European Court of Human Rights, Greenpeace Nordic and Others v. Norway	Norway	Oil Exploration and Human rights	Articles 2 and 8 ECHR	Do environmental organisations have standing before the European Court of Human Rights to challenge a State's decision authorising fossil fuel exploration on the basis of climate-related human rights risks?	The European Court of Human Rights recognised that environmental NGOs may have standing to bring climate-related claims where they represent individuals affected by climate risks. It also held that a sufficiently close link existed between the grant of oil exploration licences in the Barents Sea and the potential harmful effects of climate change. However, the individual applicants were denied victim status because they failed to show that they were personally and directly affected by climate-related harm. As a result, the individual claims were declared inadmissible, while the NGOs were allowed to pursue	https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-245561%22]}	
European Commission v. Portuguese Republic	**2025-02-27**	CJEU	CJEU, July 9, 2026, C-166/25	Portuguese Republic	Industrial Emissions and Pollution	Directive 2010/75/UE	To what extent must Member States ensure precise and complete transposition of the Industrial Emissions Directive in order to guarantee a high level of environmental protection under EU law?	The CJEU confirmed that Portugal had failed to correctly and completely transpose several provisions of Directive 2010/75/EU on industrial emissions. The Court reiterated that Member States cannot rely on administrative practices, interpretative guidance, future legislative amendments, or domestic political difficulties to justify non-compliance with EU law. The judgment reinforces the principle that EU environmental directives must be transposed through clear, binding, and legally enforceable national provisions. It also confirms that compliance is assessed at the expiry of the deadline set in the Commission's reasoned opinion,	https://eur-lex.europa.eu/legal-content/fr/ALL/?uri=CELEX:62025CJ0166	
Viaudret	2025-02-20	CJEU	CJEU, 24 sept. 2026, aff. C-151/25, Viaudret	Belgium	Wind turbin parc	Article 1 Aarhus Convention Directive 2011/92/UE Directive 2010/75/UE	Can the extension of a wind farm operating permit be granted without public participation under the Aarhus Convention?	The CJEU held that national legislation cannot categorically exclude public participation for all decisions of this kind. It is for the national court to determine, on a case-by-case basis, whether public participation is required.	https://www.lemondedudroit.fr/public/284-environnement/105972-cjue-la-prolongation-d-un-parc-eolien-necessite-t-elle-une-participation-du-public.html	https://www.lexis360intelligence.fr/document/KC_NEWS-2040644_0KVW?doc_type=actualites&q=environnement&typeDoc=Actualit%C3%A9s&sort=document_date&from=0&to=1794152069273&source=history&numero=5
SU abd Wild Defence CLG v. An Coimisiún Pleanála e.a	2025-01-17	CJUE	CJEU, July 16, 2026, Joined Cases C-27/25 and C-356/25		Conservation of natural habitats and of wild fauna and flora	Directive 92/43/CEE Directive 2009/147/CE	Are site-specific conservation objectives a mandatory prerequisite for assessing the environmental impacts of projects on Natura 2000 sites under Article 6(3) of the Habitats Directive?	The CJEU held that site-specific conservation objectives are an indispensable prerequisite for carrying out a lawful appropriate assessment under Article 6(3) of the Habitats Directive. In the absence of such objectives, a national authority cannot validly assess whether a plan or project would adversely affect the integrity of a protected site. The Court emphasized that conservation objectives constitute the mandatory benchmark against which the significance of environmental impacts must be evaluated. The Court further clarified that, at the preliminary screening stage, authorities may identify the geographical area potentially affected by a project without reference to site-specific conservation objectives. However, they cannot assess whether a project is likely to have a significant effect on a protected site without taking those objectives	https://eur-lex.europa.eu/legal-content/fr/ALL/?uri=CELEX:62025CJ0027	
Duarte Agostinho and Others v. Portugal and 32 Others	2024-04-09	European Court of Human Rights	European Court of Human Rights, Duarte Agostinho and Others v. Portugal and 32 Others, April 9th 2024, n°39371/20	Portugal and 32 Others	International Human Rights and Climate Litigation	Articles 2, 8 and 14 of the ECHR	Can individuals bring climate change claims before the European Court of Human Rights against multiple States for their alleged contribution to global greenhouse gas emissions, including States outside their country of residence?	The Grand Chamber held that the Convention does not provide a basis for extending States' extraterritorial jurisdiction merely because their greenhouse-gas emissions contribute to global climate change. The Court therefore rejected the claims brought against the 32 States other than Portugal, finding that the applicants did not fall within their jurisdiction under Article 1 ECHR. As regards Portugal, the Court accepted that the applicants were within Portugal's territorial jurisdiction. However, it declared the application inadmissible because the applicants had failed to exhaust the domestic remedies available under Portuguese law before applying to Strasbourg. The judgment is particularly important because it confirms that climate litigation remains subject to the traditional admissibility requirements of the Convention. Neither the global nature of climate change nor the existence of international climate obligations is sufficient to create a new basis of extraterritorial jurisdiction under the	https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-233261%22]}	
Carême c. France	2024-04-09	European Court of Human Rights	European Court of Human Rights, Carême c. France, April 9th 2024, n°7189/21	France	International Human Rights and Climate Litigation	Articles 2 and 8 European Convention on Human Rights	Can an individual who alleges exposure to the future consequences of climate change claim victim status under Articles 2 and 8 of the ECHR and challenge the alleged insufficiency of a State's climate policies before the European Court of Human Rights?	The case raised, for the first time before the European Court of Human Rights, the question whether insufficient governmental action on climate change could engage State responsibility under the Convention. It required the Court to clarify the conditions under which an individual may claim victim status in relation to future climate-related risks, as well as the scope of States' positive obligations under Articles 2 and 8 ECHR in the context of climate change. More specifically, the litigation focused on whether a failure to comply with national and international greenhouse gas reduction commitments could amount to an interference with Convention rights where climate impacts, such as flooding risks and health consequences, directly affect an individual. The case also raised fundamental questions concerning causation, foreseeability, the precautionary approach, and the margin of appreciation enjoyed by States in implementing climate policies.	https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-233175%22]}	https://www.leclubdesjuristes.com/international/careme-contre-france-laction-des-etats-face-au-changement-climatique-devant-la-cedh-552/
Verein Klimaseniorinnen Schweiz et autres c. Suisse	2024-04-09	European Court of Human Rights	European Court of Human Rights, Verein KlimaSeniorinnen Schweiz v. Switzerland, April. 9th 2024, n° 53600/20	Switzerland	Climate damage and GHG emissions	Article 6§1 of the ECHR Article 8 of the ECHR	Has Switzerland taken sufficient measures to mitigate the effects of climate change and greenhouse gas emissions resulting from both its own emissions and emissions linked to the import of consumer goods?	Switzerland has violated (i) article 8 of the ECHR , The State has not achieved the objectives it set itself for reducing greenhouse gas emissions, and has not acted in a timely and appropriate manner to design and implement the relevant legislation and measures, in accordance with its positive obligations under article 8 of the ECHR (ii) article 6 § 1 of the ECHR by rejecting the appeal lodged by the applicant association, and not taking into account the undisputed scientific data on climate change	CASE OF VEREIN KLIMASENIORINNEN SCHWEIZ AND OTHERS v. SWITZERLAND (Application no. 53600/20)	Violations of the European Convention for failing to implement sufficient measures to combat climate change

INTERNATIONAL CLIMATE LITIGATION

Case Name	Introductory date	Jurisdiction	Status	Against a state	Basis	Relevant texts	Problematic	Contribution	Link to the decision	Link to a comment
Luossavaara Kiirunavaara AB v. European Commission	2023-07-26	CJEU	CJEU, May 22, 2025, aff. C-621/23	Sweden	EU Emissions Trading Sytem (EU ETS)	EU ETS Directive	To what extent is the European Commission required to adapt EU ETS benchmarks to incentivise the most emission-efficient industrial production methods?	The CJEU confirmed that the European Commission enjoys broad discretion when establishing and applying EU ETS benchmarks and is not under an obligation to achieve a specific environmental outcome. While the Commission must pursue the objective of reducing greenhouse gas emissions, this obligation is one of means rather than result. The Court further held that iron ore pellets and sintered ore cannot be regarded as equivalent products for benchmarking purposes, given the differences in their production processes and industrial uses. As a result, the Commission lawfully rejected Sweden's proposal and provided sufficient reasoning for its decision.	https://eurlexsearch.com/documents/docfile:8223d695-eed1-47b1-8dba-fc34c76e2e63	https://www.climatecasechart.com/document/luossavaara-kiirunavaara-ab-v-european-commission_6337?q=CJUE
Request for an advisory opinion on the obligations of States with respect to climate change	2023-03-01	International Court of Justice	pending	/	Climate damage	Principal Laws: United Nations Convention on the Law of the Sea ICESCR Universal Declaration of Human Rights Charter of the United Nations International Covenant on Civil and Political Rights	Whether states have specific obligations under international law to prevent and redress the adverse effects of climate change in order to protect the climate system as well as present and future generations	the UNGA requests the ICJ to render an advisory opinion on the following questions: "Having particular regard to the Charter of the United Nations, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the United Nations Framework Convention on Climate Change, the Paris Agreement, the United Nations Convention on the Law of the Sea, the duty of due diligence, the rights recognized in the Universal Declaration of Human Rights, the principle of prevention of significant harm to the environment and the duty to protect and preserve the marine environment, (a) What are the obligations of States under international law to ensure the protection of the climate system and other parts of the environment from anthropogenic emissions of greenhouse gases for States and for present and future generations; (b) What are the legal consequences under these obligations for States where they, by their acts and omissions, have caused significant harm to the climate system and other parts of the environment, with respect to: (i) States, including, in particular, small istand developing States, which due to their geographical circumstances and level of development, are injured or specially affected by or are particularly vulnerable to the adverse effects of climate change?	/	Request for an advisory opinion on the obligations of States with respect to climate change - Climate Change Litigation (climatecasechart.com)
Engels and Others v. Germany	2022-10-01	ECHR	pending	Germany	GHG emissions reduction	Articles 2, 3, 8 a of the ECHR Paris Agreement	Whether the insufficient implementation of the Neubauer decision in Germany violates human rights,	The applicants complain that the CP Act amendments are insufficient to meet the targets agreed upon at COP 21.	/	Engels and Others v. Germany - Climate Change Litigation (climatecasechart.com)
Humane Being v. the United Kingdom	2022-07-26	ECHR	Pending	United Kingdom	GHG emissions reduction	Articles 2, 3 and 8 of the ECHR Paris Agreement	Whether factory farming violates human rights due to the risks of the climate crisis, future pandemics and antibiotic resistance.	/	/	https://climate-laws.org/geographies/united-kingdom/litigation_cases/humane-being-v-the-united-kingdom
Plan B.Earth and Others v United Kingdom	2022-07-11	ECHR	Pending	United Kingdom	/	Human Rights Act 1998 Articles 2, 8 and 14 of the ECHR Paris Agreement	Whether the UK has breached obligations under the European Convention on Human Rights by failing to reduce GHG emissions.	/	https://planb.earth/wp-content/uploads/2022/07/Application-for-circulation.pdf	https://climaterightsdatabase.com/2022/08/16/plan-b-earth-and-others-v-the-united-kingdom/
Five Young People v. France, Germany, United Kingdom and 9 other states	2022-06-21	ECHR	Pending	France, Germany, United Kingdom and 9 other States	/	Articles 2 and 8 of the ECHR Paris Agreement	Does the Energy Charter Treaty (ECT) claim victims by preventing climate action by states and protecting the fossil fuel industry?	All activists and climate scientists are now advocating for an end to this treaty, which no longer meets citizens' expectations in favour of sustainable development policies.	/	https://www.publicsenat.fr/article/politique/qu-est-ce-que-le-traite-sur-la-charte-de-l-energie-qui-menace-la-lutte-climatique
/	2022-01-09	Inter-American Court of Human Rights	Pending	/	Climate damage	Escazú agreement	/	Chile and Colombia asked the Inter-American Court for an advisory opinion with the purpose of "clarify[ing] the scope of the States' obligations ... to respond to the climate emergency within the framework of international human rights law"	/	Chile and Colombia ask IACHR to clarify Latin American involvement against climate change - News360
Soubeste and Others v. Austria and 11 Other States	2022-01-01	ECHR	pending	Austria and 11 other States	Climate damage	ECHR Paris Agreement Energy Charter Treaty	Whether rights of young citizens have been affected by climate change due to the Energy Charter Treaty.	Five young European citizens allege that the climate change that affects them is driven, to a large extent, by fossil energy industry and that the 1994 Energy Charter Treaty (ECT), ratified by all twelve Respondent States, protects investors in that sector from regulatory changes and gives them access to exorbitant remedies through investor-State dispute settlement mechanisms, thereby inhibiting the Respondent States from taking immediate measures against climate change and making it impossible for them to attain goals enshrined in Article 2 of the 2015 Paris Agreement.	/	https://www.climate-laws.org/geographies/international/litigation_cases/soubeste-and-others-v-austria-and-11-other-states
Müllner v. Austria	2021-03-25	ECHR	Pending	Austria	Climate damage	Articles 2, 6, 8 and 13 of the European Convention	Can the respondent States, invoked for violating the provisions of the European Convention on Human Rights, be held liable in the face of the climate crisis?	The applicant complains that Austria has not put in place an adequate legislative and administrative framework to achieve the Paris Agreement temperature target of limiting the global average temperature increase to 1.5 degrees Celsius above pre-industrial levels, and that it has consistently failed to meet its national targets in terms of effective greenhouse gas reduction.	/	Müllner v. Austria - Climate Change Litigation (climatecasechart.com)
Conto and Uricchio v. Italy and 32 other States	2021-03-03	ECHR	Pending	Italy and 32 other States	/	Articles 2, 8, 13 and 14 of the ECHR	Can the respondent States, invoked for violating the provisions of the European Convention on Human Rights, be held liable in the face of the climate crisis? Can the case be brought before the European Court of Human Rights in the absence of exhaustion of domestic remedies?	The complaint alleges that the defendants violated human rights by failing to take sufficient action on climate change, and seeks an order requiring them to take more ambitious measures. The case is similar to that of Youth4ClimateJustice.	/	https://climaterightsdatabase.com/2022/08/16/de-conto-and-uricchio-v-italy-and-32-other-states/
Damien Careme v. France	2021-01-28	ECHR	pending	France	Climate damage	ECHR	The court must determine whether inadequate climate change action could constitute an infringement of the European Convention on Human Rights – a decision that stands to upset climate policies throughout Europe.	Switzerland and France accused of lack of climate action in ECHR hearing Group of Swiss women and French ex-mayor suing their governments in first such cases heard by rights court the governments of Switzerland and France have been accused of breaching the human rights of their citizens by not acting decisively enough on climate change, at a landmark legal hearing in Strasbourg.	/	FS_Climate_change_ENG (coe.int)
reenpeace Nordic and Others v. Norway	2020-12-22	ECHR	Pending	Norway	Climate damage	Articles 2, 8, 13 and 14 of the ECHR	Can the respondent States, invoked for violating the provisions of the European Convention on Human Rights, be held liable in the face of the climate crisis?	The applicants complain about the judicial review-proceedings in which the applicant NGOs did not succeed in obtaining a judgment declaring invalid a decision made by the Norwegian Government to grant petroleum exploration licences for the Norwegian continental shelf.	/	Greenpeace Nordic and Others v. Norway - Norway - Climate Change Laws of the World (climate-laws.org)

INTERNATIONAL CLIMATE LITIGATION

Case Name	Introductory date	Jurisdiction	Status	Against a state	Basis	Relevant texts	Problematic	Contribution	Link to the decision	Link to a comment
Verein KlimaSeniorinnen and others v. Switzerland	2020-11-26	ECHR	Verein FlimaSeniorinnen v. Switzerland , April 9th 2024, n° 53600/20	Switzerland	Climate damage	ECHR - articles 681 (right to a fair trial), (right to life) and 8 (right to respect for private and family life)	The court must determine whether inadequate climate change action could constitute an infringement of the European Convention on Human Rights – a decision that stands to upset climate policies throughout Europe.	Switzerland and France accused of lack of climate action in ECHR hearing Group of Swiss women and French ex-mayor suing their governments in first such cases heard by rights court the governments of Switzerland and France have been accused of breaching the human rights of their citizens by not acting decisively enough on climate change, at a landmark legal hearing in Strasbourg. i.The ECHR found that none of the applicants demonstrated critical health problems that could be alleviated by intervention on the part of the Swiss State. They were denied victim status, and their claims were rejected. ii.The ECHR emphasized that the right of an association to act on behalf of its members is not conditional on prior recognition of its members' status as victims. Indeed, an association's standing to act must be based on three fundamental criteria: (1) The association must be legally constituted in the jurisdiction concerned; (2) The claim must pursue an aim in accordance with its statutes; (3) The association must demonstrate that it represents the interests of its members (or other affected individuals in the State concerned) whose rights are	Verein FlimaSeniorinnen v. Switzerland , April 9th 2024, n° 53600/20	Switzerland and France accused of lack of climate action in ECHR hearing | Climate crisis | The Guardian
Center for Food and Adequate Living Rights et al. v. Tanzania and Uganda	2020-11-06	East African Court of Justice	Pending	Uganda and Tanzania	Environmental assessment and permitting	Articles 2, 3, 4, 7 (1), 9, 13 (1), 14, 16, 21, 22, and 24 of the African Charter on Human and People's Rights Articles 2, 14, 16, and 17 of the Revised African Convention on the Conservation of Natural Resources East African Community Treaty	Whether agreements to build the East African Crude Oil Pipeline violate environmental and human rights impact assessment requirements.	/	http://climatecasechart.com/climate-change-litigation/wp-content/uploads/sites/16/non-us-case-documents/2020/20201106_12737_application.pdf	https://climaterightsdatabase.com/2021/06/08/center-for-food-and-adequate-living-rights-et-al-v-tanzania-and-uganda/
Youth4ClimateJustice Duarte Agostinho	2020-09-07	ECHR	Pending	33 States Parties to the European Convention on Human Rights	/	Articles 2, 8 and 14 of the ECHR Paris Agreement	Can the respondent States, invoked for violating the provisions of the European Convention on Human Rights, be held liable in the face of the climate crisis? Can the case be brought before the European Court of Human Rights in the absence of exhaustion of domestic remedies?	This case establishes for the first time at the level of an international court the direct link between human rights and the climate. Moreover, the ECHR attaches particular importance to the case by accepting the priority of this complaint in view of the urgency raised.	https://youth4climatejustice.org/wp-content/uploads/2020/12/Application-form-annex.pdf	https://youth4climatejustice.org/
Rights of Indigenous People in Addressing Climate-Forced Displacement	2020-01-15	United Nations Special Rapporteurs	Pending	USA	/	UNHCR The Pinheiro Principles The Peninsula Principles Charter of the UN Article 3 of the Declaration on the Rights of Indigenous Peoples ICESCR CNCHR	U.S. tribes filed human rights complaint with UN, alleging U.S. government has failed to address climate-caused displacement.	In September 2020, the Special Rapporteurs communicated the case the U.S. government, detailed the allegations, sought clarification on the measures taken by the government, and included a reference annex on international human rights law.	http://climatecasechart.com/wp-content/uploads/sites/16/non-us-case-documents/2020/20200915_USA-162020_na.pdf	http://climatecasechart.com/non-us-case/rights-of-indigenous-people-in-addressing-climate-forced-displacement/
Sacchi et al. v. Argentina, Brazil, France, Germany and Turkey	2019-09-23	Committee on the Rights of the Child	Committee on the Rights of the Child 2021-10-12	Brazil, France, Germany and Turkey	GHG emissions reduction	Articles 6, 24, 30 and 3 of the International Convention on the Rights of the Child	Is a country violating the United Nations Convention on the Rights of the Child (UNCRC) by making insufficient reductions in greenhouse gases and not encouraging the world's largest emitters to reduce carbon pollution?	The Committee states that the authors, as children, are particularly affected by climate change and that States have increased obligations to protect children from foreseeable harm. With regard to the exhaustion of domestic remedies, the Committee recalled that this requirement does not apply where such remedies do not offer objective prospects for success. In those cases, however, it examined in detail the possibilities of appeal in each State and ultimately concluded that it was inadmissible, noting that no domestic proceedings had been initiated in the respective States concerned.	https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2f88%2fD%2f106%2f2019&Lang=en	https://www.humanrightspulse.com/mastercontentblog/sacchi-et-al-v-argentina-and-four-similar-cases-the-impact-of-climate-change-on-childrens-rights
EU Biomass Plaintiffs v. European Union	2019-03-04	CJEU	**CJEU** **Judgment of the Court (Eighth Chamber)** **2021-01-14** **Case C-297/20**	EU	GHG emissions reduction	Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources Articles 263 and 191 of the TFEU Charter of Fundamental Rights of the European Union The Aarhus Convention	Whether the European Union's 2018 revised Renewable Energy Directive illegally treats forest biomass as a renewable fuel by not counting CO2 emissions from burning wood fuels.	It held that the General Court did not err in interpreting and applying the requirement for individual concern. It agreed with the General Court that applicants were not in a situation that differentiated them from the general EU public and were not differentiated by the fact that they held a specific acquired right. It also agreed with the General Court that the claim that an act infringes fundamental rights is not, by itself, sufficient to allow the action to be admitted where the applicant does not meet the criteria for admissibility.	https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62020CO0297&qid=1626223630080	https://onlineacademiccommunity.uvic.ca/climatechangelitigation/2021/07/14/eu-biomass-case/#_edn19
People's climate case	2018-05-23	CJEU	**CJEU** **Judgment of the Court (Sixth Chamber)** **2021-03-25** **Case C-565/19 P**	EU	/	Paris Agreement Kyoto Protocol Charter of Fundamental Rights of the European Union	Recognition of the inadequacy of the European target of reducing emissions by at least 40% by 2030 (compared to 1990 levels) in violation of the Paris Agreement but also of the fundamental rights of the applicants (right to life, right to health and right to property) and annulment against three UNION acts on climate (one directive and two regulations), and an action for compensation for the damage allegedly suffered by the applicants.	The Court announced that the plaintiffs had no interest in bringing proceedings to challenge the EU for its climate inaction, based on the 1963 Plaumann case law, according to which an individual must be uniquely affected by an EU legislative act in order to be allowed to challenge it.	https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=CELEX:62019CJ0565	https://peoplesclimatecase.caneurope.org/2021/03/eu-court-turn-a-deaf-ear-to-citizens-hit-by-the-climate-crisis/
Swiss Senior Women for Climate Protection v. Swiss Federal Council	2016-11-25	ECHR	Federal Court of Lausanne 2020-05-19 Appeal ECHR on 2020-11-26	Switzerland	/	Articles 2 and 8 of the ECHR	Adequacy of the Swiss government's climate change mitigation objectives and implementation measures and possible violation of human rights.	Like the Duarte Agostinho case, this application raises new issues before the Court, including the issue of victim status in climate cases, the ability of (environmental) NGOs to bring the matter before the Court, and the extent of the State's discretion with regard to environmental protection measures related to climate change.	https://www.humanrights.ch/cms/upload/pdf/2022/220503_Gde_chambre.pdf	https://www.informea.org/en/court-decision/union-swiss-senior-women-climate-protection-vs-swiss-federal-council-and-others
People v Arctic Oil	2016-10-18	ECHR	Supreme Court of Norway 2020-12-22 20-051052SIV-HRET ECHR appeal on 2021-06-15	Norway	Environmental assessment and permitting	Article 112 of the Norwegian Constitution Articles 2 and 8 of the ECHR Paris Agreement	Constitutionality of the Norwegian government's decision to allow new blocks of the Barents Sea for the development of deep-sea oil and gas extraction.	On December 22, 2020, the Supreme Court announced its decision dismissing the appeal and upholding the offshore mining licenses. The Court held that although the Norwegian constitution protects citizens from environmental and climate damage, future emissions from exported oil are too uncertain to prohibit the granting of such oil exploration licenses. The complainants referred the case to the European Court of Human Rights on 15 June 2021.	http://climatecasechart.com/wp-content/uploads/sites/16/non-us-case-documents/2020/20201222_HR-2020-846-l_judgment.pdf	http://climatecasechart.com/non-us-case/greenpeace-nordic-assn-and-natur-youth-v-norway-ministry-of-petroleum-and-energy/
Ioane Teitiota v. New Zealand	2015-09-15	Human Rights Committee	Human Rights Committee 2020-09-23 CCPR/C/127/D/2728/2016	New Zealand	/	Article 6 (1) of the Covenant Articles 1 and 2 of the Optional Protocol	In 2015, Ioane Teitiota's asylum application in New Zealand was denied, and he was deported with his wife and children to his home country of Kiribati. He filed a complaint to the UN Human Rights Committee, arguing that by deporting him, New Zealand had violated his right to life. Mr. Teitiota argued that the rise in sea level and other effects of climate change had rendered Kiribati uninhabitable for all its residents. Violent land disputes occurred because habitable land was becoming increasingly scarce. Environmental degradation made subsistence farming difficult, and the freshwater supply was contaminated by salt	The Committee determined that in Mr. Teitiota's specific case, New Zealand's courts did not violate his right to life at the time of the facts, because the thorough and careful evaluation of his testimony and other available information led to the determination that, despite the serious situation in Kiribati, sufficient protection measures were put in place. "Nevertheless," said Committee expert Yuval Shany, "this ruling sets forth new standards that could facilitate the success of future climate change-related asylum claims."	https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR/C/127/D/2728/2016&Lang=en	https://www.ohchr.org/en/press-releases/2020/01/historic-un-human-rights-case-opens-door-climate-change-asylum-claims
Mex Müllner v. Austria	2015-03-25	ECHR	Pending	Austria	/	Articles 2, 6, 8 and 13 of the ECHR Paris Agreement UNFCCC	What opportunities does a state have to offer its citizens to demand more climate protection? Moreover, it is about the state's duties to protect a massively physically affected and young plaintiff.	/	https://www.michaelakroemer.com/wp-content/uploads/2021/04/rechtsanwaeltin-michaela-kroemer-klimaklage-petition.pdf	https://klimaklage.fridaysforfuture.at/en

INTERNATIONAL CLIMATE LITIGATION

Case Name	Introductory date	Jurisdiction	Status	Against a state	Basis	Relevant texts	Problematic	Contribution	Link to the decision	Link to a comment
Cordella and Others v. Italy	2013-07-29	ECHR	ECHR 2019-01-24 54414/13	Italy	/	Articles 2, 8 and 13 of the ECHR	In this case, 180 applicants complained about the effects of harmful emissions from the Ilva steel plant in Taranto on the environment and their health, and the ineffectiveness of domestic remedies.	In particular, the Court held that the prolongation of a situation of environmental pollution endangered the health of the applicants and, more generally, that of the entire population residing in the areas at risk. It also found that the national authorities had failed to take all the necessary measures to ensure the effective protection of the right of the persons concerned to respect for their private lives. Lastly, the Court considers that the applicants did not have an effective remedy enabling them to raise before the national authorities their complaints that it was impossible to obtain measures to ensure the clean-up of	https://hudoc.echr.coe.int/fre?i=001-189421	https://hudoc.echr.coe.int/fre?i=002-12310
Paul Abraham and Others v Région wallonne and Others	2004-06-29	CJEU	**CJEU** **Judgment of the Court (Second Chamber)** **2008-02-28** **Case C-2/07**	Belgium	Environmental assessment and permitting	Directive 85/337/EEC	Residents of Liege-Bierset airport are complaining about the noise pollution, often at night, resulting from the restructuring of this former military airport and its use since 1996 by air freight companies.	On 28 February 2008 the European Court of Justice delivered a preliminary ruling on the operation of an air freight centre at the Belgian Liège-Bierset Airport. The request for a preliminary ruling asked for interpretation of the Environmental Impact Assessment (EIA) directive (85/337/EEC). The Court found that the restructuring of the airport does not constitute a project within the meaning of the EIA directive. The Court ruled that the national courts have discretion to decide whether the EIA directive applies when deciding in the case in question, which concerns noise pollution claims linked to the works at the Belgian	https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:62007CJ0002&from=EN	https://leap.unep.org/countries/be/national-case-law/paul-abraham-ea-contre-region-wallonne