



SEATTLE

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Monsieur Patrick Pouyanné
Président Directeur Général
Total SA
Tour Coupole - 2 place Jean Millier
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Par porteur
Par courrier recommandé avec AR

Paris, October 22nd, 2018

N/Réf : Duty of Vigilance / Total SA

Dear CEO,

We have been commissioned by Christian Métairie, Mayor of Arcueil, Jean-René Etchegaray, Mayor of Bayonne, Clément Rossignol Puech, Mayor of Bègles, Michaël Latz, Mayor of Correns, Gerard Cosme, Chair of the Territorial Public Agency « Est Ensemble », Damien Carême, Mayor of Grande-Synthe, Eric Piolle, Mayor of Grenoble, Vanessa Miranville, Mayor of La Possession, Pierre Aschieri, Mayor of Mouans-Sartoux, Patrick Jarry, Mayor of Nanterre, Stéphane Blanchet, Mayor of Saint-Yon, Alexandre Touzet, Mayor of Sevran et Jean-Pierre Bouquet, Mayor of Vitry-le-François, as well as by the NGOs “Les Eco Maires”, “Notre Affaire à Tous”, “Sherpa” et “Zéa” to challenge you on the respect of the duty of vigilance which is imposed on your corporate group and which extends to climate risks.

The territorial communities spread in seven different regions of mainland France and overseas that we represent, are already experiencing the adverse and irreversible consequences of climate change because of your activities.

The new statutory provisions of the French Commercial Code issued from the Duty of Vigilance Act of February 27, 2017, obliges you to establish a "plan of vigilance", which:

« shall include the reasonable vigilance measures to allow for risk identification and for the prevention of severe violations of human rights and fundamental freedoms, serious bodily injury or environmental damage or health risks resulting directly or indirectly from the operations of the company and of the companies it controls (...) as well as from the operations of the subcontractors or suppliers with whom it maintains an established commercial relationship, when such operations derive from this relationship. »

This plan must also include:

« 1° A mapping that identifies, analyses and ranks risks ; (...)

« 3° Appropriate actions to mitigate risks or prevent serious violations; (...) ».

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In accordance with the provisions of Article L225-102-4 I of the French Commercial Code, your Group has published its first "vigilance plan", integrated in your 2017 Registration Document.

It does not appear to comply with legal requirements.

It does not reflect the reality of the impacts of your activities and the risks of serious damages to the climate system that they induce.

First, the published risk map does not mention the climate change risk resulting from the global increase in greenhouse gas emissions from your own operations.

However, you explicitly acknowledge in your Registration Document that the physical effects of climate change are likely to significantly affect the Group's activities. With a clear lucidity, you specify that the Company and several of its subsidiaries are subject of requests from public authorities in different countries to finance the adaptive measures to be taken to mitigate the effects of climate change."

If your Group is itself exposed to the effects of climate change, how can you justify that third parties affected by its consequences are not affected by it?

Secondly, the vigilance plan does not include any appropriate action to mitigate the risks and prevent serious harms arising from climate change. The actions and measures adopted in your vigilance plan can certainly not tackle adequately the impacts of your group.

Richard Heede's work has shown that Total was responsible for 0.7% of all global greenhouse gas emissions in 2015, and 0.9% for the period 1988/2015.

The only "adapted actions" should be those that limit global warming to 1.5 ° C since the beginning of the pre-industrial era, an objective shared by the 197 States that signed the Paris Agreement of December 12, 2015. This objective is also reflected in Goal 13 of the "Sustainable Development Goals" adopted in September 2015 by the United Nations General Assembly, which your Group has decided to subscribe to.

These are the reasons why we are publicly requesting you about the need to bring your vigilance plan into conformity.

The plan will have to incorporate the actions that you will not fail to adopt in terms of mitigation of climate risk and prevention of serious damage to the environment and human rights that result.

You will thus draw the necessary consequences for your business.

If these major omissions were to be confirmed in the vigilance plan for the 2018 financial year, we would then be forced to sue your Group in the Court on the basis of the provisions of Article L. 225-102-4.-II of the French Commercial Code.

We remain naturally at the disposal of the one of the Lawyers whom you would like to designate and to whom you can communicate this letter.

We remain as confident that you will appreciate the importance of the issues involved in such an inquiry, beyond the mere respect of this text,

Yours sincerely,

Sébastien MABILE & François de CAMBIAIRE
Lawyer at the Paris Bar



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