

The case of the century

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In its ruling of 3 February 2021, the Paris Administrative Court recognised ecological damage linked to climate change and held the French state responsible for failing to fully meet its goals in reducing greenhouse gases.

In March 2019, the environmental associations Oxfam France, Notre Affaire à tous, Fondation pour la Nature et l'Homme, and Greenpeace France filed four appeals with the Paris Administrative Court in order to have the French State's failure to act in the fight against climate change recognised, to obtain its condemnation to redress not only their moral but also their ecological damage and to put an end to the State's failure to fulfil its obligations.

After ruling that the action to redress the ecological damage, provided for in the Civil Code, was admissible and open against the French state, the court held that the existence of such damage, which was not contested by the State, was reflected in particular in the constant increase in the Earth's average global temperature, which was responsible for a change in the atmosphere and its ecological functions. The judges then examined whether there was a causal link between this ecological damage and the alleged failures of the French state in the fight against climate change. They held that the French state should be held liable for part of this damage if it had failed to meet its obligations to curb greenhouse gas emissions.

As regards redress for ecological damage, the court emphasised that such redress is primarily in kind, with damages being awarded only if the remedial measures are not possible or insufficient. For that reason, it rejected the conclusions of the associations that sought pecuniary compensation for the damage.

However, the court held that the applicants were entitled to claim compensation in kind for the ecological damage caused by France's failure to meet its greenhouse gas emission reduction goals. In order to determine the measures to be ordered from the French state to redress the damage caused or to prevent its worsening, the judges ordered a supplementary investigation, with a time limit of two months.

Lastly, the court held that the French state's failing to honour its obligations to combat global warming was detrimental to the collective interests defended by each of the applicant associations. It therefore ordered the French state to pay the Oxfam France, Notre Affaire à tous, Fondation pour la Nature et l'Homme, and Greenpeace France associations the sum of one euro requested by each of them as compensation for their moral prejudice.

The judgment, in French, can be found here: [1904967-1904968-1904972-1904976](#)

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