

Shell plc
To the CEO, Mr W. Sawan
To the Executive Committee (Mr W. Sawan, CEO)
To the Board of Directors (Sir Andrew Mackenzie, Chairman)
Shell Centre
LONDON, SE1 7NA
UNITED KINGDOM

Re: detailed demands in new lawsuit

February 20, 2026

Dear Mr Sawan, Dear Sir Andrew Mackenzie,

On 13 May 2025, Milieudedefensie sent Shell plc a notice of liability by means of a letter addressed to you, for violating its legal duty of care under Dutch law. This violation consists of the continuing investments of the Shell Group in new oil and gas fields and Shell's inadequate climate policy for the period 2030-2050.

In a letter dated 13 June 2025, you rejected this liability without really addressing the reasons which led Milieudedefensie to hold Shell plc liable.

As Milieudedefensie has pointed out to you, the Court of Appeal in The Hague expressly found, in its judgment of 12 November 2024, that continuing investments in oil and gas production could result in the use of fossil fuels being imposed by the supply side of the market, which could seriously delay the energy transition. It is one of the reasons why the Court of Appeal believes that Shell plc – as a party on the supply side of the oil and gas market – has an independent legal duty of care to implement an adequate climate policy. The Court of Appeal therefore also found that Shell's

planned investments in new oil and gas fields could be at odds with its legal duty to consider the negative consequences of further expanding the supply of fossil fuels.

In your response, you completely ignored these findings of the Court regarding Shell's supply side responsibility. You only took positions relating to the demand side of the oil and gas market and the associated interests of energy security and affordability, but these positions have not been accepted by either the District Court or the Court of Appeal in the lawsuit pending against Shell plc. They are also refuted by leading international institutions such as the International Energy Agency, the International Monetary Fund and the European Central Bank.

The reports and analyses of these organisations show that moving away from oil and gas in line with the 1.5°C target is best for energy security and affordability and, moreover, for the economy and financial stability in general. And, of course, this approach is the best way of preventing the destructive consequences of climate change for people and the environment.

Your position that climate and energy goals are only compatible to a limited extent therefore has no legal, scientific or institutional basis, but is a position based solely on the commercial interests of Shell plc itself and its shareholders.

Your written response confirms that no policy shift aimed at tackling the climate crisis and advancing the energy transition is to be expected from Shell plc. Unfortunately, this means that a second lawsuit against Shell is inevitable.

In connection with this new lawsuit, please find enclosed the demands as formulated in the summons that Milieudedefensie intends to issue against Shell plc, if Shell plc fails to respond to this final opportunity to voluntarily comply with Milieudedefensie's demands. Because the lawsuit will be brought before a Dutch court, the formal demands are worded in Dutch. For your convenience, an English translation of these demands is enclosed.¹

The demands primarily concern:

- an order requiring Shell plc to cease its own oil and gas production from new fields;
- an order requiring Shell plc to cease trading and selling oil and gas, produced by third parties from new fields;
- an order requiring Shell plc not to sell or otherwise transfer new oil and gas fields, the rights to new fields or the rights to the production from new fields;
- an order requiring Shell plc to have achieved specified absolute emission reductions by 2035, 2040 and 2050 for the emissions from both oil and gas respectively, for fuels produced by Shell itself as well as fuels produced by third parties, but traded and sold by Shell;
- an order prohibiting Shell to achieve these emission reductions by transferring assets or activities to third parties outside the Shell Group (through the transfer of shares, assets or otherwise).

For a more detailed description of these and other demands, please refer to the enclosure.

¹ In the event of discrepancies between the Dutch and English versions, the Dutch version will prevail.

If this letter should prompt you to implement a policy shift for Shell plc that you would like to discuss, then please know that we are always open to such a discussion.

If Milieudedefensie (i) does not receive any response within three weeks or (ii) receives a response within three weeks indicating that Shell does not intend to comply with the above-mentioned demands, Milieudedefensie will take legal action against Shell plc without any further notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald Pols".

Donald Pols

Director of Milieudedefensie

A handwritten signature in black ink, appearing to read "Winnie Oussoren".

Winnie Oussoren

Chair of Milieudedefensie Jong

APPENDIX 1: DEMANDS IN DUTCH

Milieudedefensie verzoekt om bij vonnis, voor zoveel mogelijk uitvoerbaar bij voorraad:

EMISSIEREDUCTIE

- (1) te bevelen dat Shell de jaarlijkse Scope 1, 2 en 3 CO₂-emissies naar de atmosfeer, verbonden aan de activiteiten en activa van de Shell Groep vermindert of doet verminderen in overeenstemming met het beperken van de opwarming van de aarde tot 1,5°C, zodanig dat deze CO₂-emissies aan het eind van de jaren 2035, 2040 en 2050 in absolute zin ten minste zullen zijn verminderd met de in onderstaande tabel genoemde reductiepercentages:¹

Emissiereductie	2035	2040	2050
Primair: ten opzichte van 2022	olie: -70% gas: -78%	olie: -86% gas: -89%	olie: -98% gas: -98%
Subsidiair: ten opzichte van 2019	olie en gas: -65%	olie en gas: -80%	olie en gas: -99%

¹ De hier opgenomen tabel en de daarin genoemde absolute reductiepercentages zijn gebaseerd op (i) primair: het reductiepad voor olie en gas in *advanced economies* in het NZE-scenario, zoals volgt uit de Extended Dataset behorend bij de World Energy Outlook 2023 van het Internationaal Energie Agentschap, (ii) subsidiair: de mediaan van mondiale emissiereducties die volgt uit de 1,5°C-scenario's (*no or low overshoot*) zoals opgenomen in het AR6 WGIII-rapport van het IPCC (iii) meer subsidiair: het mondiale reductiepad voor olie en gas in het NZE-scenario zoals volgt uit de Net Zero Roadmap 2023 Update van het Internationaal Energie Agentschap.

Meer subsidiair: ten opzichte van 2022	olie: -51% gas: -56%	olie: -71% gas: -76%	olie: -92% gas: -95%
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- (2) te bevelen dat Shell de in vordering ((1)) genoemde verminderingen van de jaarlijkse CO₂-emissies naar de atmosfeer van de Shell Groep:
- (1) afzonderlijk dient te bewerkstelligen voor de CO₂-emissies verbonden aan de door de Shell Groep zelf geproduceerde olie en gas en uit olie en gas verkregen energiedragende producten, respectievelijk voor de CO₂-emissies verbonden aan de door derden geproduceerde, maar door de Shell Groep verhandelde en verkochte olie en gas en uit olie en gas verkregen energiedragende producten;
 - (2) vanaf 2031 zoveel als mogelijk lineair of sneller dient te bewerkstelligen;
- (3) subsidiair, indien vorderingen ((1)) en ((2)) niet worden toegewezen, te bevelen dat Shell de jaarlijkse CO₂-emissies (Scope 1, 2 en 3) van de Shell Groep in absolute zin zodanig vermindert of doet verminderen dat de Shell Groep in 2050 netto nul CO₂ uitstoot.
- (4) subsidiair, indien vorderingen ((1)) en ((2)) niet worden toegewezen, te verklaren voor recht dat Shell de rechtsplicht heeft om de jaarlijkse CO₂-emissies (Scope 1, 2 en 3) van de Shell Groep in absolute zin jaarlijks te verminderen of te doen verminderen in vergelijking met het niveau van het peiljaar 2024, met ingang van 2031, in overeenstemming met het beperken van de opwarming van de aarde tot 1,5°C en de best beschikbare klimaatwetenschap;

DIVESTMENT

- (5) te bepalen dat Shell de in vorderingen ((1)) tot en met ((4)) genoemde emissiereducties niet mag bereiken door middel van het overdragen van activa of activiteiten aan derde partijen buiten de Shell Groep (door overdracht van aandelen, activa of anderszins), in die zin dat Shell de emissieniveaus van de basisjaren die voor haar reductiedoelen gehanteerd worden moet herberekenen, wanneer de overdracht van activa of activiteiten in een specifiek jaar cumulatief in verband staat met meer dan 0,5% van de totale jaarlijkse emissies in Scope 1, 2 en 3;

CARBON CREDITS

- (6) te bepalen dat Shell voor het bereiken van de in vorderingen ((1)) tot en met ((4)) bedoelde emissiereducties geen gebruik mag maken van Carbon Credits;

GEEN NIEUWE VELDEN

- (7) te bevelen dat Shell bewerkstelligt dat de Shell Groep binnen drie maanden na dagtekening van het vonnis stopt, gestopt houdt en niet meer opstart, met de productie van olie en gas uit velden waarvan de definitieve investeringsbeslissing is genomen na:
- (1) primair: 1 januari 2022;
 - (2) subsidiair: 12 november 2024;

- (3) meer subsidiair: de datum van de dagvaarding;
- (4) meest subsidiair: de datum van het vonnis;
- (8) te bevelen dat Shell bewerkstelligt dat de Shell Groep binnen drie maanden na dagtekening van het vonnis stopt met de handel en verkoop van olie, gas en uit olie en gas verkregen energiedragende producten, geproduceerd door derden, waarvan Shell of andere entiteiten in de Shell Groep weten of redelijkerwijs kunnen weten dat deze afkomstig zijn uit velden waarvan de definitieve investeringsbeslissing is genomen na een door de rechter vast te stellen peilmoment, zoals genoemd (van primair tot meest subsidiair) in vordering ((7));
- (9) te bevelen dat Shell bewerkstelligt dat de Shell Groep geen olie- of gasvelden verkoopt of anderszins overdraagt, dan wel rechten op dergelijke velden of de rechten op productie daaruit, in de ruimste zin des woords, verkoopt, overdraagt of anderszins verleent aan private of semi-private derde partijen waarvan bekend is of redelijkerwijs bekend kan zijn dat die voornemens zijn olie en gas uit deze velden te produceren; een en ander met betrekking tot olie- en gasvelden (of de rechten daarop) waarvan de definitieve investeringsbeslissing is genomen na een door de rechter vast te stellen peilmoment, zoals genoemd (van primair tot meest subsidiair) in vordering ((7));

AFSLUITENDE VORDERINGEN

zowel primair als (meer en meest) subsidiair:

- (10) althans een zodanige beslissing te nemen als uw rechtbank geraden acht, daaronder mede begrepen het toewijzen van lagere reductiepercentages dan in dit petitum gevorderd, het toewijzen van een gedeelte van de in dit petitum geformuleerde vorderingen, het aanpassen van een peilmoment of van een peiljaar voor de genoemde definitieve investeringsbeslissingen of de te realiseren vermindering van absolute emissies, of het toewijzen van de vorderingen als een (zwaarwegende) inspanningsverplichting; en
- (11) Shell te veroordelen tot betaling van de kosten van dit geding, inclusief het salaris van de advocaten en de verschotten, te vermeerderen met de nakosten, op de voet van het liquidatietarief, een en ander te voldoen binnen veertien dagen na dagtekening van het vonnis, en – voor het geval voldoening van de (na)kosten niet binnen de gestelde termijn plaatsvindt – te vermeerderen met de wettelijke rente over de (na)kosten te rekenen vanaf genoemde termijn voor voldoening.

APPENDIX 2: DEMANDS

Milieudedefensie is requesting the Court to do the following in a judgment that is provisionally enforceable as much as possible:

EMISSION REDUCTIONS

- (1) to order Shell to reduce or cause to be reduced the annual Scope 1, 2 and 3 CO₂ emissions into the atmosphere that are associated with the activities and assets of the Shell Group, consistent with limiting global warming to 1.5°C, in such a manner that these CO₂ emissions will have been reduced in absolute terms by the end of the years 2035, 2040 and 2050 by at least the reduction percentages set out in the table below:¹

Emission reductions	2035	2040	2050
Principally: relative to 2022	oil: -70% gas: -78%	oil: -86% gas: -89%	oil: -98% gas: -98%
In the alternative:	oil and gas: -	oil and gas: -	oil and gas: -

¹ The absolute reduction percentages listed in this table are based on (i) principally: the reduction path for oil and gas in advanced economies in the NZE scenario, as follows from the Extended Dataset of the International Energy Agency's World Energy Outlook 2023, (ii) in the alternative: the median of global emission reductions of the (no or low overshoot) scenario's for 1,5°C as included in the AR6 WGIII report of the IPCC (iii) Further in the alternative: the global reduction path for oil and gas in the NZE scenario as follows from the Net Zero Roadmap 2023 Update by the International Energy Agency.

relative to 2019	65%	80%	99%
Further in the alternative: relative to 2022	oil: -51% gas: -56%	oil: -71% gas: -76%	oil: -92% gas: -95%

- (2) to order Shell, regarding the reductions of the annual Shell Group CO₂ emissions into the atmosphere, described in demand (1):
 - (a) to separately achieve these reductions for the CO₂ emissions associated with the oil and gas and energy products obtained from oil and gas produced by the Shell Group itself and for the CO₂ emissions associated with the oil and gas and energy products obtained from oil and gas produced by third parties, but traded and sold by the Shell Group;
 - (b) to achieve these reductions with effect from 2031 as much as possible in a linear manner or faster;
- (3) in the alternative, if demands (1) and (2) are not awarded: to order Shell to reduce or cause to be reduced the annual Shell Group CO₂ emissions (Scope 1, 2 and 3) in an absolute sense in such a manner that the Shell Group achieves net zero CO₂ emissions in 2050;
- (4) in the alternative, if demands (1) and (2) are not awarded: to make a declaratory decision stating that Shell has a legal duty to reduce or cause to be reduced, with effect from 2031, the annual CO₂ emissions (Scope 1, 2 and 3) of the Shell Group in an absolute sense, relative to the level in the reference

year of 2024, consistent with limiting global warming to 1.5°C and the best available climate science;

DIVESTMENT

- (5) to prohibit Shell from achieving the emission reductions described in demands (1) up to and including (4) by transferring assets or activities to third parties outside the Shell Group (through the transfer of shares, assets or otherwise), in the sense that Shell must recalculate the emission levels of the base years used for its emission reduction targets if the transfer of assets or activities in any specific year cumulatively is related to more than 0.5% of the total annual emissions in Scope 1, 2 and 3;

CARBON CREDITS

- (6) to prohibit Shell from making use of Carbon Credits for the purpose of achieving the emission reductions described in demands (1) up to and including (4);

NO NEW FIELDS

- (7) to order Shell to achieve that the Shell Group ceases, continues to cease and does not start the production of oil and gas from fields for which the final investment decision was taken after:
- (a) principally: 1 January 2022;

- (b) in the alternative: 12 November 2024;
 - (c) in the further alternative: the date of the summons;
 - (d) in the ultimate alternative: the date of the judgment;
- (8) to order Shell to achieve that the Shell Group ceases, within three months of the date of the judgment, the trade and sale of oil, gas and energy products obtained from oil and gas produced by third parties in respect of which Shell or any other entity within the Shell Group knows or can reasonably know that they originate from fields for which the final investment decision was or is taken after a reference date to be determined by the Court, as mentioned in demand (7) (from “principally” up to and including “in the ultimate alternative”);
- (9) to order Shell to achieve that the Shell Group does not sell or otherwise transfer any oil or gas fields and does not sell, transfer or otherwise grant rights to such fields or rights to the production from such fields, in the broadest sense of the word, to private or semi-private third parties for whom it is known or can reasonably be known that they intend to produce oil and gas from such fields; all this with regard to oil and gas fields (or rights to such fields) for which the final investment decision was or is taken after a reference date to be determined by the Court as mentioned in demand (7) (from “principally” up to and including “in the ultimate alternative”);

CONCLUDING DEMANDS

both principally and in the (further and ultimate) alternative:

- (10) in any event, to make any such decision as this Court may see fit, including awarding reduction percentages lower than those demanded in this relief sought, awarding part of the demands formulated in this relief sought, adjusting any reference date or reference year for the mentioned final investment decisions or the absolute emission reductions to be achieved, or awarding the demands as a significant best-effort obligation or obligation of means; and
- (11) to order Shell to pay the costs of this lawsuit, including the fees of counsel and the disbursements, to be increased by the post-judgment costs, based on the court-applied scale of costs (*"liquidatietarief"*), which costs must be paid within fourteen days of the date of the judgment, and – in the event that the costs or post-judgment costs are not paid within the prescribed period – to be increased by the statutory interest on the costs and post-judgment costs, calculated from the above-mentioned final payment date.