

A group of families have filed a lawsuit against the European Union for failing to protect citizens against the impacts of climate change. It's the first climate lawsuit at EU level. A total of ten families from five EU countries, Kenya and Fiji, as well as a Swedish youth organization, are taking the European Parliament and the Council of the European Union to court. They say the EU is violating their fundamental rights of life, health, livelihood and property by failing to combat global warming.

The People's Climate Case, as the lawsuit has been dubbed, was filed with the European General Court on May 24. It argues that the EU's 2030 climate target of reducing domestic greenhouse gas emissions by at least 40 percent compared to 1990 levels, is inadequate. Instead, they are demanding a reduction of at least 50 to 60 percent by 2030.

The plaintiffs argue that three EU emission regulation legal acts, issued as part of the 2030 climate target, still allow for high levels of greenhouse gases to be emitted. They are asking the EU to raise the target in defense of the fundamental rights of citizens — not just of those living in Europe, but also beyond its borders, who suffer from climate change as a result of EU emissions.

Unprecedented case

"This court case is incredibly important and unique because it's addressing the European Union as a whole and not individual states," Stefan Küper, press spokesperson for the NGO Germanwatch, which is supporting the People's Climate Case, told DW.

"This is vital, because it's the EU that's responsible for setting minimum thresholds for the climate policy of EU member states, not the member states themselves. They can be more ambitious than the set guidelines if they want, but they have to stick to the minimum threshold."

The EU is responsible for 10 percent of worldwide greenhouse gas emissions, which makes it the third largest emitter after China and the United States.

"What also makes this court case so unique is that it's about fundamental rights. It's asking the EU to take its own values seriously and base its policies on the values the EU stands for," Küper said.

One of the goals of the lawsuit is for the EU court to rule that climate change is a human rights issue and that the EU is responsible for protecting the rights of current citizens as well as future generations.

Witness reports

The plaintiff families are already feeling the impacts of climate change.

They include families from the south of France and Portugal struggling with heat waves and droughts, as well as forest fires, which threaten their health and livelihood.

A French family, for instance, lost 44 percent of their harvest over six years.

One of the Portuguese plaintiff families lost a tree plantation to forest fires in 2017.

A Portuguese beekeeping family say their livelihood is at stake because bees cannot adapt to climate variations fast enough and produce less honey.

A family from the Italian Alps working in tourism are worried about the lack of snow and ice they have experienced in recent years.

And the Swedish Saami youth group fear losing reindeer because summers are getting hotter.

“If we lose the reindeer, the Saami culture will be lost,” 22-year-old Sanna Vaanar, the group’s chair, told Climate Action Network Europe, the umbrella organization of the lawsuit.

“Many of the Saami youth want to stay with their families and be reindeer herders, but they cannot see a future. This is mostly due to the threat of climate change. This must be urgently addressed for the safety of our generation and the next generations,” she said.

A German family from the East Frisian island of Langeoog say their home is threatened by rising sea levels and storm tides.

“The climate lawsuit is not only about us and our family, but about the future of all of us,” Maike Recktenwald, the mother of the family, told Germanwatch. “What’s happening on our island in the north of Germany is a global problem. We are just experiencing climate change more because we live in nature.”

Support from NGOs

The families are represented by environmental lawyer Roda Verheyen, law professor Gerd Winter and London-based lawyer Hugo Leith.

They are being supported by several environmental NGOs, including Climate Action Network Europe, Europe’s largest NGO coalition working on climate and energy issues, German NGO Protect the Planet, which is financing the lawsuit, and Germanwatch, which is working to raise awareness of the case.

Scientists from think tank Climate Analytics are providing scientific evidence for the legal case and are indicating what could be done to reduce emissions far beyond the EU’s current climate target.

“The climate case has an appendix of more than 6,000 pages which scientifically prove that these families are already feeling the negative impact of climate change today and have their fundamental rights violated,” Küper from Germanwatch said.

Climate lawsuits on the rise

The families bringing the People’s Climate Case aren’t the only citizens suing governments

to take action against global warming. More and more citizens across the world see legal action as a path for climate action.

In fact, more than 1,000 climate lawsuits are currently active around the world. In the US alone, more than 800 climate court cases are ongoing.

Climate court cases can drag on for a long time, and often fail.

Environmental groups suing the Norwegian state for opening up an area in the Norwegian Arctic to oil and gas drilling lost their case when the court ruled for the government earlier this year.

But there have been some success stories, too.

In 2015, 900 Dutch citizens, represented by the Urgenda Foundation, took their government to court to cut greenhouse gas emissions. It was the first time a group of citizens sued their own government over climate change action — and they won.

The lawsuit resulted in a Dutch court ordering the government to cut greenhouse gas emissions nationwide by at least 25 percent by the year of 2020 (compared to 1990 levels), forcing it to take further measures against climate change.

The landmark ruling is the only case in the world thus far to define a government's obligation to control climate change.

The Dutch landmark case laid the foundations for similar lawsuits around the world, for instance by a group of American youths, who are currently suing the US government for failing to curb climate change.

In a suit similar to the People's Climate Case, 21 American plaintiffs aged between 10 and 21 who have been personally impacted by climate change are currently suing the US government. Some live on farms affected by drought, others have lost their homes due to floods, or face health issues as a result of forest fires.

The teenagers accuse the federal government of violating the younger generations' constitutional rights to life and liberty by failing to take action against global warming. They argue that the government is failing to protect essential public trust resources like air and water, which are vital to survival.

The goal of court cases like this is not necessarily just to win, but also to raise awareness of the negative impacts of climate change.

"Even if the plaintiffs of the People's Climate Case don't win, just handing in the case was already a step in the right direction," Küper said, "because it draws attention to the issue and shows other people suffering from the negative impacts of climate change that they are not alone and that there are people out there fighting for positive change."

Source: dw.com