

Glaciers in the courtroom:

Civil climate litigation between a Peruvian farmer and a major German energy utility

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Saúl Luciano Lliuya vs. RWE

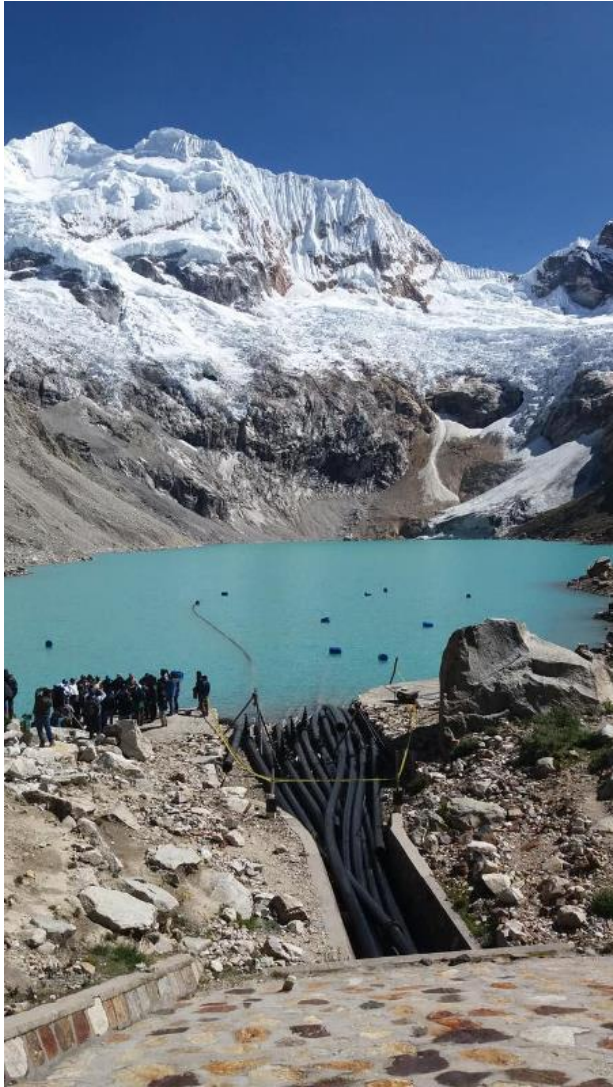
- 2014: First discussions between Saúl Luciano Lliuya and Germanwatch
- March 2015: initial letter of claim to RWE
- November 2015: lawsuit submitted at State Court in Essen
- December 2016: case dismissed at Essen State Court



Saúl Luciano Lliuya vs. RWE

- January 2017: appeal at Higher State Court in Hamm
- November 2017: Higher State Court in Hamm makes ruling to enter evidentiary stage
- September 2018: Court appoints independent experts to assess evidence





German Civil Code

Section 1004

Claim for removal and injunction

- (1) **If the ownership is interfered with by means other than removal or retention of possession, the owner may require the disturber to remove the interference.** If further interferences are to be feared, the owner may seek a prohibitory injunction.
- (2) The claim is excluded if the owner is obliged to tolerate the interference.

The Carbon Majors Report:

Tracing industrial
greenhouse gas emissions



Table 12. All 81 investor- & state-owned carbon & cement entities and cumulative emissions

Entity	Products (fuel, cement)	Flaring, own fuel, vented CO ₂	Fugitive methane	Total emissions	Percent of global
	GtCO ₂	GtCO ₂	GtCO ₂ e	GtCO ₂ e	1751-2010
1. ChevronTexaco, USA	46.28	1.48	3.34	51.10	3.52%
2. ExxonMobil, USA	41.60	1.54	3.53	46.67	3.21%
3. Saudi Aramco, Saudi Arabia	42.82	1.03	2.18	46.03	3.17%
4. BP, UK	32.51	1.02	2.31	35.84	2.47%
5. Gazprom, Russian Federation	25.09	2.13	4.92	32.14	2.22%
6. Royal Dutch Shell, The Netherlands	27.57	0.99	2.19	30.75	2.12%
7. National Iranian Oil Company	26.71	0.76	1.62	29.08	2.01%
8. Pemex, Mexico	18.14	0.59	1.29	20.03	1.38%
9. British Coal Corporation, UK *	17.74	0.00	1.50	19.25	1.33%
10. ConocoPhillips, USA	14.70	0.67	1.50	16.87	1.16%
11. Petroleos de Venezuela	14.77	0.44	0.95	16.16	1.11%
12. Coal India	14.28	0.00	1.21	15.49	1.07%
13. Peabody Energy, USA	11.46	0.00	0.97	12.43	0.86%
14. Total, France	10.79	0.35	0.77	11.91	0.82%
15. PetroChina, China	9.67	0.28	0.61	10.56	0.73%
16. Kuwait Petroleum Corp.	9.80	0.23	0.48	10.50	0.72%
17. Abu Dhabi NOC, UAE	8.84	0.26	0.57	9.67	0.67%
18. Sonatrach, Algeria	7.96	0.40	0.91	9.26	0.64%
19. Consol Energy, Inc., USA	8.38	0.00	0.71	9.10	0.63%
20. BHP Billiton, Australia	6.97	0.06	0.58	7.61	0.52%
21. Anglo American, UK	6.68	0.00	0.57	7.24	0.50%
22. Iraq National Oil Company	6.70	0.14	0.29	7.14	0.49%
23. RWE, Germany	6.31	0.00	0.54	6.84	0.47%
24. Pertamina, Indonesia	6.16	0.21	0.46	6.83	0.47%
25. Libya National Oil Corp.	6.22	0.15	0.32	6.69	0.46%

Source: Heede, R. (2014). *Carbon Majors: Accounting for carbon and methane emissions 1854-2010 Methods & Results Report*: Climate Mitigation Services.

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