

SAVE
THE **ARCTIC**



**THE PEOPLE
VS.
ARCTIC OIL**

**A CLIMATE COURT CASE AGAINST
THE NORWEGIAN GOVERNMENT
FOR OPENING NEW OIL FIELDS IN
THE ARCTIC**

GREENPEACE



**NATUR OG
UNGDOM**



BACKGROUND

The Norwegian government is being sued by Nature and Youth and Greenpeace Nordic for opening up new oil fields in the Arctic.

With the backing of a wide coalition the two environmental organisations have on the 18th October 2016 filed an historic people-powered legal case against the Norwegian government for granting licenses to allow oil drilling in new areas of the Norwegian Arctic for the first time in 20 years.

The plaintiffs argue that Norway thereby violates the Paris Climate Agreement and the right to a healthy and safe environment for future generations as stated in the Norwegian Constitution. The case will be presented in the Oslo District Court in November 2017. It will be the first case that challenges drilling for new oil and gas based on the Paris agreement, and it will be the first time the rights contained in Norwegian Constitutional Article §112 are invoked in Court, which could set an international precedent for future climate cases around the world.

This People vs Arctic Oil court case is about holding countries to account for the Paris Agreement and its 1.5°C warming limit. It's about turning political promises into real change - for the survival, safety and health of people all over the world and for future generations.

THE PLAINTIFFS

Nature and Youth is the largest environmental youth organization in Norway. They have more than 70 local groups all across Norway which work with different environmental causes where they live. The organisation includes more than 7500 members. They are well respected and have a strong standing in Norway. They are part of the Friends of the Earth network, but it is the Norwegian entity, Nature and Youth, that is a co-plaintiff in this case.

Greenpeace is an independent global network that acts to change attitudes and behavior, to protect and conserve the environment and to promote peace. Greenpeace does not accept money from governments, political parties or corporations.

Greenpeace comprises 26 independent national/regional organizations in over 55 countries across Africa, Europe, the Americas, Asia and the Pacific, as well as a co-ordinating body, Greenpeace International. It is the regional office Greenpeace Nordic that is co-plaintiff in this case.

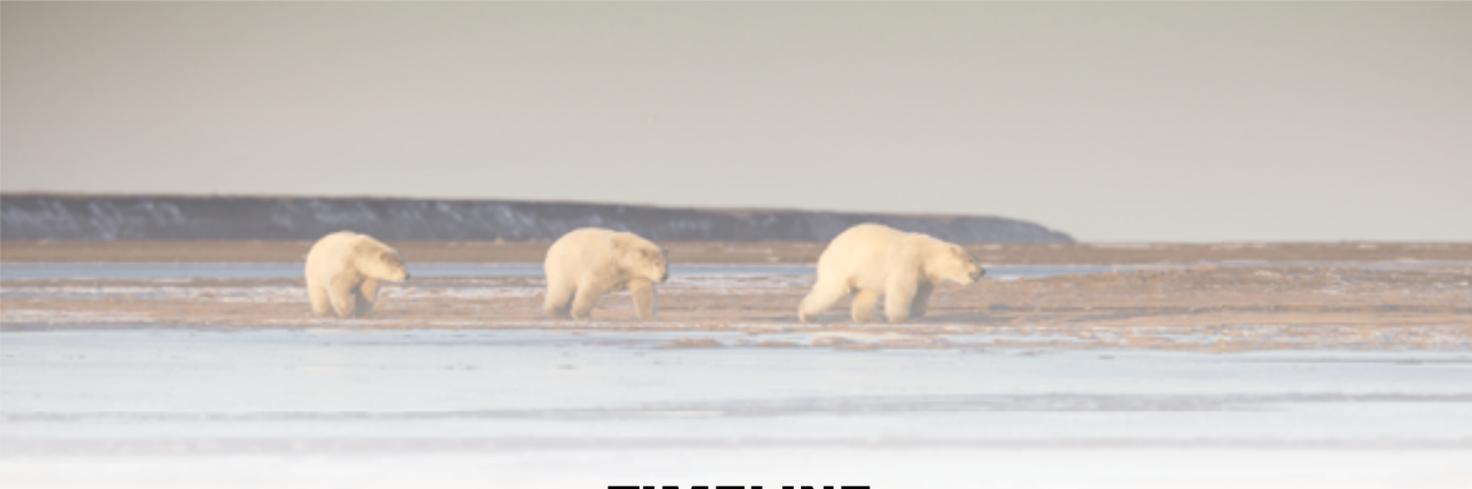
COMPANIES IN THE 23rd OIL LICENSING ROUND

The 13 oil companies that have new license blocks in the 23rd licensing round in the Barents Sea are: Statoil (Norway), Capricorn and Centrica (UK), Chevron and ConocoPhillips (USA), DEA (Germany), Det norske/merged with BP (Norway), Idemitsu (Japan), Lukoil (Russia), Lundin Petroleum (Sweden), OMV (Austria), PGNiG (Norway/ Poland), Tullow (UK / Africa).

The Norwegian state owned oil company Statoil have announced they want to drill 5 to 7 new oil wells in the Arctic in 2017 - including the most northerly blocks ever licenced in Norway. In 2017 it is only Statoil that has announced they will begin their drilling operation in the 23rd licensing round. Statoil was founded as a state owned oil company, and is still 67% controlled by the Norwegian State. Beside the Oil Fund, Statoil is Norway's biggest financial asset, which the country can use to promote its political ends. It is therefore particularly questionable that Norway, which is committed to ambitious climate targets and Arctic protection, allows its oil company to pursue a different agenda including Arctic drilling. Statoil is now in many respects the most aggressive player in the Arctic and is going ahead with its 2017 drilling operation without waiting for the case to be settled in court.

These are the specifics of the different commitments of the companies:

http://www.npd.no/Global/Norsk/2-Tema/Utvinningstillatelser/23-runde/Tilbud/Tabell-oversikt_engelsk.pdf



TIMELINE

2016:

April 22: Norway signs Paris Agreement

May 18: Norwegian government offer new oil licences in the Arctic

June 10: Norwegian government award new oil licences in the Arctic

June 21: Norway ratify the Paris Agreement

Aug 30: Statoil announces a massive drilling campaign

Oct 18: Greenpeace and Nature and Youth file lawsuit

2017:

Feb 14: The Oslo District Court announces trial dates

Nov 14: Climate case is presented in court

The Paris Agreement

Norway was among the first countries in the world to sign the Paris Climate Agreement and the first industrialized nation to ratify it.

The Paris Agreement shows that the countries which have signed the agreement agree on:

Holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change. The 1.5°C goal of the Paris Agreement means that Arctic oil, among others, becomes unburnable. In light of science, this oil has to stay in the ground even for 2°C maximum temperature increase. Granting the new licences in the Arctic cannot be reconciled with what Norway committed to when it signed and ratified the Paris Agreement.

The Norwegian Constitution §112

Based on the Norwegian Constitution Article §112 we are challenging the Norwegian government's decision to award new oil blocks in the 23rd licensing round in June 2016. Article 112 of Norway's Constitution was almost unanimously passed by Parliament in 2014. This is the official translation <https://www.stortinget.no/globalassets/pdf/english/constitutionenglish.pdf>

§112

“Every person has the right to an environment that is conducive to health and to a natural environment whose productivity and diversity are maintained. Natural resources shall be managed on the basis of comprehensive long-term considerations which will safeguard this right for future generations as well.

In order to safeguard their right in accordance with the foregoing paragraph, citizens are entitled to information on the state of the natural environment and on the effects of any encroachment on nature that is planned or carried out. The authorities of the state shall take measures for the implementation of these principles”.

In Court we will invoke the constitutional right to a healthy and safe environment for future generations as stated in §112. It is the first time this has ever been done.

Setting a precedent for future climate cases

Around the world, around 90 countries have constitutions that have explicitly recognized the right to a healthy environment.

Because these rights are universal, judges around the world are taking into account how other jurisdictions are upholding these rights. Therefore, we can expect that Courts around the world will look at the People vs. Arctic Oil to guide and inspire the interpretation of this right in their domestic legal systems. We have a real chance of setting an international precedent that can spark and strengthen legal climate actions around the world.

If a Constitution is the “mirror of a nation’s soul”, then we expect the Courts to be the light that allows us to see that reflection.

