

German court hears Peruvian farmer's climate change appeal

November 13 2017, by Peter Wirth With Michelle Fitzpatrick In Frankfurt



Peruvian farmer Saul Luciano Lliuya, seen talking with his lawyer Roda Verheyen, wants RWE to help fund flood defences for his northern community and reimburse him for money he has spent on protective measures

A German court began hearing an appeal Monday by a Peruvian farmer who accuses energy giant RWE of contributing to climate change that is threatening his home and livelihood in the Andes.

Saul Luciano Lliuya argues that RWE, as a major historic emitter of greenhouse gases, must share in the cost of protecting his hometown Huaraz from a swollen glacier lake at risk of overflowing from melting snow and ice.

A lower court in the western city of Essen where RWE is based dismissed the initial lawsuit last December, ruling that Luciano had failed to demonstrate a direct link between the German utility and the flood risk.

Luciano, who is also a mountain guide, is now hoping the higher court in the city of Hamm will side with him in what German media have likened to a "David versus Goliath" battle.

"RWE is one of the largest emitters in the world," the father-of-two said in a statement issued by the pressure group Germanwatch, which has been advising him.

"These companies have not taken responsibility for the consequences of their emissions. You don't have to be a lawyer to know this isn't just," the 37-year-old added.

Luciano wants RWE to pay 17,000 euros (\$20,000) to help pay for flood defences for his community in Peru's northern Ancash region.

He also wants the German company to reimburse him for the 6,384 euros he himself has spent on protective measures.

Luciano bases his claims on a 2013 [climate](#) study which found that RWE was responsible for 0.5 percent of global emissions "since the beginning of industrialisation"—which he says makes it at least partly responsible for his plight.

Climate in spotlight

RWE, Germany's second-largest electricity producer, has long insisted the Peruvian's case has no legal basis, arguing that a single company cannot be held liable for the global consequences of climate change.

A spokesman told AFP last year that RWE did not understand why it had been singled out for legal action, and stressed the efforts the company had made to become more environmentally friendly.

As well as modernising its [coal-fired power plants](#) to reduce climate-altering [carbon dioxide emissions](#), RWE has invested billions in renewable energy as part of Germany's move away from fossil fuels, the spokesman said.

Luciano's lawyer Roda Verheyen, however, said she continues to believe her client has a winnable case that could set a precedent for so-called "climate justice" cases.

"The risk of flooding in Huaraz is a consequence of anthropogenic global warming and therefore a consequence of the defendant's emissions," she said in a statement.

"We can prove it and we want to prove it."

Luciano has travelled from Peru to attend the start of the appeal proceedings in person.

The case comes as [climate change](#) is once again in the global spotlight with the UN climate talks taking place in Bonn, a two-hour drive away from the Hamm courthouse.

Thousands of diplomats from around the world have gathered there to

negotiate the "rulebook" for the 2015 Paris climate agreement, which goes into effect in 2020.

The pact calls for capping global warming at "well under" two degrees Celsius (3.6 degrees Fahrenheit) above pre-industrial levels, and 1.5 C if possible.

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Citation: German court hears Peruvian farmer's climate change appeal (2017, November 13)
retrieved 3 May 2024 from

<https://phys.org/news/2017-11-german-court-peruvian-farmer-climate.html>

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