

Peruvian farmer scores small win in court over German energy giant

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Peruvian farmer Saul Luciano Lliuya stands outside the higher regional court of Hamm, western Germany

A Peruvian farmer won a small but significant legal victory Monday when a German court said his appeal against energy giant RWE, which he accuses of contributing to climate change that is threatening his Andean home, had merit.

After hearing oral arguments from both sides, the higher regional [court](#)

in the western city of Hamm said Saul Luciano Lliuya's demand for damages from RWE was "admissible", paving the way for the case to proceed.

Luciano argues that RWE, as one of the world's top emitters of climate-altering carbon dioxide, must share in the cost of protecting his hometown Huaraz from a swollen glacier lake at risk of overflowing from melting snow and ice.

The appeal court's decision not to throw out the case immediately, as a lower court had done in the first instance last December, was hailed as a win by [climate change](#) activists.

The court in Hamm has written "legal history", said Klaus Milke, chairman of the pressure group Germanwatch that is advising Luciano.

"It's good news for the many potential plaintiffs worldwide who will be emboldened to take action themselves," he told AFP.

The Hamm court said it would give both sides until November 30 to provide further arguments before deciding on the next steps, but that it was "likely" the case would proceed to hearing evidence.

David vs Goliath

After the decision, RWE reiterated its view that the complaint was "not acceptable" and was even "unjustified," arguing that a single company cannot be held liable for specific consequences of climate change.

A lower court in the German city of Essen, where RWE is based, initially found that the lawsuit against RWE was unfounded.

Luciano, who is also a mountain guide, was all smiles as he left the court

building. German media have likened his fight against RWE to a "David versus Goliath" battle.

"I would like to return home to the mountains and tell the people that I was able to do something for them," the father-of-two told reporters ahead of Monday's hearing.

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