

# Glaciers are *melting,* responsibility grows.



# For the *people* in Huaraz and global climate justice.

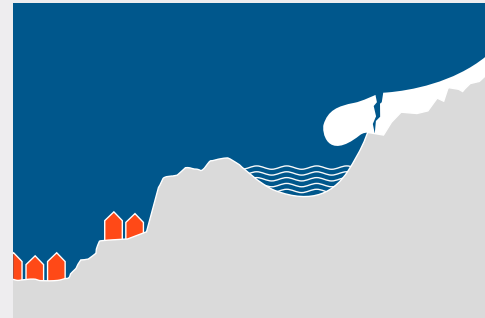
## How it all started

The Peruvian Andean farmer and mountain guide Saúl Luciano Lliuya is suing the energy company RWE. The company's emissions contribute to the melting of glaciers in the Andes. The glacier lake Palcacocha above the city of Huaraz has already grown significantly. Large glacier blocks could break away, fall into the lake and trigger a flood wave. This would have devastating consequences for the inhabitants of Huaraz and would affect about 50,000 people in the lower parts of the city, including Saúl Luciano Lliuya and his family.

The energy company RWE is one of the biggest CO<sub>2</sub> emitters in Europe and responsible for about 0,5% of all global greenhouse gas emissions since the beginning of industrialisation. Saúl Luciano Lliuya is demanding that the company pays for about 0,5% of the protection measures needed at the glacier lake.

The lawsuit has already made legal history by entering the evidentiary phase: For the first time, a major CO<sub>2</sub> emitter could be held accountable for climate damage.

Saúl Luciano Lliuya is not alone. He represents a growing number of people worldwide who, in the face of inadequate political and corporate responses to the climate crisis, are turning to the courts to demand climate justice.



**Exemplary illustration:** A glacier break would trigger a flood wave that would affect more than 50,000 people in Huaraz.



„The big polluters must finally face their responsibility. This is about our protection and justice.“

Saúl Luciano Lliuya

## Goals of the climate case:

1. help the plaintiff and the people of Huaraz to reduce the risk of a destructive flood wave
2. hold polluters such as RWE accountable & encourage them to adopt less damaging business models.
3. bring about political national and international solutions for the protection of people affected by climate change.



Video: This 10-minute documentary gives an overview about the case.  
[www.climatecase.org/en/#video](http://www.climatecase.org/en/#video)



# On the *way* to global climate justice

## What has happened so far

**24.11.2015:** Saúl Luciano Lliuya files the lawsuit, which is classified as a „case of fundamental importance“ by the Essen Regional Court in December.

**June 2016:** In its defence, RWE denies its own responsibility for climate damage in the Andes and denies the flood risk.

**24.11.2016:** The first oral hearing takes place amid great national and international interest - the decision is postponed.

**26.01.2017:** After the dismissive judgement in the first instance (Essen Regional Court, 15.12.2016), Saúl Luciano Lliuya appeals to the Higher Regional Court of Hamm.

**13.11.2017:** Oral hearing. The Court clearly states that large emitters like RWE are responsible for people in poorer countries who are affected by climate change.

**30.11.2017:** The Court determines that it considers a civil claim based on the “neighborhood section” 1004 of the German Civil Code (BGB) against RWE to be possible in principle and decides to enter into the taking of evidence and thus writes legal history!

**25.02.2018 and 14.03.2018:** The Court rejects two counter-arguments by RWE against the decision to take evidence and states that **corporations can be held accountable for climate change.**

**September 2018:** The court chooses two experts to examine two evidentiary questions:

**Question 1:** Is there a serious threat of damage to the plaintiff's property?

**Question 2:** To what extent have climate change and the CO<sub>2</sub> emissions released by RWE contributed to this threat?

**February 2021:** A groundbreaking scientific study shows that about 95% of the glacier melt at Lake Palcacocha is due to man-made climate change.

**Summer 2022:** Court visit in Huaraz for the taking of evidence.

**August 2023:** Expert delivers report on first evidentiary question.



Interview of Saúl Luciano Lliuya and his lawyer Roda Verheyen before the Higher Regional Court of Hamm (2017).



The glacier lake Palcacocha is currently equipped with a provisional pumping system, which is not sufficient to prevent a dangerous flood wave.

# Together for the people of Huaraz and global climate justice

## Global neighbourhood in the climate crisis - Stand with Saúl!

**Show your solidarity** with Saúl Luciano Lliuya. **Sign**, send him a message and share the initiative on social media. **Inform** the people around you about the climate lawsuit #SaulvsRWE **Donate**: The climate lawsuit is largely financed by donations. You too can help write legal history together!



[rwe.climatecase.org/en/takeaction](https://rwe.climatecase.org/en/takeaction)



„I am happy of having stepped up and it is overwhelming for me how much interest and support I have received in my country and worldwide. This gives me strength to continue.

Climate change affects all countries in the world. That's why we have fight for justice.“

Saúl Luciano Lliuya

### Donation account

Stiftung Zukunftsfähigkeit

Keyword „HUARAZ“

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### Online donation:

[climatecase.org/en/donate](https://climatecase.org/en/donate)



### More information

Videos, court documents, press releases etc. can be found here:

[rwe.climatecase.org](https://rwe.climatecase.org)



### Contact

[info@climatecase.org](mailto:info@climatecase.org)



Germanwatch has been working for a long time on the topic of global climate justice and supports Saúl Luciano Lliuya ideally and concretely with advice, expertise, networking and public relations.



The Germanwatch-affiliated Foundation Stiftung Zukunftsfähigkeit supports Saúl Luciano Lliuya with donations and promotes the work of Germanwatch in this context. The Stiftung Zukunftsfähigkeit welcomes donations to support the lawsuit. For the Peruvian mountain guide, the lawsuit against RWE is a great challenge. He would not be able to pay the court and lawyer fees alone.