



# Constitutional complaint because of insufficient German climate policy

November 26, 2018 | Climate change, coal, energy transition

## *Joint press release of the BUND and the SFV*

Berlin. A lawsuit of solar energy promotion association Germany registered association (SFV), federation for environment and nature protection Germany (BUND) and many single claimants on Friday complained because of the completely insufficient German climate policy before the Federal Constitutional Court (BVerfG). Among the individual plaintiffs of the constitutional complaint are celebrities such as actor Hannes Jaenicke, former member of the Bundestag Josef Göppel (CSU) and Professor Volker Quaschnig of the University of Applied Sciences Berlin.

To protect the fundamental rights to life, health and property, which have been increasingly damaged for years by heat waves and natural disasters in Germany and around the world, the Federal Government and the Bundestag must systematically combat global warming. At a minimum, they must meet the global warming limit of 1.5 degrees compared to pre-industrial levels, as agreed in the Paris Climate Agreement, and weigh their weight in the EU. This requires the IPCC to zero emissions in all sectors worldwide in three decades.

At the same time, the IPCC sees a considerable likelihood of missing the target, given three decades of time. Therefore it has to go even faster (see below link to the background). However, the Federal Government and the majority of the Bundestag do not even aim for timely zero emissions of the greenhouse gases for electricity, heat, mobility, plastics and agriculture. It is true that politics has democratic leeway. However, these constitutionally do not allow the physical foundations of human existence to be compromised - and thus also undermine democracy. But that is exactly what threatens if climate policy remains so unambitious.

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recognizes the danger and opposes it, and we are also surprised that the Californian government is not suing the German lignite power stations for damages. "

Ernst-Christoph Stolper, Deputy Chairman of the BUND, explains: "As part of its international network Friends of the Earth, BUND has long been one of the first to systematically position itself: Global warming should be 1.5 degrees below preindustrial levels. With our lawsuit we are increasing the pressure on the Federal Government and the Bundestag to finally present a Climate Protection Act that effectively implements the goals of the Paris Climate Agreement. "

The further process is at the discretion of the BVerfG. Should it come to a hearing, then probably not timely. Should the BVerfG grant the complaint, it would be clear beyond Germany and across Europe and the world that climate protection is a massive human rights problem - it is not in the political favor of the respective majority.

The lawsuit is funded by donations and own funds by the SFV. The lawsuit is legally represented by the lawyer Franziska Heß, who has been successful in environmental law for many years, Baumann Rechtsanwälte Partnerschaftsgesellschaft mbH, and Felix Ekardt from Leipzig, who has also prepared the complaint since 2010 with some human rights reports for the SFV.

## More information

- » [Background \(based on SFV report\)](#)
- » [to the climate crisis](#)
- » Press [contact](#) : Felix Ekardt, Tel. (03 41) 49 27 78 66, [felix.ekardt \(at\) uni-rostock.de](mailto:felix.ekardt@uni-rostock.de) and Katrin Matthes, BUND Press [Officer](#) , Tel. (030) 2 75 86-531, [press \(at\) bund.net](mailto:press@bund.net)

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