



L'AFFAIRE DU SIÈCLE: THE START OF THE LEGAL PROCEEDING IN COURT

On February 15, 2019, the Minister of State, Minister of the Ecological and Solidary Transition, rejected the request of NGOs *Notre Affaire à Tous*, *Greenpeace France*, *Oxfam France* and the *Fondation Nicolas Hulot pour la Nature et l'Homme*.

They sought, on the one hand, to get compensation for the damages suffered as a result of the State's faults in the fight against climate change and, on the other hand, to urge the State to put an end to all of its failures concerning the climate issue.

On Thursday, March 14, 2019, they filed their lawsuit tackling the State's inaction over climate change via a "summary request" before the Administrative Court of Paris.

#LaffaireDuSiecle

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**L'AFFAIRE
DU SIÈCLE**



GREENPEACE



FONDATION
NICOLAS HULOT
POUR LA NATURE
ET L'HOMME



PRESS RELEASE
March 14, 2019

L'AFFAIRE DU SIÈCLE :

4 NGOs BEGIN THE LEGAL PROCEEDING BEFORE THE ADMINISTRATIVE COURT OF PARIS.

Strengthened by the unprecedented support of more than 2 million people and resolutely determined to put the State in front of its responsibilities, *Notre Affaire à Tous*, *Fondation Nicolas Hulot pour la Nature et l'Homme*, *Greenpeace France* and *Oxfam France*, all gathered around "L'Affaire du Siècle", are launching today a new chapter of their action. This morning, they sent a summary request (1) to the Administrative Court of Paris tackling the State's inaction over climate change. The case, which began on December 17, 2018 with a letter of formal notice to the Prime Minister and 11 members of the government, is now in the hands of the courts.

After 40 years of inaction over climate change, is the State's failure to act illegal? Judges will now have to establish it.

Because of the unsatisfactory response of the Government, which has refused to implement additional measures to achieve its own climate goals, we are seeking the intervention of judges, the 3rd power, asking them to point out the State's faults and failures to tackle climate change. The State's inaction for 40 years and its consequences on the fundamental rights of the French people is, in our opinion, illegal. The denial in which the Government is hiding will not contradict these overwhelming facts.

Indeed, France is on the wrong track with emissions of greenhouse gases that have been rising since 2015 and a carbon footprint that has not improved since 1995. This wait-and-see attitude has only worsened the situation in the agriculture, transportation, energy and biodiversity protection sectors, with France accumulating a delay which now requires a greater effort and strong and urgent measures.

For example :

- While the *Grenelle I* law (2009) provided for -20% of greenhouse gas emissions in the transport sector compared to 1990, the 2017 emissions of this sector are 12.4% higher than the 1990 levels.
- While the Renewable Energy Directive 2020 (2009) provides for 23% renewable energies in final energy consumption in 2020, France is one of the two European countries that are facing bigger delays. Thus, in 2017, the share of renewable energies in final energy consumption was 16.3%, which is lower than the goal that it should have achieved (19.5%) in order to meet the European target.
- While the decree of the multiannual energy program (PPE) of October 20, 2016 announced a 2018 target of reducing overall energy consumption by -7 % compared to 2012 levels, this decrease is today less than 2%.

This inaction has a heavy social and environmental cost in France, in Europe and in the world, undermining the protection of our most basic rights: the right to breathe clean air, to feed, the right to housing and to proper heating.

(1) The summary request makes it possible to seize the Administrative Tribunal and thus to introduce the proceeding. This is a relatively short document, which contains the identification of the parties, a statement of the facts, the legal grounds and the main requests. This request will be completed and detailed by a "complementary brief" given to the administrative court.

However, several priority policy areas would enable France to fight against climate change without opposing environmental protection and social justice.

Solutions to the climate crisis exist and many of them have been known for many years: as many measures as possible are supported by *L’Affaire du Siècle*, which is taking legal action on behalf of more than 2,154,800 signatories and all the people that are already affected and will be affected in the future by the consequences of global warming.

For example, the translation of a judge’s decision into the field of renewable energy development could prevent the authorization of projects that would be harmful for the climate, or require the closure of the last coal-power stations as previously promised by the government.

The beginning of a long process that will be played both in courts and in streets from March 16.

The chapter that starts today with the filing of the lawsuit is the launch of an administrative legal proceeding that *Notre Affaire à Tous*, *Fondation Nicolas Hulot pour la Nature et l’Homme*, *Greenpeace France*, and *Oxfam France* will not miss to deliver. However, *l’Affaire du Siècle*, focusing on the faults and failures of our governments over the last 40 years, and pointing out the urgency of the situation, needs more than ever a citizen relay.

The co-appellant organizations today support the calls for the mobilization of youth and citizens, and call on all the supporters of *l’Affaire du siècle* to transform the commitment around the legal proceeding to a mobilization in the streets. For this, they are going to meet citizens on March 15 and 16 through a second video produced by *On est prêt*. The collectives *On est prêt* and *Il est encore temps* still support our cause.

The organizations will submit with their lawyers, the additional briefs accompanying the summary application in April, alongside the millions of citizens who wish to support this process, in accordance with the deadline which will be granted by the administrative judge.

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