

SIX REASONS TO SUE

VANCOUVER BRIEFING NOTE

JUNE 2019

Oil companies have known for over 50 years that their products would cause climate change, yet they have undermined climate science and action to address the crisis.

They misled us — and now Vancouverites are paying the price.

Extreme weather is expected to cost the city billions of dollars in the coming years, which is part of why Vancouver has declared a climate emergency. Holding polluters accountable for the damage they have caused can empower Vancouver to fully respond to this climate emergency, which must be addressed hand-in-hand with the city's affordable housing crisis.

Oil companies who misled us about the risks their products posed to our health and environment should pay their fair share of Vancouver's climate costs, including climate-resilient housing and other infrastructure. Similarly, Big Tobacco was forced to pay over \$200 billion towards the health care costs of smoking.

New York and San Francisco have already launched legal cases. Toronto is exploring the possibility. Now, Vancouver's City Council has put it on the discussion table.

Greenpeace Canada is calling on Vancouver City Council to take action that matches the climate emergency by finally holding big polluters accountable for their fair share of climate-related costs.

HERE ARE 6 EVIDENCE-BACKED REASONS WHY THE CITY OF VANCOUVER SHOULD EXPLORE LEGAL ACTION AGAINST OIL COMPANIES.

#1. CLIMATE CHANGE IS IMPACTING VANCOUVER NOW AND IT'S GOING TO GET WORSE

"In January 2019, Vancouver City Council unanimously approved a motion recognizing the climate emergency ... The threat of climate breakdown has been clearly documented by the world's scientists. Vancouver is already experiencing the impacts of 1°C of warming." - April 2019 City of Vancouver Climate Emergency Response Report

Climate change is no longer a problem for the distant future – it is a problem here and now.

The most recent report from the Intergovernmental Panel on Climate Change warned that climate change is already causing more extreme weather and that rising temperatures will bring even greater risks to human health, livelihoods, assets and ecosystems from heat waves, heavy rain, drought and associated wildfires.[1]

In British Columbia, the principal hazards include rising temperatures, sea level rise, and increased frequency and intensity of extreme weather events.[2]

Since 2011, Vancouverites have experienced extreme rainfall causing street flooding, king tide storm surges causing coastline areas (like Kitsilano Pool) to flood, longer dry spells in the summer, hotter summer weather, tree die-offs, and an increasing incidence of air quality issues due to wildfires outside the region.[3]

#2. DEALING WITH CLIMATE IMPACTS IS EXPENSIVE, AND INSURANCE WON'T COVER IT ALL

Extreme weather and rising sea levels are expected to cost Vancouver billions of dollars, and could damage Vancouver-area infrastructure, homes, services and businesses.

- City staff estimate that Vancouver needs to invest approximately \$1 billion in flood management by 2100,[4] while the Province has estimated it will cost \$9.5 billion to protect Metro Vancouver from sea level rise.[5]
- The Fraser Basin Council's research shows that climate change, including sea level rise, is increasing the significant risk of a large-magnitude flood in the Lower Mainland. A major Fraser River or coastal flood would trigger losses estimated at \$20-30 billion, which would be the largest disaster in Canadian history.[6]
- The Insurance Bureau of Canada estimates that for every dollar in insured damages to homes and businesses, governments must spend three dollars to repair infrastructure.[7]
- Frontline communities affected by systemic vulnerabilities and inequities (racialized, lower income, immigrant and refugee communities, as well as people with disabilities and older adults) are often at greater risk from the impacts of climate change and often have the fewest resources to respond. Those with pre-existing health issues, young children and pregnant women can also be at increased risk to extreme events and poor air quality.[8]

#3. A FEW BIG POLLUTERS ARE RESPONSIBLE FOR THE LION'S SHARE OF GHG EMISSIONS

New research has shown that the largest 50 fossil fuel producers are responsible for the majority of the world's human-caused greenhouse gas (GHG) pollution since 1988.[9] That list contains big multinational and state-owned oil companies like Saudi Aramco (4.5% of total emissions since 1988), ExxonMobil (3.5%), Shell (1.7%) and BP (1.5%). Scientists are also now able to identify and quantify the part human-caused climate change plays in specific extreme weather events.[10] This makes it possible to link corporate emissions to impacts.

#4. OIL POLLUTERS KNEW THEIR PRODUCTS WOULD CAUSE CLIMATE CHANGE BUT MISLED US

Investigative journalism, legal and academic analyses have revealed that oil companies like Exxon have known that burning fossil fuels would lead to climate change for at least 50 years. Rather than warn the public about the danger, they spent millions to mislead the public and policymakers as part of a sophisticated, decades-long effort to delay and prevent action to reduce the demand for their products.[11]

#5. OTHER CITIES ARE SUING OIL COMPANIES OVER CLIMATE COSTS

Over a dozen U.S. cities, counties and states, including New York, San Francisco and Baltimore, are holding fossil fuel companies financially responsible for their role in global warming-related damages.[12] Their lawsuits are modelled on the successful cases against tobacco companies, which hid the devastating health impacts of cigarettes from consumers but were ultimately made to pay over CAD \$270 billion in damages.[13]

In Canada, more than 20 local governments in BC have voted to send climate accountability letters to 20 of the world's largest fossil fuel companies, asking these companies to pay a fair share of local costs.[14] The City of Toronto is currently studying the long-term costs of climate change to the City and any legal avenues to pursue compensation for these costs from major greenhouse gas emitters.[15]

#6. CLIMATE JUSTICE: FAIRNESS AND ACCOUNTABILITY

History shows that those who mislead the public, the market, or the government about the risks of their products, or the availability of safer alternatives, can face substantial legal liability. Tobacco companies are paying over US\$200 billion in the United States to cover tobacco-related health care costs[16] and are being sued by the BC Government[17] and other provinces for \$120 billion.[18]

Just like Big Tobacco, Big Oil hid what they knew about the harms caused by their products and they should pay their fair share of the costs. The more our local government has to spend cleaning up after climate-fuelled disasters, the less money there will be to invest in the things that make our lives better — like better public transit, affordable housing and social services.

NOTES

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- [4] Climate Emergency Motion – January 2019. URL: https://www.onecityvancouver.ca/climate_emergency_motion_jan_2019
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- [7] Insurance Bureau of Canada (16 January 2019). URL: <http://www.ibc.ca/on/resources/media-centre/media-releases/severe-weather-causes-190-million-in-insured-damage-in-2018>
- [8] City of Vancouver Sustainability Group, Climate Change Adaptation Strategy 2018 Update and Action Plan (p. 22). URL: <https://vancouver.ca/files/cov/Vancouver-Climate-Change-Adaptation-Strategy-2018.pdf>
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