

Executives facing climate denial-related claims could be personally liable - NGOs

Press release - May 28, 2014

Amsterdam, 28 May 2014 – Corporate executives of major fossil fuel companies could face personal liability for funding climate denialism and opposing policies to fight climate change, say NGOs.

Greenpeace International, WWF International and the Center for International Environmental Law have written to the executives of large insurance corporations as well as fossil fuel and other carbon major companies [1], seeking clarity on who will pay the bill if such a lawsuit is brought against their directors or officers [2].

Generally, liability policies provide coverage for claims that put individual directors' and officers' assets at risk. These liability policies protect individuals who are conducting their business in good faith but are at risk of being held liable for undesirable business occurrences, which may be beyond their control. However, a serious question is whether these policies would cover a director facing a climate-related claim [3].

Leanne Minshull, Greenpeace International's Climate and Energy Campaigner, says the cost of climate change is personal. *"It's personal to the victims of super typhoon Haiyan who lost family members and homes in the Philippines. It's personal to farmers in California and Australia whose land is now too dry for farming. It should also be personal for any oil, gas and coal company directors who mislead the public by funding climate denialism and stopping action on climate change. The responsibility – not just the devastating effects – should be personal."*

Carroll Muffett, President of the [Center for International Environmental Law](#), says from *"asbestos to tobacco to oil spills, 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, both as companies and as individuals. As the impacts of climate denialism and regulatory obstruction become clear, we want to understand how corporations, insurers, and officers and directors are allocating those risks among themselves. Just as importantly, we ask what steps they're taking to prevent the misconduct that creates those risks in the first place."*

Samantha Smith, leader of [WWF's Global Climate and Energy Initiative](#), says fossil fuel companies owe it to their shareholders and the public to tell us the truth about the devastating impacts of their activities on our shared climate. *"Sooner or later, those who hide the facts and oppose policies to fight climate change will be held to account by the courts. By signing this letter, we hope to bring attention to the importance of truthful, transparent and responsible corporate reporting and policy engagement on climate change."*

The responses from the fossil fuel companies and insurers and will be published on the [Greenpeace International](#) website.

ENDS

Notes for Editors:

[1] [Research identifies 90 entities](#) – referred to as "carbon majors" – as the largest historic contributors of cumulative worldwide emissions of industrial CO₂ and methane between 1854 and 2010.

Richard Heede. 2014. [Tracing anthropogenic carbon dioxide and methane emissions to fossil fuel and cement producers, 1854–2010](#), CLIMATIC CHANGE, Vol. 122, Issue 1-2, pp 229-241, January 2014.

[2] Read the letters on the Greenpeace International website:

[Letter to Companies](#)

[Letter To Insurers](#)

The [list of recipients can be viewed here](#)

[3] For more information on climate change litigation, please see: D. Zegart. 2014. [Want to Stop Climate Change? Take the Fossil Fuel Industry to Court](#), *The Nation*, 21 April 2014. *Last visited on 23 April 2014.*

For more information please contact:

Leanne Minshull, Greenpeace: +31 461 620 25, leanne.minshull@greenpeace.org

Mandy Jean Woods, WWF: +27 72 393 0027, mwoods@wwf.org.za

Amanda Kistler, Center for International Environmental Law: +1 339 225 1623, akistler@ciel.org