

PRESS RELEASE OF CZECH CLIMATE LITIGATION

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Court verdict: Government must urgently meet its climate commitments

The Municipal Court in Prague today upheld the Czech Climate Litigation lawsuit in a landmark decision and ordered the state to urgently take the necessary measures to slow climate change in accordance with its obligations under European and international law. The courts in the Czech Republic (or Slovakia) have done so for the first time in history.

The plaintiffs convinced the court that the measures taken by the state so far are not sufficient to reduce greenhouse gas emissions by 55% by 2030 compared to 1990. State authorities are obliged to have a plan of precise and complete measures towards this goal, which is currently not the case. According to the court, the defendants have not provided legitimate reasons for their inaction. The court concluded that the objective of the Paris Agreement to keep the global temperature increase below 2 degrees Celsius is not legally binding, however the aforementioned national contribution is, and cannot be continually avoided. Avoiding fulfillment of the climate goals would threaten the plaintiffs' constitutionally guaranteed rights. The Court expressly finds that if the state had fulfilled its climate obligations, there would still be climate impacts, however they would be smaller. It also stated that the Czech Republic cannot absolve itself of its climate responsibility by reference to its relatively small contribution to global climate change.

The evidence showed that the Czech Republic's Climate Protection Policy, the government's strategy determining the Czech Republic's pace of greenhouse gas emission reductions, is not sufficient in terms of contribution of the Czech Republic to goals of the Paris Climate Agreement. If every country behaved in this way, crossing tipping points in the Earth's climate system would become inevitable, which would have a major negative impact on the ecosystem as a whole and on the international community, which includes the people of the Czech Republic.

What does this mean for the future? The Ministries of the Environment, Agriculture, Transport and Industry and Trade must urgently take measures in the fields of energy, transport or forestry that will lead to significantly higher greenhouse gas savings than have been achieved to date. Similarly, in the past, courts have forced their countries to fulfil their obligations in Germany, the Netherlands or Ireland.

The Czech Climate Litigation is an association of over 260 citizens who have sued the state after more than a year of preparation last spring. No other organisation is behind the association and the costs of its activities are financed by membership fees and donations. The lawsuit was joined by the municipality of Svatý Jan pod Skalou, which is struggling with the effects of

ongoing climate change, and other plaintiffs, including foresters and farmers. The plaintiff group was represented in the proceedings by the law firm Frank Bold Advocates.

"We are obviously pleased with the court's verdict. It is a victory for the climate movement in the country and around the world. During the climate crisis, unfortunately, we are all losers in the end. We and generations after us will irrevocably lose stable temperatures and many ecosystems. The real victory for the climate of the lawsuit would be if we didn't have to file it at all," said a spokesperson for the association Martin Abel.

"We respect that the means chosen to address the climate crisis are largely a matter of political debate. But the goal, averting the climate crisis, is not up for debate. At the moment, unfortunately, there is a real danger that if politicians stand still for a while longer, urgent measures to mitigate the climate crisis will become very costly. But never as costly as the impact of climate change on the Czech economy. The banks know it, business knows it, and we believe that after today, the government will also realise it," said Jakub Zamouřil, a councillor of the association.

"The court, like courts in other European and international countries, decided based on the fact that the international obligations to protect the climate directly derive from the rights of individual people. It found that the measures contained in the strategic documents of the Czech ministries clearly are insufficient to achieve even the minimum 2030 emission reduction target set by the European Union," said attorney Pavel Černý of the law firm Frank Bold Advokáti, summarizing the court's verdict.

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