

New Zealand lawyers sue climate change body over alleged failure to meet targets

Lawyers say commission's emissions budgets are inconsistent with aim of limiting global warming to 1.5C

Eva Corlett in Wellington

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Hundreds of top New Zealand lawyers are suing the Climate Change Commission for what they say are substantial errors in its **advice to the government** over reducing carbon emissions.

Lawyers for Climate Action is a group of more than 300 solicitors, barristers and academics seeking to ensure Aotearoa **New Zealand** meets its international climate obligations



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On Friday the group filed for a judicial review against the Climate Change Commission in the high court, alleging that the crown institute's emission budgets are inconsistent with limiting global warming to 1.5C, that it has understated the country's reduction targets under the [Paris agreement](#), and that it is relying on other countries to reduce New Zealand's emissions, instead of meeting its own domestic reductions.

The group's president, Jenny Cooper QC, said the commission was failing in its obligations to fulfil New Zealand's climate change law, the Paris Agreement, and the UN's [2018 Intergovernmental Panel on Climate Change report](#).

The IPCC report looked at what the world needs to do to limit global warming to 1.5C. To achieve the goal, net Co2 emissions would have to be reduced by an average of 45% from 2010 levels by 2030, reaching net zero by 2050.

The commission has advised the minister for climate change, James Shaw, who is named as a second respondent in the proceedings, on New Zealand's targets up until 2030, using the IPCC's report.

To calculate those targets, Cooper said 45% should be subtracted from New Zealand's net Co2 levels in 2010, which would equal 484 megatonnes of Co2 by 2030. That is a reduction from the country's previous target of 596 megatonnes by 2030. Statistics NZ has also adopted this calculation.

The commission took a different approach and applied the 45% reduction to gross Co2 levels in 2010, reaching a 2030 goal of 568 megatonnes and resulting in a much higher amount of Co2 being released than if the lawyers' calculations are applied.

It falls "well short" of what is required to meet that 1.5C, Cooper said.

The group argues that if Shaw was to adopt the commission's advice, it would have grave implications for New Zealand and its global reputation. "We need to be emitting less in 2030 than in 2010 and it needs to be a lot less," Cooper said.



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“I don’t think there is any justification at all for New Zealand to be doing less than the international average, and on the contrary we should be doing more.”

The lawyers said they have no interest in slowing down action on climate change through litigation but said it was important to get the calculations right from the start.

The Climate Change Commission said it would review the proceedings but offered no further comment.

In a statement, Shaw said officials were independently analysing the commission’s advice. He said he would consider the Lawyers for Climate Action proceedings but declined to comment further as the matter is before the court.