

# Norway faces climate lawsuit over Arctic oil exploration plans

Campaigners say decision to open up the Barents Sea violates the nation's constitution and threatens the Paris climate agreement

The plaintiffs say that allowing oil companies to drill in the Arctic risks undermining global efforts to address climate change.

[Arthur Neslen](#)

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A lawsuit has been filed against the Norwegian government over a decision to open up the Barents Sea for oil exploration which campaigners say violates the country's constitution and threatens the [Paris climate agreement](#).

The case is being brought by an alliance including Greenpeace, indigenous activists, youth groups, and the former director of Nasa's Goddard institute for space studies, James Hansen.

Norway is seen internationally as a green role model by many for its pledge of [climate neutrality by 2030](#), its [reliance on hydropower](#) and [ambitious plans for electric cars](#).

But Conservative prime minister, Erna Solberg, could now be forced to appear before an Oslo city court on charges of violating Article 112 of the country's constitution, which guarantees every citizen's right to a healthy, diverse and productive environment.

Truls Gulowsen, the director of Greenpeace Norway, said: "Signing an international climate agreement while throwing open the door to Arctic oil drilling is a dangerous act of hypocrisy. By allowing oil companies to drill in the Arctic, [Norway](#) risks undermining global efforts to address climate change."

The case hinges on licences handed out to 13 oil companies - including Statoil, Chevron and Aker BP - allowing oil exploration in the Barents Sea, the most northerly point yet prospected.

Several exploratory wells are planned to open in 2017, and these could help wreck the [Paris climate agreement's ambition of holding global warming to 1.5C](#), the plaintiffs say.

In a letter to the prime minister seen by the Guardian, Hansen compares Norway's behaviour to that of a "climate rogue state".

"I will not mince words, Mrs Solberg," he says. "Your government's actions are utterly at odds with the scientific consensus that underpins the Paris agreement. Norway appears hell-bent on sabotaging the treaty before it has even come into effect."

Speaking to the Guardian from Oslo, Hansen added: "Norway is not all that green. It is burning 70% more fossil fuels per person than Sweden, and mining 20 times more fossil fuels than it needs for its own use. It is using that to create wealth but it is going to have to decide: does it want to be a rogue state or does it want to obey the rule of law?"

Next month, a ruling is expected [in a similar civil rights-style class action](#) that Hansen and his grand-daughter, Sophie, filed against the US government, along with 20 other young people.

Shifting the climate fight towards the courts is a new strategy for campaigners, with high-profile legal actions being heard in [the Netherlands](#) and [the Philippines](#) in the last two years. Several more lawsuits are being prepared around the world, although campaigners will not yet share details.

The Norwegian case focuses on a constitutional amendment – Article 112 – passed in 2014 that has never been tested in a court of law.

This stipulates that "every person has a right to an environment that is conducive to health and to a natural environment whose productivity and diversity are maintained. Natural resources should be managed on the basis of comprehensive long-term considerations whereby this right will be safeguarded for future generations as well."

Gulowsen said: "The constitutional passage is unexplored territory but our lawyers believe we have a very strong case. The factual basis [of the claim] is there. The question is how the court will deal with the facts."

Another litigant, Ingrid Skjoldvær from the Nature and Youth group, added: "We will argue in court that the Norwegian government has an obligation to keep its climate promises and will invoke the people's right to a healthy environment for ours and future generations. This is the People vs Arctic oil!"

One firm which is not participating in the new Arctic oil rush is Shell, which pulled out of a drilling project in Alaska's Chukchi Sea last year, [privately conceding reputational damage](#).

Publicly, Shell blames low oil prices for its retreat from the Barents this time. Tor Arnesen, the director of A/S Norske Shell, said: "Despite knowing we could have explored safely, both environmentally and technically, the current conditions are such that we globally have to prioritise activities with a shorter return on investment."