

Sue Big Oil: A Backgrounder for Local Government Candidates

Congratulations on running for local government. Are you looking to make your mark as a climate leader? Or as a fiscally-responsible candidate striving to protect taxpayers from massive climate-related costs? Either way, committing to Sue Big Oil will help.

The Sue Big Oil campaign asks candidates to pledge to:

- Join with other local governments to file a class action lawsuit to recover a fair share of our climate costs;
- Set aside at least \$1 per person towards a community fund to sue Big Oil;
- Take urgent action to reduce our fossil fuel use and protect us from future heat waves, wildfires, flooding and other climate impacts;
- Work to build equitable, sustainable systems for transportation, housing and food that put people and the planet before corporate profits; and
- Cooperate with Indigenous peoples in doing so.¹

Why run on Sue Big Oil?

Communities across BC have experienced devastating and costly climate change impacts, including wildfires and smoke, heatwaves, drought and flooding.

Meanwhile, the world's largest oil, coal and gas companies have made hundreds of billions of dollars by selling products that cause greenhouse gas pollution. Their executives have known for decades that their products would cause the types of climate impacts that BC communities have suffered, and yet they chose to fund climate misinformation and lobbied hard against global rules that would protect our communities from climate change.²

Currently, taxpayers are expected to foot the bill for 100% of the costs associated with climate adaptation, preparedness, and damage. The community that you hope to represent is likely already paying a hefty bill for climate costs; those costs are only going to rise.³

Fossil fuel companies need to pay their fair share for climate costs. As long as these companies continue to profit from the climate crisis without paying their fair share, they will appear to be wealth creators, because they are offloading the costs of their products onto our communities. As a result, investors will continue to invest in, and governments subsidize, these companies, making the climate crisis worse.

¹ Adapted from the Sue Big Oil Declaration, available at www.suebigoil.ca.

² Center for International Environmental Law. Smoke and Fumes (Nov. 2017), available at <https://www.ciel.org/reports/smoke-and-fumes/>.

³ Insurance Bureau of Canada and Federation of Canadian Municipalities. The Cost of Climate Adaptation at the Local Level (February 2020), available at <http://assets.ibc.ca/Documents/Disaster/The-Cost-of-Climate-Adaptation-Report-EN.pdf>.

A class action lawsuit would allow local governments to pool resources and use existing legal tools to force global fossil fuel companies that have caused harm in BC to pay their fair share. The lawsuit seeks to hold the world's largest oil companies accountable for their "fair share", proportional to the amount of global greenhouse gases that their products have produced. A class action lawsuit is...

- Popular – 68% of British Columbians either strongly or somewhat support their local government suing fossil fuel companies. By contrast less than 20% were opposed.⁴
- Needed – BC local governments will need billions of dollars to pay for climate damage, adaptation and preparedness.⁵ They lack the resources necessary to address the scale of the climate emergency.
- Winnable – Twenty-eight law professors from across Canada say that a lawsuit against fossil fuel companies is based on solid legal principles and is similar to cases won against the tobacco and asbestos industries.⁶ Similar litigation has been won against Shell in the Netherlands and is underway in 20 communities in the U.S.
- Financially manageable – A class action lawsuit allows local governments to work together and share costs. Just \$1 per resident, combined with other funding sources, is enough to get through the first stages of a class action lawsuit. And class action lawsuits protect the parties against having to pay the other side's legal fees if they are unsuccessful (something that is common in other types of cases).

- Impactful – Lawsuits holding global fossil fuel companies accountable for global emissions will have impacts well beyond policies limited to BC's emissions. These companies will need to disclose to investors that they have been sued for contributing to climate change, and will need to show the court that they are acting reasonably in response to climate change.

More resources

Here are some helpful resources that describe the Sue Big Oil campaign and how it will work. Please visit our website at www.suebigoil.ca, and especially our resources on:

- The Sue Big Oil Messaging Triangle – This guide outlines the three pillars of talking about suing Big Oil: the climate impacts our communities are facing, the role of the fossil fuel industry in causing them, and why suing Big Oil will help solve the problem.
- Suing Fossil Fuel Giants: An Introduction – This resource outlines how a lawsuit against Big Oil might work and the resulting benefits for our communities and the planet.

Next steps

To find out more and take the Candidates' Pledge go to <https://suebigoil.ca/get-involved/candidates/>.

Looking for more information about the Sue Big Oil campaign and why you should commit to your community working to bring a lawsuit? Contact us at info@suebigoil.ca.

⁴ Poll conducted by Stratcom Intelligence for Sue Big Oil (2022). See https://suebigoil.ca/wp-content/uploads/2022/08/BC-syndicated-OMNI-report_July-2022_WCEL_for-release.pdf.

⁵ Above, see note 3.

⁶ An Open Letter on Climate Accountability Litigation in Canada (24 June 2019), available at https://allard.ubc.ca/sites/default/files/2020-08/Climate-Litigation-LawProfLetter_final2.pdf.