

Press Release

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Citizens launch administrative litigation to stop Kobe Steel from constructing new coal plants.

Japanese government should halt the construction and operation of new coal-fired power plants:

Plaintiffs And Lawyers Team
for Kobe Steel Coal-Fired Power Plant Administrative Litigation

Targeting two new generating units (1300 MW) being constructed at a coal-fired power plant owned by Kobe Steel, 12 residents of a Kobe city neighborhood today filed an “administrative litigation” lawsuit in the Osaka District Court, seeking to force the Government of Japan as defendant to cancel the notice of finalization of the project’s environmental assessment and to regulate carbon dioxide (CO₂) emissions.

If built, the two new units would emit about 7 million tons of CO₂ per year as well as air pollutants that would harm the health of residents in the nearby community. On that basis, the plaintiffs are seeking (1) cancelation of the “notice of finalization” issued by the Minister of Economy, Trade and Industry that confirmed no changes are needed for the environmental assessment of these power plants, and (2) confirmation of the illegality of the Government’s failure to establish regulatory standards to be consistent with the Paris Agreement to prevent further climate change.

The impacts of climate change are already being felt around the world, and Japan as well has experienced changes in weather patterns and damage from increasingly severe weather-related disasters. Coal is the largest contributor of CO₂ emissions from energy sources. Under the Paris Agreement, it is required to phase out coal-fired power plants in order to achieve the goal of limiting global warming to between 1.5°C and well below 2°C.

France and the United Kingdom, for instance, have announced plans to completely phase out coal by 2021 and 2025, respectively. In contrast, while Japan signed the Paris Agreement and declared to reduce CO₂ emissions by 80% by 2050, the Government has not yet established effective regulations against coal-fired power plants, and in fact there are still plans of 35 new coal power units.

Communities near the Kobe power plant have already experienced severe air pollution, and it is a heavily populated area still recovering from past environmental pollution. Thus, in the context of the need to limit both air and mercury pollution as well, the plaintiffs are calling for a phase out of coal in electricity production.

Despite all of this, the Government has overlooked Kobe Steel’s lack of proper environmental consideration and has accepted that the project’s environmental assessment process was complete, thus clearing the way for construction of new units.

On September 14, 2018, the plaintiffs also filed a civil lawsuit against defendants Kobe Steel and Kansai Electric Power Co. to pursue their personal right to live with

peace and health and to enjoy a stable climate by seeking to stop the construction and operation of the proposed new units at the coal-fired power plant.

This administrative litigation goes beyond the issue of Kobe Steel's coal-fired power plant. It also challenges the legality of the Japanese Government's policies that allow the construction of 35 new coal-fired power plant units.

The plaintiffs invite support from around the world to protect the lives and health of children and grandchildren through this legal action.

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