



About this application form

This form is a formal legal document and may affect your rights and obligations. Please follow the instructions given in the "Notes for filling in the application form". Make sure you fill in all the fields applicable to your situation and provide all relevant documents.

Warning: If your application is incomplete, it will not be accepted (see Rule 47 of the Rules of Court). Please note in particular that Rule 47 § 2 (a) requires that a concise statement of facts, complaints and information about compliance with the admissibility criteria **MUST** be on the relevant parts of the application form itself. The completed form should enable the Court to determine the nature and scope of the application without recourse to any other submissions.

Barcode label

If you have already received a sheet of barcode labels from the European Court of Human Rights, please place one barcode label in the box below.

Reference number

If you already have a reference number from the Court in relation to these complaints, please indicate it in the box below.

A. The applicant

A.1. Individual

This section refers to applicants who are individual persons only. If the applicant is an organisation, please go to section A.2.

1. Surname

2. First name(s)

3. Date of birth

D	D	M	M	Y	Y	Y	Y

 e.g. 31/12/1960

4. Place of birth

5. Nationality

6. Address

7. Telephone (including international dialling code)

8. Email (if any)

9. Sex male female

A.2. Organisation

This section should only be filled in where the applicant is a company, NGO, association or other legal entity. In this case, please also fill in section D.1.

10. Name

The Norwegian Grandparents' Climate Campaign

11. Identification number (if any)

998 636 779

12. Date of registration or incorporation (if any)

2	8	0	4	2	0	1	2
D	D	M	M	Y	Y	Y	Y

 e.g. 27/09/2012

13. Activity

Campaign for the climate and intergenerational justice

14. Registered address

Postboks 10
5648 Fusa
Norway

15. Telephone (including international dialling code)

+47 934 08 869

16. Email

steinarwc@gmail.com

B. State(s) against which the application is directed

17. Tick the name(s) of the State(s) against which the application is directed.

- | | |
|---|--|
| <input type="checkbox"/> ALB - Albania | <input type="checkbox"/> ITA - Italy |
| <input type="checkbox"/> AND - Andorra | <input type="checkbox"/> LIE - Liechtenstein |
| <input type="checkbox"/> ARM - Armenia | <input type="checkbox"/> LTU - Lithuania |
| <input type="checkbox"/> AUT - Austria | <input type="checkbox"/> LUX - Luxembourg |
| <input type="checkbox"/> AZE - Azerbaijan | <input type="checkbox"/> LVA - Latvia |
| <input type="checkbox"/> BEL - Belgium | <input type="checkbox"/> MCO - Monaco |
| <input type="checkbox"/> BGR - Bulgaria | <input type="checkbox"/> MDA - Republic of Moldova |
| <input type="checkbox"/> BIH - Bosnia and Herzegovina | <input type="checkbox"/> MKD - North Macedonia |
| <input type="checkbox"/> CHE - Switzerland | <input type="checkbox"/> MLT - Malta |
| <input type="checkbox"/> CYP - Cyprus | <input type="checkbox"/> MNE - Montenegro |
| <input type="checkbox"/> CZE - Czech Republic | <input type="checkbox"/> NLD - Netherlands |
| <input type="checkbox"/> DEU - Germany | <input checked="" type="checkbox"/> NOR - Norway |
| <input type="checkbox"/> DNK - Denmark | <input type="checkbox"/> POL - Poland |
| <input type="checkbox"/> ESP - Spain | <input type="checkbox"/> PRT - Portugal |
| <input type="checkbox"/> EST - Estonia | <input type="checkbox"/> ROU - Romania |
| <input type="checkbox"/> FIN - Finland | <input type="checkbox"/> RUS - Russian Federation |
| <input type="checkbox"/> FRA - France | <input type="checkbox"/> SMR - San Marino |
| <input type="checkbox"/> GBR - United Kingdom | <input type="checkbox"/> SRB - Serbia |
| <input type="checkbox"/> GEO - Georgia | <input type="checkbox"/> SVK - Slovak Republic |
| <input type="checkbox"/> GRC - Greece | <input type="checkbox"/> SVN - Slovenia |
| <input type="checkbox"/> HRV - Croatia | <input type="checkbox"/> SWE - Sweden |
| <input type="checkbox"/> HUN - Hungary | <input type="checkbox"/> TUR - Turkey |
| <input type="checkbox"/> IRL - Ireland | <input type="checkbox"/> UKR - Ukraine |
| <input type="checkbox"/> ISL - Iceland | |

Subject matter of the application

All the information concerning the facts, complaints and compliance with the requirements of exhaustion of domestic remedies and the six-month time-limit laid down in Article 35 § 1 of the Convention must be set out in this part of the application form (sections E, F and G). It is not acceptable to leave these sections blank or simply to refer to attached sheets. See Rule 47 § 2 and the Practice Direction on the Institution of proceedings as well as the "Notes for filling in the application form".

E. Statement of the facts

58.

1. This complaint (which is one of five complaints submitted at the same time) is about the infringements of the Norwegian state's climate obligations, which follow from Articles 2, 3 and 8 and Protocol 1 Article 1 of the Convention, by Norway's petroleum activities in the Barents Sea in the Arctic Ocean.

2. The Norwegian Supreme Court judgment of 22 December 2020 (Annex 6, English translation in Annex 7):

The Norwegian state was acquitted in the action for judicial review brought by Greenpeace Nordic and Nature and Youth, with the Grandparents' Climate Action (BKA) and Friends of the Earth Norway as interveners. The action challenged the validity of ten production licences for a total of 40 blocks in the Barents Sea South and South East in the 23rd licensing round, the first of several licensing rounds in these regions after the opening of Barents Sea South-East in 2013. The Supreme Court held the licences did not violate the Norwegian Constitution Article 112, that no procedural error had been committed, and that there was no violation of the Convention (Annex 6, §§164-176).

The Supreme Court summarily rejected any violation of the Convention. In its view, the requirement of "actual and imminent risk" under Article 2 was not met (§167). It was uncertain whether or to what degree the decision actually would lead to emission of greenhouse gases, and these were anyway too far into the future. The environmental threat was not "direct and immediate" so there was no infraction under Article 8 (§171). *Demir and Baykara v Tyrkia* could not be applied "in the environmental area as the Convention has no separate environmental provision" (§174).

Four judges dissented and argued that the three licences in Barents Sea South East were invalid (§§258 and 288). The Constitution and EU directives required that the Norwegian authorities had assessed the CO2 sustainability of extracting presumed oil and gas reserves before the Parliament's opening of the Barents Sea South East.

The Norwegian court held the Dutch Supreme Court judgment in *Urgenda* irrelevant. It gave the reason that the Dutch case concerned no particular measure or future emissions, different from the Norwegian judicial review of licences for oil production in the 23rd licensing round (§173). We argue this difference makes the infringements of the Convention clearer, as the Norwegian state is not only responsible for its citizens' consumption, but for a significant source of dangerous pollution beyond that. The Norwegian court only considered emissions from the 23rd licensing round relevant, disregarding that this was only the first of several licensing rounds for vast exploration and production of fossil resources in the Barents Sea.

3. The complainants in the five complaints:

The complainants are already affected by the contributions to climate damage that the Norwegian petroleum activities have entailed for some 50 years. The damage is increasing, the continuous search for new oil and gas fields is creating, not least, in the Arctic Ocean, an exacerbated risk for the future which infringes Convention rights, see further on the effects on the complainants in § 8 further down under this Statement of the facts, and also under section G, box 69 below.

3.1 Complainant no. 1, The Grandparents' Climate Action (BKA, www.besteforeldreksjonen.no) - founded in 2012, is a cross-party NGO with over 5,600 members across the country, with the purpose to counter greenhouse gas emissions and man-made global warming. BKA sees global warming as an existential challenge and as a matter of intergenerational justice and solidarity in the world. BKA will apply the experience of the grandparent generation to make up for the injustice to which the next generations are subjected. BKA fights for the children's voice in the climate struggle under its main motto «Children's climate, our cause!». BKA's task is to contribute to dialogue between the generations and to intergenerational justice. Children, grandchildren and other descendants on the planet are the main victims of the climate crisis. As next of kin to the younger ones, and as contributors to the current climate situation, while the members of BKA are themselves direct victims, they wish to contribute according to their ability to counter and avert the dangers of the climate crisis.

Complainants no. 2-4, is Malene Nylander, Oslo, 29 years, Brede Ørjasæter (32), and their son Elliot 9 months. No. 5 is Finn Bjørnar Lund (80). The three adults are members of BKA.

4. The global climate situation:

The earth's average global warming has increased to just over 1°C, and the increase is mainly due to greenhouse gas emissions from the combustion of fossil fuels. The so-called carbon budget shows the amount of greenhouse gases that

Statement of the facts (continued)

59. can be emitted without breaking the 1.5 and 2°C targets, preferably within 1.5°, see IPCC's 2018 Report. With today's emissions, there is a 50% probability that there are some 14 years left before the 1.5° target is exceeded. It has been established that the fossil fuels already found cannot be burned if the world is to reach the 1.5° target, see the IPCC Carbon Budget as cited by the Court of Appeal in section 3.1 of the judgment (Annex 4, English translation in Annex 5). With emissions in line with current pledges under the Paris Agreement (known as Nationally Determined Contributions, or NDCs), global warming is expected to surpass 1.5° above pre-industrial levels, even if these pledges are supplemented with very challenging increases in the scale and ambition of mitigation after 2030 ("high confidence"). This increased action would need to achieve net zero CO₂ emissions in less than 15 years. Even if this is achieved, temperatures would only be expected to remain below the 1.5° threshold if the actual geo-physical response ends up being towards the low end of the currently estimated uncertainty range, see the IPCC 2018 Report Executive Summary Ch 2, <https://www.ipcc.ch/sr15/>.

5. Norway and the international framework for climate policy:

In the 2009 and 2012 climate agreements the Norwegian Parliament committed Norway to reduce emissions by 30% within 2020 compared to 1990, 2/3 of cuts to be taken nationally. By 2020 Norway had reduced emissions by 2.3%. In comparison, emissions in the EU in the same period decreased by 24%, and in Sweden by 29%. In the Netherlands the Supreme Court found in Urgenda that cutting less than 25% violated Articles 2 and 8 of the Convention. The Norwegian court did not mention the Norwegian failure to meet targets. The Court held Norway did enough to meet the 2030 targets, stating that Parliament has by law established a concrete target for reduction of emissions, and Parliament and the government has effected and planned many measures to reach the target. The judgment contains no discussion of the feasibility of the measures. The appellants had alleged that Norway should cut at least 60% according to the UNFCCC burden allocation principles. Building on Conseil d'etat in Grande-Synthe in 2020, the Tribunal administratif de Paris in its 2021 Oxfam judgment held that state claims to be able to achieve future goals in this way is no excuse because emissions are cumulative with long duration in the atmosphere, and previous failure to keep the rate of cuts is not compensated. In 2015 Norway committed itself under Article 2 of the Paris Agreement to limit global temperature rise to well below 2°C compared to pre-industrial times, and with ambitions to seek to keep the increase not above 1.5°, – taking into account risks for and effects of climate change. Climate scientists have estimated the amount of greenhouse gases we can still add to the atmosphere without breaking the critical threshold of 1.5. At the start of 2018, IPCC estimated this carbon budget to 420 gigatons CO₂ for a two-in-three chance of limiting warming to 1.5°. A more recent estimate published in Nature earlier this year puts the figure at a range from 230 gigatons at a two-in-three chance of meeting the target, to 670 gigatons for a two-in-three chance of missing it. Scientists warn strongly against tipping points that are getting closer and create uncertainty about dramatic, irreversible changes.

6. The Paris Agreement (PA) and the Norwegian fossil policy:

In 2019, Norway's annual domestic emissions on its own territory reached 50 million tonnes, according to Statistics Norway. Emissions from the oil and gas Norway exported reached roughly 470 million tons in 2017, according to the UN Emission Gap Report and is now increasing (CNN International, 27 February 2021). Norway's petroleum policy is disconnected from climate policy in that exploration and production of oil and gas is governed by market demand and not politically determined. Climate policy is limited to emissions and measures on Norwegian territory. Norway disclaims responsibility for the combustion of petroleum products and CO₂ emissions abroad.

Norway has submitted its nationally determined contributions (NDCs) in accordance with the Paris Agreement. The emission targets for the non-quota sector are set at 50–55% reduction of CO₂ emissions by 2030 (compared to 1990). Emissions in Norway from the oil and gas production have increased by 71% since 1990. This has contributed to Norway exceeding its emissions targets since the 1990s, simply replacing them by new targets. According to The Climate Action Tracker assessment for Norway, <https://climateactiontracker.org/countries/norway/> (as of July 2020), Norway's actual current mitigation policies are consistent with global warming of up to three degrees by 2100 if other countries were to pursue mitigation efforts of equivalent ambition. Norway is not taking its fair share of a global effort, and is consistently with the Paris Agreement's 1.5°C limit, unless other countries make much deeper reductions and comparably greater effort.

Norway contributes to intensify climate change, in particular through:

1. The annual greenhouse gas emissions from Norway's exports will on average amount to 500 million tonnes of CO₂, and spend 6.5% of the globe's remaining carbon budget. This comes on top of Norway's large scale contributions to the accumulation of CO₂ in the atmosphere since the 1970s.

Statement of the facts (continued)

60.

2. The Ministry of Petroleum and Energy disregards that exported oil and gas from Norway is a significant contribution to global CO₂ emissions. The climate challenges as a result of the combustion of petroleum products abroad, or the world's carbon budget, are not mentioned on the Ministry of Petroleum's website or that of the Norwegian Petroleum Directorate, nor considered when licences have opened new fields. The prospect is for continued large contributions to the world's greenhouse gas emissions from the combustion of Norwegian oil and gas.

7. Oil and gas activities in the Barents Sea:

After the 2011 Treaty on maritime delimitation between Norway and Russia, Stortinget in 2013 opened up the area of the Barents Sea Southeast. This was the first new area opened for petroleum activity in 24 years. The government stated that this would be the start of a 'new Norwegian oil adventure'. The first production licences were granted on 10 June 2016 in the 23rd licensing round that formed the basis for the climate lawsuit against the Norwegian state. Several blocks are at the ice edge where the ecosystem is particularly vulnerable. Later, new production licences were announced in 2017 in the 24th licensing round with 102 blocks of which 93 blocks were in the Barents Sea, and in the 25th licensing round in 2020 with 136 blocks of which 125 in the Barents Sea, also in these rounds in the sea towards the ice edge.

This means a high level of activity also until 2070, which does not correspond with Norway's and the world's commitments to reduce the climate threat. In connection with Norwegian oil and gas production, the net zero target set for 2050 is not mentioned. It is imagined that emissions in connection with the actual production will be handled by so-called flexible mechanisms (quota trading in the EU) and other measures, such as carbon capture and storage (CCS) and a controversial electrification of the shelf with little climate effect. With its remaining oil and gas resources, and state majority ownership of Equinor, the Norwegian state has a substantial influence on climate change. Some 40% of the estimated oil and gas reserves have been extracted. Future emissions from Norway's reserves amount to 6.5% of the remaining carbon emission budget for the world according to some estimates. Yet, even disregarding exports, Norway has reduced emissions by far less than in the EU or neighbouring countries like Sweden and Denmark.

The Norwegian state subsidizes oil production. Under its 'taxation' scheme for oil industry the licencees are entitled to a cash refund of 78% of the exploration costs, held not to constitute state aid 'as it is available to licencees on an equal footing'.

New projects are expected to come into production more than 10 - 15 years after they are discovered. Prospects for new oil resources are to be some 40 - 50 years which lasts beyond 2070, and later than the climate agreements can allow. Lately, financial measures in response to Covid-19 disproportionately favour the oil sector, in effect taken from the sovereign wealth fund for the long term management of revenue from Norway's oil and gas resources.

8. The climate effects on the complainants:

The effects of climate change in general include health damage, physical and mental, and today and in the longer term. This also applies to the basis for future business activities. The greater the warming, the greater the consequences must be expected. This applies to both increased morbidity and mortality.

BKA was founded to protect our children and grandchildren and their lives, health and welfare against future dangerous climate changes such as extreme weather due to precipitation, floods, landslides and droughts. Society's infrastructure, settlement patterns, economy, nature and social conditions will be damaged.

Such climate damage of significance to the population as a result of fossil warming has already been established.

We agree with the intervention in the Supreme Court by the Norwegian National Human Rights Institution, Annex 9.

Norway is experiencing sudden climatic upheavals, including in Spitsbergen and the dependencies of Norway in Antarctica. With temperature increases up to 10° in winter, permafrost thaws and landslides have taken lives and homes, and more homes are to be demolished. Climate change is significant, and the consequences for vulnerable eco systems are great.

On the Norwegian mainland, a temperature increase of 1.5–2 will entail serious risks to the production capacity of nature, biological diversity and human health, as these interests are specified and protected by environmental legislation.

Southern parts of mainland Norway will experience dramatic changes, initially from higher average temperatures. Global temperature increase will have supply, migration and security implications. Tipping points in the climate system include changes to the North Atlantic current, where science cannot predict the consequences for Norway. As referred to in the intervention in the Supreme Court by the Norwegian NHRI, the tipping point for the Greenland ice sheet may have already been reached, and this corresponds to a seven metres sea level rise. Also the tipping point for the ice in the Amundsen Sea in West Antarctica may have been reached. Both the temperature increase and its effects are greater the further north one gets. The precautionary principle and duty of care leave no margin of appreciation for speculation on uncertainty about these risks.

F. Statement of alleged violation(s) of the Convention and/or Protocols and relevant arguments

61. Article invoked
Articles 2, 3, 8, 13, 14 and
Protocol 1 Article 1

Explanation
Violations of Articles 2, 3, 8 and 13 and Protocol no. 1 Article 1 alone and in conjunction with Article 14. The climate crisis interferes with the rights of members of the applicant organisation and the individual applicants and will do so increasingly. There is a 'real and imminent threat'. Norwegian oil production contributes to reaching a tipping point in the climate system. It conflicts with the principles of prevention, precaution and inter-generational equity, contained not only in international environmental and EU law but the very idea of protecting human rights for the future through conventions and constitutions. The procedural obligations of Convention rights require the Court to secure that sufficient emphasis has been placed on the rights of individuals and the consequences of contributions to climate change. These obligations are strengthened by international and EU obligations to assess environmental impacts, also of exports, and of which the Supreme Court minority held the Government in breach. The breach of these procedural duties constitute violations of the Convention.

Fredin (1991) 13 E.H.R.R. 784 applied the living instrument doctrine: 'protection of the environment is an increasingly important consideration'. Climate induced dangers such as heat waves, rise in sea levels, desertification and wildfires risk human rights according to the 2019 Joint Statement on Human Rights and Climate Change by five UN Human Rights Treaty bodies. Climate change is an imminent danger to humanity and human rights of individuals. We adopt other climate complaints' arguments on facts and law, see our application to intervene in Duarte Agostinho (39371/20).

Jurisdiction:

The applicants are within Norway's jurisdiction. Norway's human rights obligations apply to exportation of fossil fuels. Hanan v Germany (GC, 4871/16) clarified the jurisdictional reach of the Convention in Article 1 and the duty to investigate under Article 2. Both majority and minority support that the infringement in our complaint falls within the jurisdiction, see also Ilau (48787/99), §§317, 331, UN Committee on Economic, Social and Cultural Rights (2017), General Comment No 24 (2017) (E/ C.12/GC/ 24), §26; UN Human Rights Committee (2018), General Comment No 36 (2018) (CCPR/C/GC/36), §22. Licensing of production has taken place within the jurisdiction of Norway, and the production will result in exportation from Norway. Other attempts to limit jurisdiction will fail: the effects of climate change take place in Norway and in all other Convention states, and the burning of the exported oil and gas is mainly within the legal space of the Convention.

Norway's commitments under UN treaties and EU legislation provide further support for applying the Convention, jurisdictionally and substantively, as supported by the Grand Chamber in Hanan, Banković, Ilaşcu and MN.

The risk is real and immediate:

We agree with Urgenda that a real and immediate risk includes hazards that not only materialise over the long term, see Öneriyildiz (GC, 48939/99), §§98-101; Budayeva (15339/02), §§147-158; Kolyadenko (17423/05), §§174-180; Taşkin (46117/99), §§107, 111-114). This applies under Articles 2, 3 and 8 and Protocol no 1 Article 1.

Legislative and administrative frameworks to deter violations:

Öneriyildiz §89 and Mučibabić (34661/07), §126 requires legislative and administrative frameworks to deter violations, and authorisation of dangerous activities can only take place within a system reducing risk to a minimum. This follows also from UN treaties, EU legislation and their Norwegian transposition.

The duties are already triggered by Norway's contributions to emissions and inadequate responses to climate change - and by the Norwegian government licensing - in breach of the precautionary principle, Tatar (67021/01), §120. - Under the 'highest possible ambition' in the Paris Agreement Article 4 (c) all possible measures must be taken and be effective and reasonable. States share responsibility for the internationally wrongful acts which contribute to the harms that result from climate change. Global warming is currently on course to vastly exceed 1.5°C, all contributions to global

Statement of alleged violation(s) of the Convention and/or Protocols and relevant arguments (continued)

62. Article invoked	<p>Explanation</p> <p>emissions, also through exportation of fossil fuels, are excessive and policies permitting them inadequate. The IPCC 2018 Special Report on '1.5° Warming' state pathways to stay within that target need to achieve global net-zero CO2 emissions around 2050. Emissions have to be reduced to a minimum. Remaining emissions need to be balanced with increased removal. 'All adequate and appropriate measures' include emissions abroad over which Norway exercises some control, at the stage of issuing production licences or through export regulation, for instance by demanding that emissions resulting from exports are mitigated. - Uncertainty about a state's 'fair share' must be resolved in favour of the applicants. If courts only intervene when a state's efforts fall below the lower limit of their fair share (as in <i>Urgenda</i>), states' obligations to mitigate climate change will not be collectively consistent with the Paris target. - The state must show its measures will reach emission reduction targets, taking account of previous failures, see above on <i>Grande-Synthe</i> and <i>Oxfam</i> from French administrative courts.</p> <p>International law:</p> <p>The Convention is interpreted in harmony with international law, <i>Demir & Baykara</i> (GC, 34503/ 97) §§85 and 86, as UN treaties and customary international law on environmental damage as clarified by the International Court. Under 'Guiding Principles on Shared Responsibility in International Law' 2 and 4 set out in the application in <i>Duarte Agostinho</i>, states share responsibility when each of them engages in separate conduct consisting of an action or omission attributable to each of them separately, which constitutes a breach of an international obligation for each of them. A 'contribution to an indivisible injury may be individual, concurrent or cumulative'. The onus is on Norway to show that it did not cause breaches of the applicants' rights: <i>Oil Platforms</i> (Separate Opinion of Judge Simma) pp. 354-358. Duties to cut emissions and undertake planning and environmental impact assessments under UN and EU law, establish common ground and national consensus, and limit any margin of appreciation under the Convention.</p> <p>Victims:</p> <p>Individuals, including members of the applicant organisation, are victims within the meaning of Article 34 of the Convention. The Norwegian NHRI authoritatively explained global warming consequences for Norwegian individuals. We agree the precautionary principle does not open for speculation on uncertainty about this type of risk under any margin of appreciation.</p> <p>The Court clarified in <i>Cordella</i> (54414/13) the level of gravity required when environmental risks of industrial emissions significantly limits an applicant's ability to enjoy their rights under Article 8. That threshold is clearly exceeded.</p> <p>Article 34 must be interpreted in harmony with the principle of inter-generational equity, which 'places a duty on current generations to act as responsible stewards of the planet and ensure the rights of future generations to meet their developmental and environmental needs' (see Principle 3 of the Rio Declaration on Environment and Development, 1992; UNFCCC Art. 3(1); the preamble to the Paris Agreement).</p>
Article 14	<p>The application in <i>Duarte Agostinho</i> emphasises children and young people will be disproportionately affected because of their youth. They live longer, as effects of climate change worsen over time. This applies to four of the individual complainants. In <i>Klimaseniorinnen</i> the Swiss applicants are particularly vulnerable to the current and future effects, as many of the members of the first complainant, <i>BKA</i>.</p> <p>Climate change and disasters affect women and men, girls and boys differently, with many women and girls facing disproportionate risks and impacts on their health, safety and livelihoods, as reflected in CEDAW General Recommendation 37.</p>
Protocol 1 Article 1	<p><i>Öneryıldız v Turkey</i> [GC], §§ 136-137 did not differentiate between the adequacy of measures under Article 2 and Protocol No 1 Article 1. This applies to Article 3 as well. - In our complaints, the protection of 'home' under Article 8 overlap with 'property' under Protocol No 1.</p>

G. Compliance with admissibility criteria laid down in Article 35 § 1 of the Convention

For each complaint, please confirm that you have used the available effective remedies in the country concerned, including appeals, and also indicate the date when the final decision at domestic level was delivered and received, to show that you have complied with the six-month time-limit.

63. Complaint	<p>Information about remedies used and the date of the final decision</p> <p>Exhaustion of domestic remedies:</p> <p>The judicial review of oil production licences was rejected by the Supreme Court on 22 December 2020 (Annex 6, English unofficial translation in Annex 7).</p> <p>This is one of five complaints submitted at the same time. The first complainant is the Norwegian Grandparents' Climate Campaign. It intervened at all three court instances, and was represented by the same counsel as the plaintiffs which were other NGOs. Counsel made submissions on behalf of the Norwegian Grandparents' Climate Campaign at all instances. Former Supreme Court Justice Ketil Lund made further oral submissions as the representative of the Norwegian Grandparents' Climate Campaign at first instance and in the court of appeal. This was not open to him in the Supreme Court under the procedural code; here only counsel made oral submissions.</p> <p>The other adult complainants are members of The Norwegian Grandparents' Climate Campaign.</p> <p>There are no further remedies against the ten production licences in the Arctic Ocean granted in 2016, or for the opening of the Arctic Ocean for vast oil production by these first licences.</p> <p>No prospect of success:</p> <p>Under any circumstances, any new judicial review action would take several years and have no prospect of success. It is clear that any challenge to the Supreme Court judgment would fail if any of the complainants were to attempt to bring one.</p> <p>The Supreme Court judgment has further blocked any available or sufficient remedies against other licences for oil production.</p> <p>The court summarily dismissed that there could be a violation of Convention rights. The majority (11-4) ruled that the environmental impact and planning requirements only applied at a much later stage in the exploration/production process. The legal consequences of the invalidity that follows from the view of the minority are uncertain.</p> <p>Not one single judge at any instance stated that there were duties under the Convention to prevent the harm from climate change following from exportation of fossil fuels.</p> <p>Violations of the Convention were raised at all instances, from the the claim from plaintiffs and interveners ('stevning') in Annex 1, and onwards.</p> <p style="text-align: center;">***</p> <p>The application is an urgent application as it raises particular risks to life or health of the applicants, the well-being of all children is at issue, and there is an imminent risk of irreparable damage.</p>
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