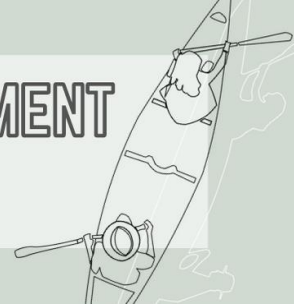


NAVIGATING THE LAW TO PROTECT THE ENVIRONMENT

ARE CLASS ACTIONS THE WAY TO GO? DISCUSSION QUESTIONS



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Introduction: The following questions and sample answers have been provided to help facilitate discussions about environmental class action lawsuits in Canada and the need for environmental justice advocacy promoting the development of more sustainable laws and policies.

1) What is a class action lawsuit?

- A class action lawsuit is a special type of court proceeding that allows an individual or small group of people, called the “representative plaintiff”, to participate in a lawsuit on behalf of a much larger group of people, called the “class”.
- Every province in Canada, except P.E.I., has a piece of legislation that sets out the rules for class action lawsuits. Manitoba’s statute is *The Class Proceedings Act*.

2) Why can class action lawsuits be a useful legal tool for addressing climate change?

- A climate change class action lawsuit can be initiated by citizens who want to hold the government and natural resource companies responsible for not doing enough to make legal and policy changes necessary to address climate change.
- A class action lawsuit can result in a range of different remedies such as acknowledgement that there has not been enough done to fight climate change and court orders that require changes to the policies and laws that deal with climate issues like the reduction of greenhouse gas emissions (GHGs).
- A class action lawsuit can also help bring public awareness and media attention to the issue of climate change.

3) Are there climate change class action lawsuits in Canada I should know about?

- *Environnement Jeunesse c. Procureur général du Canada*, 2019 QCCS 2885: This case was initiated by Environnement Jeunesse (ENJEU) on behalf of Quebec residents aged 35 and under. ENJEU has argued that the federal government has infringed legal rights of its citizens by failing to adopt adequate GHG emission targets. The remedies sought include monetary damages, and court orders requiring the government to improve their accounting of GHG emissions and develop and implement a climate recovery plan, among other things.

4) What should I do if I want to get involved in a class action lawsuit?

- Gather information about the problem you are looking for help with. This includes information about the individuals who are impacted (the potential class members).
- Fundraise. Lawsuits can take a long time and cost a lot of money.
- Find lawyers interested in taking on your case. Class action lawsuits are complicated and require lawyers with expertise to help move your case through the court process.
- Connect with other individuals and organizations interested in getting involved in a class action lawsuit and form a coalition to support your cause.

For more information see:

[Are Class Actions the Way? \(webinar\)](#)

[Are Class Actions the Way?: Additional Resources](#)

[Are Class Actions the Way?: Additional Questions](#)



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