



# BIG OIL vs THE LAW

a collaborative documentary film + campaign

As global temperatures keep rising, so does the demand for **accountability** and **action**. This film follows people across the world whose lives have been blighted by climate change as they challenge the power of Big Oil in the court. They are facing their fears, finding their voice and risking their freedom for all of us.

Using the film as a catalyst, the impact campaign will help thousands more find the **courage** and **tools** to join them as defenders of the future.

Concept by Mette Reitzel

**insel**  
FILM

## CREATIVE APPROACH

This film provides a **global snapshot** from the frontier of climate change. Each story will give us new insights into the real-life challenges caused by the environmental crisis and, more importantly, inspiration for how to combat it. Climate litigation is a promising and powerful tool, but it is driven by human **passion, creativity and perseverance**. Our characters are united not only through the legal battle for our future, but by the personal battle against fear that they all must overcome in order to face this **intimidating opponent**. We go behind the scenes of each case, and inside the daily lives of the people running them, to understand the concerns and hopes that push them to take on this mammoth task.

## SYNOPSIS

Many legal systems in place today were designed when the resources of the earth were considered endless and extraction without consequence. So environmental lawyers are having to get creative, – exploring how laws can be re-interpreted, which courts are most persuadable, what arguments to use. But Big Oil is fighting back with all their might... and much bigger wallets. We follow several different cases that all have the potential to set **legal precedent** and generate **public debate**.

## COLLABORATION

This is a collaborative project where a global team of established filmmakers each co-directs the story most local to them. This keeps our **carbon footprint low**, harnesses **local knowledge** and allows **diverse voices** to be heard. We aim to be a proof of concept for the future of filmmaking and citizenship by modeling the behavior that will soon be required of all of us – thinking globally while acting locally.

## STORY STRANDS



In the **Peruvian Andes**, Saul Luciano Lliuya watches big chunks of ice fall from the **glacier** into Lake Palcacocha while chatting to the watchman on duty. "Thankfully that was just a small avalanche. Let's hope it stays that way." If a big one does come, Saul worries it would breach the edge of the lake and flood his hometown in the valley below.

Far away in a German courtroom Saul is holding energy giant RWE responsible for their contribution to global heating and insisting they pay their share of the **mitigation** and warning systems needed to make his valley safe. His case relies on ground-breaking research showing that RWE is responsible for 0.47% of all-time carbon emissions, so that's what they're asking for – just €17,000. If RWE loses, the verdict could cause its own avalanche of similar cases across the world.

In **The Philippines**, Joana Sustento shows us a photograph. "That's me on the left, my mum an dad, my big brother on the right and my sister in the front. Look how proud my brother Julius is of his lovely boy Tarin. It's hard to comprehend there's just Julius and me left."



In 2013 Joana lost most of her family to **Typhoon Haiyan**, which killed 8,000 Filipinos. But rather than despair, Joana chose to fight for justice. Joana is part of a coalition of survivors preparing a lawsuit against Big Oil for breach of **human rights** law. They are travelling around the archipelago to find co-plaintiffs who are feeling the consequences directly. Many are fisherfolk, who don't yet understand the connection between CO2 and extreme weather, let alone the intricacies of corporate accountability.



**New York City, USA.** Steven Donziger looks out of his window and lets out a wry laugh. “Yeah, I guess you could say I know a lot about self-isolation.” While the rest of the world adjusts to lockdown, Steven has already been under **house arrest** since August 2019.

In 2011 Steven and 30,000 farmers and indigenous Amazonians celebrated as an Ecuadorian court ordered Chevron to pay \$9 billion to clean up the **pollution** of their drilling operations. Chevron has since spent an estimated 2 billion in an attempt to overturn this verdict with the stated strategy of ‘demonizing Donziger’. They succeeded in revoking his law license, and he is now awaiting a January trial without a jury for contempt of court for refusing to hand over confidential client data.

In **The Netherlands** we meet campaigner, Nine de Pater, doing **media training** to prepare for her court case against Shell. “I don’t like being in the spotlight, but this is more important than me. I have to learn. The court decisions matters, but the real battle for hearts and minds takes place in the press.”



Their legal case is based on revelations that **Shell knew about the danger** of fossil fuels for decades, but chose to obscure their knowledge. Now Nine and her team are demanding that Shell re-shapes their business model to achieve Carbon Neutrality by 2050. They are not yet obliged to do so as the Paris Agreement has not been converted into law.

# IMPACT

Climate change is the biggest challenge facing humanity, but many people are tired of hearing about this abstract future threat and have disengaged. Film has a unique ability to create **emotional connection** with even the most complex and ingrained issues.

This film tells the stories of ordinary people overcoming their fears of speaking out against a powerful opponent within a complicated system. The impact campaign will help viewers find their own courage to take an **active role** in this epic battle. Just like the characters in the film have creatively found flexible entry points and arguments within a rigid legal system, viewers will be encouraged to use their personal power within the systems they are part of.

The film focuses on Big Oil because their actions will have the most immediate impact. As a highly profitable industry, they've lobbied for laxer laws and subsidies while spending millions on spreading **misinformation** about climate science. These profits could be better spent on renewable energy systems or mitigating the damage already done. Governments have been slow to update climate protections and struggled to regulate transnational corporations. The courts don't need to be re-elected every few years. Will this make them more effective?

Regardless of the eventual verdict, these high profile cases will put an uncomfortable **spotlight** on the industry. We aim to magnify that spotlight and channel the indignation of viewers to undermine the social and financial viability of Big Oil.

In partnership with key organisations we are developing a comprehensive series of events and resources targeting people who are concerned about climate change but not yet active, legal professionals and environmental campaigners in particular. Companies and politicians are other groups under consideration.

The film will be a useful tool for increasing the engagement with existing campaigns, especially those working on **greenwashing, divestment and fossil fuel subsidies**.

Events for the legal community will encourage **lawyers** to interpret existing laws in favour of the environment, – including small routine cases within planning, insurance and investment that don't warrant big headlines but have a **cumulative effect**.

The focus for '**concerned citizens**' will be on overcoming internal obstacles. We want viewers to connect with their own fear and sense of agency. They will be encouraged to explore their feelings on the crisis through intimate discussions and interactive theatre. Both the Filipino and Dutch teams in the film have used this approach effectively. In the short term they may write letters to friends, politicians and oil companies or become co-plaintiffs on other litigation cases. In the longer-term we aim to **empower** them to force systemic change within the institutions they are already part of.

We believe that as more and more people join the chorus of discontent, the fossil fuel industry will become **unviable**, – socially, financially and legally.

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**insel**  
F I L M

## TEAM

**inselfilm** is a German production company founded in 2001 with a focus on international co-productions of character-driven stories exploring social issues. Drawing on co-founder Gregor Streiber's background in law, they have produced several films on this topic such as 'The Serbian Lawyer' and 'Hacking Justice' about Julian Assange. Their films have been broadcast on a.o. ZDF, arte, BBC, HBO Europe, NHK and IKON and screened at international film festivals such as DOK Leipzig, Cannes and Visions du Reel to name a few.

**Mette Reitzel. Creative Director. UK/Denmark.** Mette's debut documentary, Hip Hop Hijabis, premiered on Al Jazeera English' flagship documentary strand on International Women's Day. She is currently working on two features exploring the most pressing issues of our time through personal stories, 'Big Oil vs The Law' and 'The Jump', which follows a global group of artists, economists and coders harnessing the technology behind bitcoin to build a new financial system.

**Baby Ruth Villarama. Co-director. Phillipines.** Baby Ruth's recent feature film 'Sunday Beauty Queen' about migrant labour screened at Hot Docs, won the audience award at Amsterdam's Cinemasia Film Festival and became the first documentary to win Best Picture at the Metro Manila Film Festival. She is also a member of the Academy voting for the Oscars.



**Michael Premo and Rachel Falcone. Co-directors. New York.** Michael and Rachel recently co-directed 'Water Warriors' about a community fighting to protect their water and way of life, which was broadcast on PBS. They also made the participatory documentary 'Sandy Storyline' about Hurricane Sandy, which won the Storyscapes award at Tribeca Film Festival and was lauded as "a model for narratives surrounding future moments of crisis." Michael was an impact producer on Avi Lewis and Naomi Klein's 'This Changes Everything'.

**Loretta Van Der Horst. Co-director. Netherlands.** Loretta is an investigative journalist and filmmaker. Her feature documentary 'Behind the Blood' about gang and police violence in Honduras, premiered at IDFA 2019 and won Best International Documentary at the HUMAN film festival in Oslo 2020. Past credits include 'Sound of Vision' (PBS, 2013) and 'Huesos que Hablan' (Discovery Channel, 2014), both Emmy-nominated.

**Carlos Sánchez Giraldo. Co-director. Peru.** Carlos was cinematographer on Daughter of The Lake - a feature about an Andean woman protecting a lake from mining, which screened at IDFA, Hot Docs and Netflix. He is now working on his second feature as a director, - a hybrid tale about friendship, belonging and art called 'No Going Back'. Carlos grew up in Huaraz where our story is set and lives in Lima.