

Our Ocean Backyard
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Oil Company Deception

Antonio Guterres, the Secretary-General of the United Nations, released the 3rd and final section of the Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report this week with the following statement: “We are on a fast track to climate disaster. Major cities underwater; unprecedented heat waves; terrifying storms; widespread water shortages; and the extinction of a million species of plants and animals. Some governments and business leaders are saying one thing but doing another. Simply put, they are lying. And the results will be catastrophic.”

These are very strong words from the leader of the United Nations and he meant every bit of it. And all of us here in California have felt the heat waves, droughts, and fires and now the water shortages. It is challenging for the 278 climate scientists and officials from the nearly different 200 nations who form the IPCC to find complete agreement, but this is a statement about the reality and impacts of the climate change we are experiencing. We don't get to vote on climate change and there are no alternate facts. It's real, it's now and it's us.

Like the tobacco industry and the DDT manufacturers before it, the fossil fuel industry has spent millions of dollars on political campaigns, lobbying, advertising, bogus scientific studies and a network of advocacy groups to manufacture doubt about climate science and prevent government action.

Although the US Surgeon General had issued a report in 1964 linking cigarettes to lung cancer, it wasn't until the 1990s, thirty years later, that lawsuits against the tobacco industry began to have some moderate success. This success was in part due to the discovery of internal industry documents that showed the tobacco companies knew for years that cigarettes were addictive, which opened the industry up to conspiracy and racketeering charges.

In July 2015, the Union of Concerned Scientists (UCS) released a report documenting that ExxonMobil and five other major carbon polluters – BP, Chevron, ConocoPhillips, Shell, and coal giant Peabody Energy – had been aware of the growing climate crisis for decades but spent tens of millions of dollars promoting contrary arguments to climate change that they knew to be false.

Later in 2015, the Los Angeles Times and Inside Climate News dug up evidence from company archives and interviews with former employees that provided additional details about what ExxonMobil knew and when they knew it. These discoveries and the knowledge that the oil companies had known for years about the climate impacts of their

products but still launched disinformation campaigns to generate doubt and block government action, emboldened a large number of governments to take action. Over the past five years, at least 29 states, counties, cities and organizations have filed legal actions against major fossil fuel companies for climate-related fraud, damages, or both. A large number of those cases intend to hold specific companies liable for damages caused by climate impacts including drought, intensified storm damage, sea-level rise, and increasing precipitation and flooding. Other entities charge that specific companies violated consumer protection laws by defrauding the public through false advertising and other misrepresentations about their products' risks. Among the defendants are BP, Chevron, ExxonMobil, Shell and the American Petroleum Institute, the largest US oil and gas industry trade association.

On March 24 of this year, Accountable.US reported that the twenty-five top oil and gas companies recorded \$237 billion in profits for 2021, the highest ever recorded. The CEO of ExxonMobil had a total compensation of \$16.4 million.

A number of California governments are involved in lawsuits against the fossil fuel industry, either for deceiving shareholders and the public about the truth regarding climate change, or to compensate them for the climate-related damages inflicted by the industry. These include the city and county of Santa Cruz, San Mateo County and the cities of San Francisco, Oakland, Richmond, and Imperial Beach.

More than two-dozen lawsuits are working their way through the courts and an investigation by the US House Oversight and Reform Committee will continue. At a hearing last fall, oil and gas company executives refused to pledge to stop funding groups that promote climate disinformation or stop spending money on efforts opposing climate action.

What will it take for this to change? It will require the efforts of scientists, activists, journalists, attorneys, investors, elected officials and the public at large to continue to expose and challenge this conduct, just as they did with the tobacco industry. In the meantime, every day of fossil fuel industry deception and delay makes the climate crisis worse. During the darkest days of World War II, Winston Churchill said to the British people – “Sometimes it’s not enough to do your best; Sometimes you have to do what’s required”.