

# Montana calls UN climate report “hearsay” at landmark youth-led climate trial

Enlarge / Glacier National Park, Montana.

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Yesterday, a landmark climate trial kicked off in Montana, with 16 young residents demanding that the state be ordered to do more to protect residents’ constitutional rights by reducing emissions and tossing out state policies promoting the fossil fuels industry.

The trial comes shortly after the state legislature passed a new law that “explicitly prohibits” greenhouse gas emissions and climate effects to be considered in state agencies’ environmental impact reviews, The Wall Street Journal reported. Critics argue that means that new power plants or factories can be developed in Montana without considering climate impacts.

A victory for the young plaintiffs could potentially set important legal precedent for how courts can hold states accountable for climate inaction. The trial will take place over the next two weeks, ending on June 23. It will soon be followed by similar challenges by young people in other states, including Oregon and Hawaii.

Young people in Montana have alleged that policies promoting the fossil fuels industry in the state—like the State Energy

Policy—violate their constitutional environmental rights. Unlike most states, Montana's constitution explicitly promises that the state "shall maintain and improve a clean and healthful environment in Montana for present and future generations." Other states with similar constitutional environmental protections include Pennsylvania, Massachusetts, and New York—but most state constitutions don't include those protections.

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The Montana plaintiffs' ages range from 5 to 22, and the majority are not of voting age. Because of this, most plaintiffs feel powerless to act to block bad policies and reverse state climate impacts. That's why they say they urgently need the court to intervene.

Some of the worst impacts they're experiencing include dangerously increasing temperatures, increasing droughts and extreme weather events, and increasing frequency and severity of wildfires, according to their complaint, which was initially filed in 2020. Further, increasingly poor air quality is leading to increased health risks for vulnerable children, the complaint also noted, including some plaintiffs with pre-existing health conditions.

After the trial started on Monday, one of the first witnesses to testify was lead plaintiff Rikki Held—a 22-year-old whose family's ranch has been hit hard by droughts, wildfires, and extreme weather, including heat waves and floods, The New York Times reported. Held acknowledged that "climate change is a global issue, but Montana needs to take responsibility for our part of that." Currently, Montana is America's fifth-largest state for coal production and 12th-largest for oil production, and Held suggested something needs to change if the state is honest about protecting future generations in its constitution.

"You can't just blow it off and do nothing about it," Held

said.

But despite the evidence cited in the plaintiffs' complaint supporting steps that Montana could take to address increasingly dire local conditions, state leaders like Assistant Attorney General Michael Russell argued that "Montana's emissions are simply too minuscule to make any difference," The New York Times reported.

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