



Environmental  
Defenders Office

# AFAANZ Insight on Greenwashing



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# A world where nature thrives

- **We are an environmental law practice that protects the Australia Pacific region by delivering legal solutions for peoples, nature and our climate**
- We deliver innovative legal solutions for peoples and planet
- We empower communities to fight for nature through law
- We educate people about the law and their rights
- We advocate for better laws that deliver transformative change
- We litigate to uphold rights and enforce the law







Currently we are on track  
for 2.5-2.9 degrees

None of the G20 countries are reducing emissions at a pace consistent with their net-zero targets.

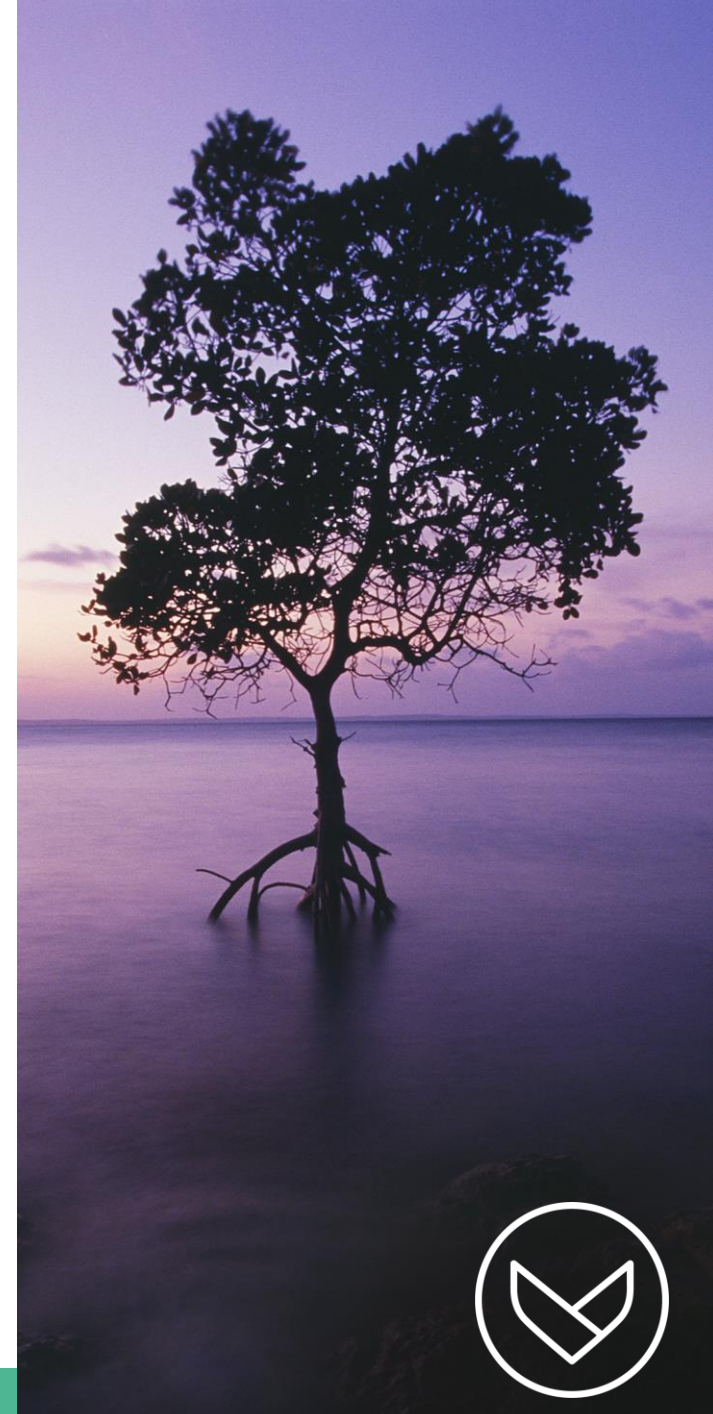
UNEP, Emissions Gap Report November 2023





# EDO corporate and commercial program

- **EDO program recognizes the role of business in the climate transition**
- We use the law to hold companies accountable for the claims they make on climate, and work with clients and consumers calling for transparency in the corporate sector
- Significant work is examining Climate plans and determining if any misleading or deceptive representations-greenwashing



# Analysis of net zero report by UTS-ISF/Climate Integrity

- A comprehensive study of the net zero pledges of ten prominent Australian companies has shown that they are **lagging behind global best practice and largely lack scientific rigour.**
- Examined reports of AGL Energy Ltd, Origin Energy Ltd, Rio Tinto Ltd, Bluescope Steel Ltd, South32 Ltd, Qantas Airways Ltd, Woolworths Group Ltd, Coles Group Ltd, Cleanway Waste Management Ltd, and Telstra Corporation Ltd


Despite public net zero commitments, none of the companies studied has a comprehensive, independently verified and fully costed plan for reducing their emissions in line with a scientific pathway.

Less than half of the companies are on track to meet their own emissions reduction targets and none have plans to phase out the primary cause of climate change - fossil fuels.

[Report: Net Zero Integrity — Climate Integrity](#)





A lush, dense tropical forest with a river flowing through it. The scene is filled with various types of green foliage, including large palm-like leaves and thick branches. The river is dark and reflects the surrounding greenery. The lighting is dappled, with sunlight filtering through the canopy.

ACCR commenced first case to challenge veracity of net zero plan against Santos Ltd in 2021





# ACCR v Santos

hearing commences 28 October 2024

Australian Centre for Corporate Responsibility (ACCSR) argues that the following representations by Santos in its 2020 annual report are misleading and deceptive under s 1041H of the Corporations Act and s 18 of the Australian Consumer Law:

1. That natural gas is a “clean fuel” and provides “clean energy”
2. That Santos has a clear and credible pathway to achieve “net zero” Scope 1 and 2 emissions by 2040





# ACCR v Santos

- Santos' representations that blue hydrogen (hydrogen produced using natural gas with carbon capture and storage (CCS)) is “clean” or “zero emissions” were misleading or deceptive, as blue hydrogen production would increase Santos' greenhouse gas emissions and it was not practical or commercially viable for Santos to capture all of the increased emissions using CCS.
- Santos' net zero roadmap, which is described as “clear and credible”, was misleading or deceptive, including because Santos failed to disclose that:
  - its net zero plan did not account for expected production and/or emissions growth from oil and gas exploration opportunities beyond 2025;
  - CCS itself results in emissions when used for enhanced oil recovery, which ACCR says Santos was considering;





# ACCR v Santos continued

- the 'CCS Expansion' portion of the net zero plan actually reflected offsets which Santos would apparently seek to procure. It did not represent modelled reductions in Santos' own emissions, but instead is a nominal number making up the difference to net zero;
- the 'Hydrogen with CCS' portion of the net zero plan also reflected offsets which Santos would apparently seek to procure. Again, it did not represent modelled reductions in Santos' Scope 1 and 2 emissions, but instead depended upon Santos receiving offsets for reducing its customers' Scope 1 and 2 emissions through the sale of blue hydrogen.







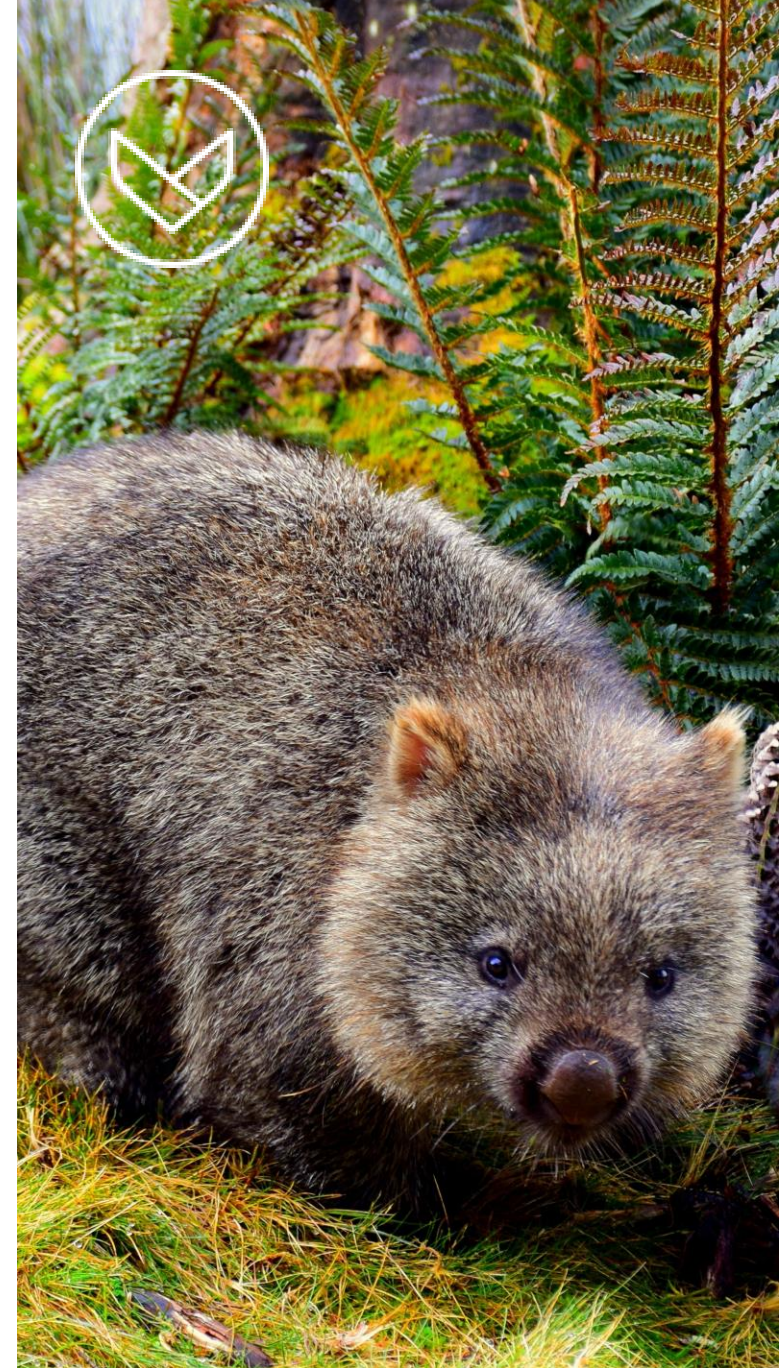
# Greenpeace v Woodside Energy Ltd

- Woodside represented that its Scope 1 and 2 emission in 2022 were 11% lower than the adjusted starting base for 2022
- **Woodside represented its Emissions Reduction Targets** ( to reduce its net equity Scope 1 and Scope 2 emissions by 15% by 2025 and 30% by 2030 below its gross annual average equity emissions in the period 2016 – 2020) will achieve substantial reductions in its actual scope 1 and 2 emissions
- That is emissions reduction targets are science based and consistent with Paris-aligned scenarios and/or consistent with Paris-aligned pathways
- Its website claims to be net zero by 2050 or sooner



# Greenpeace v Woodside Energy

- Contrary to the first representations, Woodside's actual scope 1 and 2 emissions in 2022 were 3.4% higher and the only decrease was achieved through offsets
- Woodside's 2030 emissions are only marginally lower than starting base and will rely heavily on offsets
- The targets are not in line with the most recent climate science and Paris agreement because they do not include scope 3 emissions (90% of Woodside's emissions) and it has plans to expand its emissions and relies heavily on offsets
- Woodside's website claim is misleading as it has an aspiration for net zero and no scope 3 targets
- See [Greenpeace v Woodside Concise Statement - Greenpeace Australia Pacific](#)



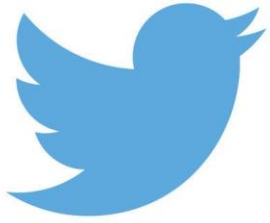




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