

MEDIA RELEASE

4 October 2018, Amsterdam, Netherlands

Upcoming appeal judgement in world's first successful climate case

On 9 October, the Hague Court of Appeal will decide whether to uphold a 2015 court decision in which the Dutch Government was ordered to lower emissions by 25% by 2020 compared to 1990 levels. Despite adopting significantly more progressive climate targets in response to the intense scrutiny generated by the case, the Dutch government chose to appeal the decision of the District Court of The Hague.

The case which was initiated by the Urgenda Foundation together with 886 Dutch citizens is the first in the world in which a nation government was successfully sued for failing to take the steps needed to prevent dangerous climate change. The ruling drew on commitments made by the Dutch Government in UN climate negotiations and found that the government was in breach of a duty of care owed to Dutch citizens. The unprecedented decision inspired a wave of similar climate change cases around the world, including against the governments of Belgium, Colombia, Ireland, the UK, Switzerland, Norway, New Zealand and the US. By appealing, the Dutch Government ignored calls from scientists, legal experts and concerned citizens to respect the judgment.

The judgement of the Hague Court of Appeal will be delivered the day after the publication of the Intergovernmental Panel on Climate Change's special report on 1.5°C, which is likely to conclude that low-lying countries will face existential threats if temperatures are to rise to 2°C.

Marjan Minnesma, director of Urgenda, stated: *"It's disappointing that the Dutch government keeps fighting a judgement that has brought so much hope and inspiration around the world. The upcoming special report of the IPCC emphasises that we need to reduce emissions with much greater urgency. The Dutch government should know that as a low lying country we are on the frontline of climate change. Our own government agencies recently concluded that in the worst case scenario sea levels might rise by 2.5 to 3 meters by the end of the century. The impacts of this are simply unthinkable. Still, Dutch emissions have been stagnant for 6 years and our CO₂ levels are still the same as in 1990. Instead of wasting their time and resources by fighting this judgment, they should start taking the urgent action that is needed."*

Christiana Figueres, former UN climate chief and one of the lead architects of the Paris Agreement of 2015, has also highlighted the significance of the District Court's decision: *"The judgment in the Urgenda case recognizes the critical importance of early action on climate change. If global greenhouse gas emissions continue to rise beyond 2020, the temperature goals negotiated in Paris, will almost certainly become unattainable."*

Dutch emissions reductions are currently at 13% compared to 1990. If the judgement of the district court holds up in appeal, the Netherlands would have to reduce its emissions to 25% below 1990 levels before 2020. The Government has produced several reports that list the options of reaching the 25% target, which lies well in line with its own 49% reduction target for 2030.¹ Thus far however, the government has postponed implementation of the available mitigation measures.

¹ <https://www.rijksoverheid.nl/documenten/rapporten/2016/04/09/rapport-ibo-kostenefficiëntie-co2-reductiemaatregelen> and <http://www.pbl.nl/publicaties/quick-scan-mogelijke-aanvullende-maatregelen-emissiereductie-2020-ten-behoeve-van-urgenda-klimaatzaak>

Court:

There is an accreditation procedure for access to the hearings at the Court. Please contact the Courts press officer Maartje Verweij via m.h.verweij@rechtspraak.nl or +31 6-22607243

The Court of Appeals in The Hague offers a livestream from the courtroom (in Dutch) via <https://www.rechtspraak.nl/>

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Background information:

For more information about the Dutch climate case, see

<http://www.urgenda.nl/en/themas/climate-case/>

For original coverage of the 2015 case see [the Guardian](#), [BBC](#) and [NY Times](#)

For coverage of the appeals hearing see [the Guardian](#) and this [op-ed](#) by Marjan Minnesma.

For more information on global climate change litigation, see

<http://www.lse.ac.uk/GranthamInstitute/wp-content/uploads/2018/04/Global-trends-in-climate-change-legislation-and-litigation-2018-snapshot-2.pdf>