


YOUTH CLIMATE JUSTICE

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Case Law Database



URGENDA FOUNDATION V. STATE OF THE NETHERLANDS

Child-friendly summary



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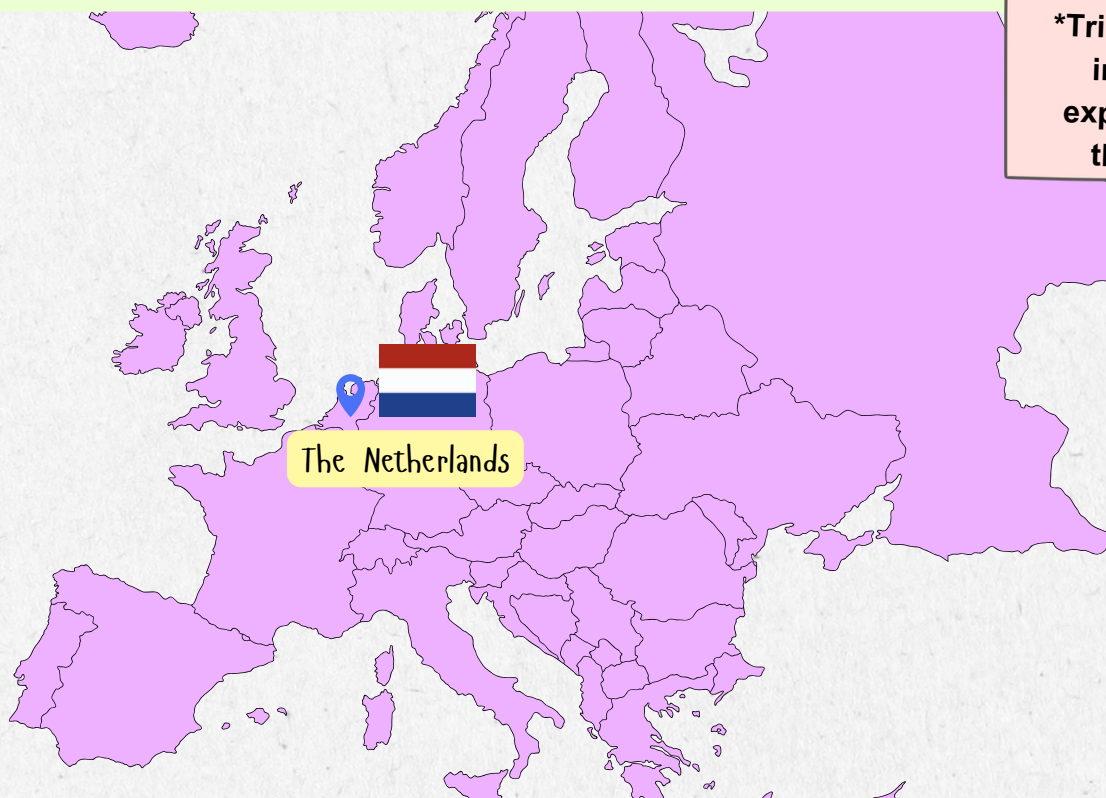
OVERALL SUMMARY

In 2015, the environmental group “Urgenda Foundation” and 900 Dutch citizens brought a case against Netherlands’s government arguing that they weren’t doing enough to **reduce greenhouse gas (GHG) emissions**. The Court agreed with the petitioners and ordered the government to reduce GHG emissions to at least 25% below the 1990 levels by 2020.



THE CASE

In 2015, the environmental group “**Urgenda Foundation**” and 900 Dutch citizens brought a case against Netherlands’s government for not doing enough to stop climate change.



*Tricky words
in **BOLD**
explained at
the end!

Within the legal frameworks of the **United Nations Framework Convention on Climate Change** - including the **Kyoto Protocol** and the **Paris Agreement** - as well as European Union and Dutch law, Urgenda argued that the Dutch government failed to commit to stronger emissions reductions by the end of 2020. Urgenda claimed this inaction violated the **rights to life and to respect for private and family life** of the **European Convention on Human Rights (ECHR)**.

MEET THE PETITIONERS!



Credit: Urgenda Foundation

The **Urgenda Foundation** is an environmental organisation from the Netherlands that stands up for a sustainable world. Their main goal is to protect the planet by encouraging the use of renewable energy and electric mobility. They believe that climate change is one of the biggest challenges of our times, and look for solutions to make sure the Earth will continue to be a safe and healthy place to live for everyone and for future generations.

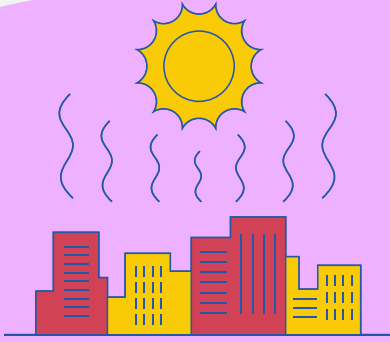
Way before filing this case, in November 2012, Urgenda asked the Dutch government to commit to reduce GHG emissions **by 40 percent from its 1990 level by 2020**. But the Dutch government **denied this request**. Urgenda then decided to bring the case to the District Court of The Hague, acting on its own behalf and as a representative of 900 individual citizens.

WHAT LEGAL ARTICLES DID THEY CITE?

- **Art. 2 ECHR:** Right to life.
- **Art. 8 ECHR:** Right to private and family life.
- **Art. 21 Dutch Constitution:** State's obligation to care for the habitability of the land and improvement of the environment.

The petitioners also relied on international instruments such as the **UN Framework Convention on Climate Change** and the **Kyoto Protocol**.

FOR EXAMPLE:



In the Netherlands, hundreds of people have died because of heat waves. In addition, lots of people experience health-related complications and discomfort due to the persistent heat.



Rising sea levels and more frequent and directly affect the Netherlands. Sea level rises of 2 to 4 meters in 2200 are a real possibility. Such sea level rises would make large areas in the Netherlands uninhabitable.



In the present globalised world, there is a large interdependency between countries to fulfil their basic needs including food and energy security and raw materials. Disruptions of food production due to failed harvests caused by droughts and floods will also affect the Netherlands.

WHAT DID THE COURT DECIDE?

The District Court of the Hague **agreed with the petitioners**. It said the government must cut its greenhouse gas emissions by at least **25% by the end of 2020 (compared to 1990 levels)**. The decision required the government to immediately take more effective action on climate change. In a reflection of the significance of the case, the UN High Commissioner for Human Rights published a news release about the decision in which she noted that “the decision confirms that the Government of the Netherlands and, by implication, other governments have binding legal obligations, based on international human rights law, to undertake strong reductions in emissions of greenhouse gases.”

WHY IS THIS CASE IMPORTANT?

The Urgenda Climate Case was the first in the world in which citizens established that their government has a legal duty to prevent dangerous climate change. This case made climate change a major political and social issue in the Netherlands and transformed domestic climate change policy. It also inspired other climate change cases in Belgium, Canada, Colombia, Ireland, Germany, France, New Zealand, Norway, the UK, Switzerland and against the EU.





EXPAND YOUR KNOWLEDGE!

- The **European Convention of Human Rights** is an important agreement signed by 46 countries that protect the rights and basic freedoms of more than 700 million people in Europe. It was adopted by the Council of Europe in 1953.



- The **United Nations Framework Convention on Climate Change (UNFCCC)** is an important international agreement adopted in 1992 and signed by 198 countries with the objective of preventing dangerous human action to the climate system. It provides the legal framework for international cooperation on climate change. The countries that signed the UNFCCC later created the Kyoto Protocol and the Paris Agreement to set stronger rules for reducing climate pollution.



- The **Kyoto Protocol** is an important agreement signed by 192 countries to fight climate change. It was adopted in 1997 in Kyoto, Japan. Its main goal was to get industrialised countries to reduce the amount of greenhouse gases they release into the air, which helps slow down global warming.



- The **Paris Agreement** is an important agreement signed by 196 countries on climate change. It was adopted in 2015 at the UN Climate Change Conference (COP21) in Paris, France. Its main goal is to avoid the average Earth's temperature from rising more than 2°C in the coming years.

