



## Summer Programme on International and European Environmental Law: *The Future We Choose*

24 - 28 August 2015  
The Hague

### *Hague Court orders Dutch State to reduce greenhouse gas emissions*

By ruling of the District Court of The Hague, Dutch climate change policy was deemed to be in breach of the State's 'duty of care' versus the NGO Urgenda. The State was ordered to reduce Dutch greenhouse gas emissions by a minimum of 25% by the year 2020 as compared to 1990. The Court thus agreed that from the prevailing scientific views it follows that in order to not have global average temperatures rise with more than 2°C, a global reduction of 25-40 % in 2020, and 80-95% by 2050 is required. The court's decision received worldwide attention for its braveness in demanding that the State should protect its citizens better against climate change.

Through several international agreements and through EU law, The Netherlands has committed itself to the attainment of climate objectives. Present Dutch climate change policy is largely based on the 'Energy Agreement' concluded between government, businesses, NGOs and other stakeholders in September 2013, which would limit emissions by 14-17% in 2020. The Court concluded that taking such 'less adequate' measures can only be justified when economically unjustifiable costs would be incurred or when new scientific insights come to light. The Dutch government failed to convincingly argue that this was the case. Hence, the court found that the Netherlands should mitigate the effects of climate change 'as much' and 'as quickly' as possible.

The Dutch Minister of Economic Affairs reacted by explaining that the State is already doing everything within its powers to tackle climate change, and that the attainment of the objectives as agreed upon in the Energy Agreement is hard enough as it is. For now, the government is 'carefully reading the judgement' and will render its decision whether or not to appeal against the Urgenda decision in August 2015. Abroad, many have reacted more positively and announced similar legal steps to force other governments to step up their acts.

Do you want to find out more about the impact of the *Urgenda* decision, and about the EU and global climate change regimes?

Sign up for the Summer Programme on International and European Environmental Law, 24 - 28 August 2015, at: [www.asser.nl/SummerProgrammeEEL](http://www.asser.nl/SummerProgrammeEEL)

