



**Ending the Climate Crisis through Rights-Based Climate Litigation?
*Trends, Challenges and Opportunities***

**Inaugural Symposium of the Human Rights and the Climate Crisis Working Group
Hosted by the Netherlands Institute of Human Rights (SIM), Utrecht**

Wednesday, 20 November - Thursday, 21 November 2024

Updated 28 October 2024

2024 is a landmark year for climate litigation!

- European Court of Human Rights first climate change judgments
- Advisory Opinion from the International Tribunal on the Law of the Sea
- International Court of Justice & Inter-American Court of Human Rights Advisory Opinions pending
- Dutch appeal decision in *Milieudefensie v. Shell* anticipated in early November

Join us for expert presentations, analysis, discussion, and research planning for 2025.

Draft programme

20 November

Morning

Expert Round Table: Dutch and Global Trends in Rights-Based Climate Litigation

Chairpersons:

[Dr Marlies Hesselman](#)

[Dr Otto Spijkers](#)

Panellists:

[Sumeyra Arslan](#), Board Member, Global, World's Youth for Climate Justice [WY4CJ](#); Legal Advisor - Supervisory Board, [FossielvrijNL](#)

[Prof. Yvonne Donders](#), Elected Member of the UN Human Rights Committee, Chair International Human Rights and Cultural Diversity of Faculty of Law, UvA, Member NNHRR.

[Catherine van Es](#), Milieudefensie (Friends of the Earth, NL)

[Richard Harvey](#), Legal Counsel, Greenpeace International

[Manasa Venkatachalam](#), Blue Ocean Law

[others to be confirmed]

Afternoon

Key Trends, Challenges and Opportunities for Rights-Based Climate Litigation

Panel 1: Dutch Perspectives

Panel 2: Global Perspectives

General Discussion – Challenges and Opportunities for Rights-Based Climate Litigation: Take-aways for NNHRR Research

Symposium Dinner

21 November

Morning

Key Trends, Challenges and Opportunities for Rights-Based Climate Litigation

Panel 3: Human rights and the climate crisis: research challenges, priorities and opportunities

Panel 4: (TBA)

Lunch

Planning research, collaboration and advocacy in 2025

Background

Climate change litigation has picked up tremendously globally in the past ten years, in part inspired by the novel case of *Urgenda v. Netherlands* in the Dutch courts which charted the way when launched in 2013, and through its successive verdicts in favour of the plaintiffs in 2015, 2018 and 2019.

According to the Sabin Center for Climate Change [Climate Change Litigation Database](#), there are currently over 900 climate lawsuits globally (not counting the USA), of which at least 150 are based on human rights. [See [Chinese Journal of Environmental Law, Special Issue: Climate Litigation](#), edited by Maria Antonia Tigre and Otto Spijkers.]

Such cases include legal claims to better address climate change based on constitutional rights, regional or international human rights treaties, as well as key soft law documents such as the UN Guiding Principles on Business and Human Rights. Significantly, rights-based cases can be found on all continents, across Global North and South, and in international and regional courts and tribunals.

This year, 2024, marks a landmark year for climate litigation globally, with the European Court of Human Rights rendering its first climate change judgments; a rights-based request for an Advisory Opinion pending at the International Court of Justice; as well as an Advisory Opinion on Human Rights and Climate Change by the Inter-American Court of Human Rights pending. Even the International Tribunal for the Law of the Sea recognised in its own Advisory Opinion that ‘climate change represents an existential threat and raises human rights concerns’.

This inaugural symposium of the NNHRR Working Group on Human Rights and the Climate Crisis will examine key recent trends in rights-based climate litigation in the Netherlands, in Europe and beyond. It aims to understand the legacy of Dutch landmark litigation, such as the *Urgenda* case, the *Milieudefensie v. Shell* case, which is still pending on appeal, and the newly launched lawsuit of *Greenpeace Bonaire and others v. the Netherlands* in the Amsterdam District Court, as well as to look forward and identify trends, challenges and opportunities globally.

The event will hear from experts in the field, as well as explore opportunities for further cutting-edge research on the topic. In doing so, the event will focus mostly on the role of human rights law in urgently curbing the climate crisis, meaning on *mitigation activities*, but it will certainly not turn a blind eye to litigation addressing adaptation, or the upcoming issue of loss and damages.

Call for Abstracts (now closed)

We invite abstracts for presentations on key trends, opportunities or challenges for climate litigation in the near future on a range of themes of interest to the WG on Human Rights and Climate Crisis, including but not limited to:

- Litigating the Rights of Nature
- Understanding eco-anxiety / mental health as driver for litigation, especially amongst youth
- Impacts of ECHR climate cases, e.g. standing / role for environmental NGOs; challenges for standing for individual victims
- Impacts of international and regional Advisory Opinions
- Limitations of individual rights-based perspectives on the climate crisis
- Litigating climate change in populist times
- Non-Western / non-Eurocentric perspectives on climate litigation
- Litigation regarding equality / non-discrimination of different vulnerable groups

Registration Form

Participation is open to NNHRR members, students, researchers, NGO representatives. Interdisciplinary perspectives are welcome! There is no charge to participate. Lunch and refreshments will be provided. Support for transport & accommodation is available for NNHRR members from outside Utrecht attending both days.

Questions? David Patterson d.w.patterson@rug.nl