

Press Release

**Dutch law firms Höcker and NautaDutilh
set a legal precedent with the Urgenda climate case**

Supreme Court ruling: protection against climate change is a human right

20 December 2019, Amsterdam – Today the Supreme Court of the Netherlands handed down its ruling in the Urgenda climate case, finding that by the end of 2020 the Dutch government must reduce greenhouse gas emissions by at least 25 percent compared to 1990 levels. Dutch law firms Höcker and NautaDutilh represented Urgenda before the Court against the Dutch government. They argued for the fundamental legal principle that the justice system has a duty to protect the human rights of Dutch citizens against the dangers posed by climate change. The Supreme Court now confirms this.

The Urgenda case has sparked legal and public debate in the Netherlands and abroad about climate change and the possible legal remedies. It is the first case in the world in which a national court issued a specific order to reduce greenhouse gas emissions to a government on the basis of human rights. The close cooperation between Höcker and NautaDutilh has set a legal precedent with worldwide impact. Since 2015, several rulings have been issued in the Netherlands and other countries referring to the various judgments in this case. In this regard, the Netherlands is indeed a pioneer.

Koos van den Berg from Höcker, who has represented Urgenda from the start, on today's decision: *“Liability law is about defining everyone's responsibilities – including those of the government – and determining the kind of behaviour we should require of each other in the type of society we want to live in. The courts cannot solve climate change, but courageous judges can order politicians to assume responsibility when they cannot justify their inaction with scientific and legally valid arguments. That is what the Supreme Court did today. The highest court in the Netherlands has confirmed that the Dutch government bears its own individual responsibility for contributing to dangerous climate change and that it can be held accountable by its citizens before a court on this basis. We are extremely pleased with this outcome and our cooperation with NautaDutilh's fantastic team.”*

Freerk Vermeulen, lead counsel on NautaDutilh's Urgenda team: *“The climate has become a topic of discussion by believers and non-believers, dreamers, table bangers and naysayers. This case is based solely on proof. The members of the Court thoroughly assessed the proven facts and risks and found the Dutch government's inaction to be unlawful. In this way, they offer legal protection to Dutch citizens. This is a compliment to the Dutch courts. The evidence in question shows that the coming five years are decisive to determining what our planet will look like in the next 200 years. Timing was indeed a crucial and complicating factor in this case: 2020 is fast approaching and the deadlines to submit the extensive files and present oral arguments were tight. Given the legal complexity of the matter, NautaDutilh was the clear choice to represent Urgenda before the Supreme Court. We worked throughout in close cooperation with Höcker, on a pro bono basis. We are incredibly proud of our work with Urgenda and Höcker and the marvellous and legally important result.”*

About Höcker

Höcker is an Amsterdam-based law firm, which prides itself on pushing boundaries. The firm specialises in business, employment, intellectual property, ICT, media and marketing law as well as collective actions and dispute resolution. Höcker focuses in particular on cases that serve the public interest, such as the Urgenda climate change lawsuit since 2012. For more information, please visit www.hocker.nl.

About NautaDutilh

NautaDutilh is an international law firm specialising in Luxembourg, Belgian and Dutch law. The firm was founded in 1724 and is one of the largest in the Benelux, with more than 400 lawyers, notaries and tax advisers working out of offices in Luxembourg, Brussels, Amsterdam, Rotterdam, London and New York. For more information, please visit www.nautadutilh.com

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