

The State of the Netherlands (Ministry of Economic Affairs and Climate) and Stichting Urgenda (ECLI:NL:HR:2019:2007)

A socio-legal reading of climate litigation

The Urgenda case has been widely praised by environmental lawyers and activists as a landmark case in the field of climate litigation. It was one of the first cases in which an action – requesting a state to intensify its efforts to combat climate change – was successful. As such the Urgenda case is seen as an important intervention into (at least) three discourses: (1) it is seen as an important intervention into the transnational politics of climate change, (2) it is seen as a legal innovation that may provide the basis for further climate litigation efforts based on human rights violations, and (3) it is also seen as an important (legal) judgment on the scientific facts of climate change. Thus, the Urgenda case is an exemplary locale of a *co-production* of political, legal, and scientific virtues. In our socio-legal reading of the case we want to engage with these different contexts of the legal decision, focusing in particular on the court's use of scientific knowledge and how this translates into the political and legal aspects of the decision.