

Climate Litigation through a Constitutional Lens

*Amsterdam Law School, 12 January 2024
Room A3.15*

Description

Litigants and environmental movements increasingly turn to the courts to challenge States' unambitious climate policies. Drawing especially on constitutional and human rights law, climate litigation pursues mitigation and adaptation measures and a just climate transition. As this phenomenon evolves, it poses ongoing questions about the role of courts and the nature of judicial power. Concerns about the legitimacy and potential overextension of courts continually collide with demands for systemic change and critiques of the law's inherent limitations in providing global climate justice. In this one-day workshop, bringing together academics and practitioners, we will explore some of the key questions that arise in this context. Panels will discuss (i) how courts engage with, interpret, and base their findings on scientific evidence; (ii) whether and how climate litigation can provide redistributive outcomes; (iii) how the identification of overarching legal concepts and norms constitutionalizes states' obligations in the climate emergency; and (iv) how objections to climate litigation rooted in the separation of powers can be understood and potentially overcome.

Programme

9:00 **Welcome and introduction** Christina Eckes (UvA)

9:30 **Panel 1: Democracy and Science**

Christina Eckes (chair)

Nele Schuldt (Ghent University)

Kelly Matheson (Global Climate Litigation)

Margaretha Wewerinke-Singh (UvA)

11:00 **Break**

11:30 **Panel 2: Redistributive Effects of Climate Litigation**

Ingo Venzke (chair)

Wim Thiery (Vrije Universiteit Brussel)

Lea Raible (University of Glasgow)

13:00

Lunch

14:00

Panel 3: Climate Constitutionalisation & the Future of Rights-based Litigation

Corina Heri (chair)

Andrew Jackson (University College Dublin)

Annalisa Savaresi (University of Eastern Finland)

Justine Bendel (University of Copenhagen)

15:30

Break

16:00

Panel 4: The Separation of Powers in Climate Litigation

Jerfi Uzman (chair)

Gerd Winter (University of Bremen)

Sarah Mead (Urgenda)

Phillip Paiement (Tilburg University)

17:30

Wrap-up & drinks
