



Workshop on “Climate Change Litigation: International Legal Perspectives”

Annual Conference of the Ius Commune Research School

29 November 2024 14.00-16.00

CALL FOR PAPERS

Climate change litigation is a growing phenomenon, leveraging judicial power to compel action to mitigate climate change or address its impacts. It is rapidly gaining in importance as a legal tool to induce action against the causes and effects of climate change. Climate change lawsuits can be filed against governments, corporations or other entities to enforce environmental legislation, hold polluters accountable or protect the human rights of those affected by climate change. Climate change litigation is unfolding nationally and internationally, and includes both contentious cases and advisory opinions. Well known examples, such as *Urgenda Foundation v. State of the Netherlands*, *Mileudefensie v. Royal Dutch Shell*, *VZW Klimaatzaak v. Kingdom of Belgium & Others* and most recently *KlimaSeniorinnen Schweiz v. Switzerland* and the *ITLOS Advisory Opinion on Climate Change*, show that these cases not only seek to enforce existing climate laws and policies but also drive the development of new legal principles to address the global climate crisis.

As climate impacts become more pronounced and public and private action continues to lag behind, climate change litigation is likely to increase, and become a key instrument to spur further public and private action to address this "existential threat" (ITLOS Advisory Opinion on Climate Change).

This workshop seeks to explore this emerging area of legal action from the perspective of international law and its interactions with domestic law. We welcome submissions on a wide range of topics related to climate change litigation, including but not limited to:

- International advisory proceedings on climate change (e.g., ITLOS advisory opinion, and pending ICJ advisory opinion)
- International and national human rights-based climate change litigation
- Climate change litigation against corporations and other non-state actors
- Climate justice and indigenous peoples
- Procedural, jurisdictional and evidentiary challenges of climate change litigation
- Interpretative principles and interplay between legal regimes in climate change litigation
- The relevance of climate change for international economic law and litigation (e.g., WTO law, international investment law)
- The interplay between climate change litigation and ESG regulation (ESG disclosure requirements (e.g., EU CSRD), and ESG due diligence requirements (e.g., EU CS3D))

Interested persons are warmly invited to submit a proposal, including the title of their proposed presentation, an abstract of approximately 500 words outlining the topic, and a short bio-note. Proposals should be submitted by email to denise.prevast@maastrichtuniversity.nl by 30 September 2024. Selected papers may be considered for publication in a special issue of a relevant journal.

The workshop will take place at Aristo, Brennerbaan 150, Utrecht. Please note that the Ius Commune research school is unable to cover speakers' travel or accommodation expenses.

The workshop is organized by the Ius Commune research programme [Constitutional Processes in the Global Legal Order](#). The research programme is coordinated by Denise Prévost (Maastricht University), Machiko Kanetake (Utrecht University), and Jan Wouters (KU Leuven).