
CLIMATE CHANGE LITIGATION UNDER INTERNATIONAL LAW

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ABSTRACT

Climate change litigation has emerged as a significant legal mechanism for addressing the growing impacts of climate change and ensuring accountability for environmental harm. As the adverse effects of global warming increasingly threaten ecosystems, human rights, and sustainable development, courts at the domestic, regional, and international levels have assumed a more active role in interpreting and enforcing climate-related legal obligations. This research examines the evolution of climate change litigation under international law by analyzing the legal framework established through international environmental treaties, customary international law, and human rights instruments. It further explores the contribution of landmark judicial decisions, including advisory opinions of international tribunals and significant national judgments, in shaping State responsibility and climate governance. The study also evaluates the legal challenges associated with climate litigation, such as jurisdiction, standing, causation, attribution of responsibility, and enforcement of judicial decisions. By assessing recent developments in international jurisprudence and the growing integration of environmental protection with human rights law, this paper highlights the increasing importance of litigation as a tool for promoting climate justice and strengthening compliance with international legal obligations. It concludes that although climate litigation cannot replace political action, it has become an essential mechanism for advancing accountability, encouraging stronger climate policies, and reinforcing the principles of international environmental law.

Keywords: Climate Change Litigation, International Law, UNFCCC, Paris Agreement, Human Rights, State Responsibility, Climate Justice, Environmental Law.

CHAPTER I

INTRODUCTION AND EVOLUTION OF CLIMATE CHANGE LITIGATION

Climate change has emerged as one of the most pressing global challenges of the twenty-first century, affecting ecosystems, economies, public health, and human rights. Scientific evidence identifies anthropogenic greenhouse gas emissions as the primary cause of global warming and its adverse impacts. As governmental efforts have often been insufficient, climate litigation has become an important mechanism for promoting accountability and effective climate action. Climate change litigation refers to legal proceedings before domestic, regional, or international courts and tribunals that seek to prevent, mitigate, or remedy the adverse effects of climate change by enforcing environmental obligations, protecting human rights, or holding States and corporations accountable for climate-related harm.¹

Unlike traditional environmental disputes that generally concern localized pollution or resource management, climate litigation addresses transboundary and global environmental challenges. Since greenhouse gas emissions produced in one State may contribute to climate-related damage across the globe, climate litigation raises complex questions concerning international responsibility, jurisdiction, causation, attribution of harm, and remedies. Consequently, international law has become an essential framework for addressing these legal challenges by establishing obligations for States to cooperate in preventing environmental harm and reducing greenhouse gas emissions.²

The evolution of climate change litigation reflects the gradual development of international environmental law. The modern international legal framework began with the **1972 Stockholm Declaration on the Human Environment**, which recognized that States possess sovereign rights over their natural resources while simultaneously bearing the responsibility to ensure that activities within their jurisdiction do not cause environmental damage to other States or areas beyond national jurisdiction. Principle 21 of the Stockholm Declaration later evolved into the internationally recognized **No-Harm Rule**, which continues to influence climate-related

¹ Jacqueline Peel & Hari M. Osofsky, *Climate Change Litigation: Regulatory Pathways to Cleaner Energy* 3–10 (Cambridge Univ. Press 2015).

² Daniel Bodansky, Jutta Brunnée & Lavanya Rajamani, *International Climate Change Law* 1–18 (Oxford Univ. Press 2017).

disputes before international courts and tribunals.³

The adoption of the **United Nations Framework Convention on Climate Change (UNFCCC)** in 1992 marked a significant milestone in the evolution of climate governance. The Convention established the objective of stabilizing greenhouse gas concentrations at levels that would prevent dangerous anthropogenic interference with the climate system. Although the Convention did not impose binding emission reduction targets, it introduced important principles such as sustainable development, intergenerational equity, and the principle of **Common but Differentiated Responsibilities and Respective Capabilities (CBDR-RC)**. These principles continue to influence both domestic and international climate litigation.⁴

The international climate regime subsequently evolved through the **Kyoto Protocol (1997)** and the **Paris Agreement (2015)**. The Kyoto Protocol established legally binding emission reduction commitments for developed countries, whereas the Paris Agreement adopted a more flexible framework requiring all Parties to submit and progressively strengthen Nationally Determined Contributions (NDCs). Although the Paris Agreement primarily relies on nationally determined commitments rather than internationally enforceable emission targets, courts have increasingly relied upon its provisions to interpret States' legal obligations regarding climate mitigation and adaptation.⁵

Climate litigation has experienced remarkable growth during the last decade. According to the **United Nations Environment Programme (UNEP)**, climate-related lawsuits have expanded rapidly across multiple jurisdictions, involving governments, multinational corporations, financial institutions, and regulatory agencies. These cases increasingly rely not only on environmental legislation but also on constitutional rights, administrative law, international environmental principles, and international human rights law.⁶

International human rights law has significantly influenced climate litigation. Climate change threatens internationally recognized rights, including the rights to life, health, food, water, housing, culture, and self-determination. Consequently, litigants increasingly argue that inadequate governmental responses violate human rights obligations under international

³ United Nations Conference on the Human Environment, Stockholm Declaration, princ. 21, U.N. Doc. A/CONF.48/14/Rev.1 (June 16, 1972).

⁴ United Nations Framework Convention on Climate Change arts. 2–3, May 9, 1992, 1771 U.N.T.S. 107.

⁵ Paris Agreement arts. 2–4, Dec. 12, 2015, T.I.A.S. No. 16-1104.

⁶ United Nations Environment Programme, *Global Climate Litigation Report: 2023 Status Review* 8–18 (2023).

treaties, while human rights bodies have recognized climate change as a direct threat to the effective enjoyment of these rights.⁷

Climate litigation is multidimensional, with disputes arising before domestic courts, regional human rights courts, international tribunals, and arbitral bodies. These institutions address issues relating to constitutional obligations, human rights, treaty interpretation, and State responsibility, making climate litigation an important mechanism for international environmental governance.

Judicial institutions have played an increasingly important role in the development of international climate law. Through judicial review, courts have required governments to strengthen climate policies, adopt more ambitious emission reduction measures, and ensure compliance with existing legal obligations, thereby reinforcing international climate commitments.⁸

Recent advisory opinions have further strengthened international climate law. In 2024, the International Tribunal for the Law of the Sea (ITLOS) recognized greenhouse gas emissions as marine pollution under UNCLOS and affirmed States' due diligence obligations. In 2025, the International Court of Justice (ICJ) confirmed that climate obligations arise from climate treaties, customary international law, human rights law, and general principles of international law, providing important guidance for future climate litigation.⁹

Despite these developments, climate litigation continues to face significant challenges. Establishing causation between emissions and climate impacts remains legally and scientifically complex. Issues relating to standing, jurisdiction, State responsibility, and enforcement continue to generate legal debate. However, advances in attribution science have strengthened the evidentiary basis for climate claims, enabling courts to better assess climate-related harm.

In conclusion, climate change litigation has become one of the most dynamic areas of international law, bringing together environmental law, human rights law, State responsibility,

⁷ Human Rights Committee, *General Comment No. 36 on Article 6 of the International Covenant on Civil and Political Rights*, U.N. Doc. CCPR/C/GC/36 (Oct. 30, 2018).

⁸ Urgenda Foundation v. State of the Netherlands, ECLI:NL:HR:2019:2007 (Neth.).

⁹ Request for an Advisory Opinion Submitted by the Commission of Small Island States on Climate Change and International Law, Advisory Opinion, Case No. 31 (May 21, 2024); Obligations of States in Respect of Climate Change (July 23, 2025).

and international dispute settlement. As climate impacts intensify, courts and tribunals are expected to play a greater role in interpreting legal obligations, promoting accountability, and advancing climate justice, making litigation an essential tool for strengthening the rule of law.

CHAPTER II

INTERNATIONAL LEGAL FRAMEWORK GOVERNING CLIMATE CHANGE LITIGATION

Climate change litigation under international law is founded upon a comprehensive legal framework consisting of treaties, customary international law, and general principles of international environmental law. Although no single international instrument specifically regulates climate litigation, various legal regimes collectively establish obligations for States to mitigate climate change, protect the environment, and cooperate in addressing its transboundary impacts. Courts and tribunals increasingly rely upon these legal instruments when interpreting the responsibilities of States and assessing compliance with international climate obligations.¹⁰

2.1 United Nations Framework Convention on Climate Change (UNFCCC)

The **United Nations Framework Convention on Climate Change (UNFCCC)**, adopted in 1992, is the foundation of the international climate regime. Its primary objective is to stabilize greenhouse gas concentrations at a level that prevents dangerous anthropogenic interference with the climate system.¹¹ The Convention recognizes climate change as a common concern of humankind and emphasizes international cooperation in mitigating greenhouse gas emissions and adapting to climate impacts.

A key contribution of the UNFCCC is the introduction of the principle of **Common but Differentiated Responsibilities and Respective Capabilities (CBDR-RC)**. This principle acknowledges that while all States share responsibility for addressing climate change, developed countries bear greater obligations because of their historical contribution to greenhouse gas emissions and their greater financial and technological capabilities.¹² Although

¹⁰ Daniel Bodansky, Jutta Brunnée & Lavanya Rajamani, *International Climate Change Law* 31–45 (Oxford Univ. Press 2017).

¹¹ United Nations Framework Convention on Climate Change art. 2, May 9, 1992, 1771 U.N.T.S. 107.

¹² *Id.* art. 3(1).

the Convention does not prescribe binding emission reduction targets, it provides the legal and institutional foundation upon which later agreements and climate litigation have developed.

2.2 Kyoto Protocol

The **Kyoto Protocol**, adopted in 1997 under the UNFCCC, represented the first legally binding international agreement requiring developed countries to reduce greenhouse gas emissions. The Protocol established quantified emission limitation and reduction commitments for Annex I Parties while recognizing the special circumstances of developing countries.¹³

Although its effectiveness was limited by the withdrawal or non-participation of certain major emitters, the Kyoto Protocol established the principle that States may incur legally binding obligations concerning climate change. It also introduced market-based mechanisms, including **Emissions Trading**, the **Clean Development Mechanism (CDM)**, and **Joint Implementation**, which sought to promote cost-effective emission reductions while encouraging sustainable development.¹⁴ These mechanisms have influenced judicial consideration of State obligations and environmental accountability.

2.3 Paris Agreement

The adoption of the **Paris Agreement** in 2015 marked a significant evolution in international climate governance. Unlike the Kyoto Protocol, which imposed obligations primarily on developed countries, the Paris Agreement requires all Parties to prepare, communicate, and periodically update **Nationally Determined Contributions (NDCs)** reflecting their highest possible ambition.¹⁵

The Agreement aims to limit the increase in global average temperature to well below **2°C above pre-industrial levels**, while pursuing efforts to limit warming to **1.5°C**.¹⁶ Although NDCs are nationally determined rather than internationally enforceable emission quotas, courts increasingly refer to the Paris Agreement when assessing whether governmental climate policies satisfy domestic and international legal obligations. Consequently, the Agreement has

¹³ Kyoto Protocol to the United Nations Framework Convention on Climate Change arts. 3–4, Dec. 11, 1997, 2303 U.N.T.S. 162.

¹⁴ Id. arts. 6, 12 & 17.

¹⁵ Paris Agreement arts. 3–4, Dec. 12, 2015, T.I.A.S. No. 16-1104.

¹⁶ Id. art. 2(1)(a).

become one of the most influential instruments supporting climate litigation worldwide.

2.4 Customary International Law Principles

Customary international law plays an essential role in climate litigation because many environmental obligations exist independently of treaty commitments. One of the most significant principles is the **No-Harm Rule**, which requires States to ensure that activities within their jurisdiction do not cause significant environmental damage to other States or areas beyond national jurisdiction. This principle, originating in the Stockholm Declaration and affirmed by international judicial decisions, has become a cornerstone of State responsibility in environmental law.¹⁷

Another important principle is the **Precautionary Principle**, which requires States to take preventive action where there is a risk of serious or irreversible environmental harm, even when scientific certainty is incomplete. Because climate change involves long-term and potentially irreversible consequences, courts increasingly rely upon this principle when evaluating governmental decisions relating to environmental protection and climate policy.

The principle of **Sustainable Development** also influences climate litigation by requiring States to balance environmental protection with economic development. Judicial bodies frequently interpret environmental obligations in light of sustainable development to ensure that present development does not compromise the needs of future generations.¹⁸

2.5 Human Rights and Climate Change

Human rights law has become an increasingly important component of climate litigation. Climate change threatens the enjoyment of fundamental rights protected under international human rights instruments, including the rights to life, health, food, water, housing, and culture. Consequently, courts increasingly interpret environmental protection as an essential component of human rights protection.

International human rights bodies have affirmed that inadequate climate action may constitute a violation of States' obligations under human rights treaties. This approach has broadened the

¹⁷ Stockholm Declaration on the Human Environment, princ. 21, U.N. Doc. A/CONF.48/14/Rev.1 (June 16, 1972); *Trail Smelter Arbitration* (U.S. v. Can.), 3 R.I.A.A. 1905 (1941).

¹⁸ *Gabčíkovo–Nagymaros Project*, 1997 I.C.J. 7 (Sept. 25).

scope of climate litigation by allowing individuals and communities to challenge governmental inaction through human rights frameworks rather than relying solely on environmental legislation.

2.6 State Responsibility

The law of **State responsibility** provides another important legal basis for climate litigation. Under the **Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA)**, a State that breaches an international obligation attributable to it incurs international responsibility and must cease the wrongful conduct and provide appropriate reparation where required.¹⁹

Although applying these rules to climate change presents challenges because emissions originate from multiple sources over extended periods, recent advisory opinions have emphasized that States may incur responsibility for failing to exercise due diligence in preventing climate-related harm. This development strengthens the accountability of States under international law.

2.7 Significance of the International Legal Framework

The international legal framework governing climate change litigation demonstrates that climate obligations arise from multiple sources rather than a single treaty. International courts increasingly interpret climate disputes by integrating treaty obligations, customary international law, human rights principles, and State responsibility. This integrated framework has strengthened judicial oversight, enhanced accountability, and encouraged States to adopt more ambitious climate policies. As climate litigation continues to evolve, these legal principles will remain central to resolving disputes concerning climate change and environmental protection.

CHAPTER III

JUDICIAL DEVELOPMENTS AND LANDMARK CLIMATE CHANGE LITIGATION

Climate change litigation has evolved from a limited environmental concern into a significant

¹⁹ International Law Commission, *Draft Articles on Responsibility of States for Internationally Wrongful Acts*, with Commentaries, G.A. Res. 56/83, Annex (Dec. 12, 2001).

area of international jurisprudence. Courts and tribunals across the world have increasingly interpreted climate change as a legal issue involving environmental protection, human rights, and State responsibility. Although no international court has compulsory jurisdiction over all climate disputes, judicial decisions and advisory opinions have substantially shaped the development of international climate law and influenced domestic legal systems.²⁰

One of the most influential decisions in climate litigation is the **Urgenda Foundation v. State of the Netherlands**. In 2019, the Supreme Court of the Netherlands upheld lower court decisions requiring the Dutch Government to reduce greenhouse gas emissions by at least 25 percent from 1990 levels by the end of 2020. The Court held that inadequate climate action posed a real and immediate threat to the rights to life and private life protected under Articles 2 and 8 of the European Convention on Human Rights. This decision established that governments have a legal duty to adopt reasonable measures to protect citizens from the foreseeable risks of climate change.²¹

The decision in **Milieudefensie et al. v. Royal Dutch Shell plc** further expanded climate accountability by recognizing that private corporations also have responsibilities in addressing climate change. In 2021, the District Court of The Hague ordered Shell to reduce its global carbon emissions by 45 percent by 2030 compared to 2019 levels. Although the case was decided under Dutch civil law, the Court relied upon international human rights principles, the Paris Agreement, and the UN Guiding Principles on Business and Human Rights to determine the company's duty of care. The judgment demonstrated that multinational corporations may face legal responsibility for contributing to climate change.²²

Climate litigation has also advanced through regional human rights courts. In **Verein KlimaSeniorinnen Schweiz v. Switzerland**, the European Court of Human Rights held in 2024 that Switzerland had violated the applicants' rights by failing to adopt adequate measures to combat climate change. The Court concluded that insufficient climate action could interfere with the right to respect for private and family life under Article 8 of the European Convention on Human Rights. This landmark judgment was the first decision by an international human rights court holding a State responsible for inadequate climate policies, thereby reinforcing the

²⁰ Jacqueline Peel & Hari M. Osofsky, *Climate Change Litigation: Regulatory Pathways to Cleaner Energy* 23–45 (Cambridge Univ. Press 2015).

²¹ *Urgenda Foundation v. State of the Netherlands*, ECLI:NL:HR:2019:2007 (Neth.).

²² *Milieudefensie et al. v. Royal Dutch Shell plc*, ECLI:NL:RBDHA:2021:5339 (Neth.).

connection between climate protection and human rights.²³

Significant developments have also occurred before international tribunals. In 2024, the **International Tribunal for the Law of the Sea (ITLOS)** delivered its Advisory Opinion on climate change and international law at the request of the Commission of Small Island States on Climate Change and International Law. The Tribunal held that anthropogenic greenhouse gas emissions constitute marine pollution within the meaning of the United Nations Convention on the Law of the Sea (UNCLOS). It further clarified that States have due diligence obligations to prevent, reduce, and control such pollution by adopting appropriate legislative, administrative, and regulatory measures. The Advisory Opinion strengthened the legal basis for future climate litigation involving marine environmental protection and clarified the obligations of States under UNCLOS.²⁴

Another milestone in international climate jurisprudence was the **Advisory Opinion of the International Court of Justice (ICJ)** on the obligations of States in respect of climate change, delivered in 2025. The Court affirmed that States' obligations arise not only from the UNFCCC and the Paris Agreement but also from customary international law, international human rights law, and the general duty to prevent significant transboundary environmental harm. The ICJ emphasized that failure to take reasonable measures to mitigate climate change may constitute a breach of international law, depending on the circumstances of each case. Although advisory opinions are not legally binding, they possess significant persuasive authority and are expected to influence future judicial decisions and international negotiations.²⁵

Climate litigation has increasingly relied upon the principle of **State responsibility**. Courts have emphasized that States must exercise due diligence in preventing environmental harm arising from activities within their jurisdiction. While climate change presents unique challenges because emissions originate from numerous sources over extended periods, advances in climate attribution science have enabled courts to better assess the causal relationship between greenhouse gas emissions and specific environmental impacts. Consequently, scientific evidence has become a crucial element in determining legal responsibility and assessing compliance with international obligations.

²³ Verein KlimaSeniorinnen Schweiz v. Switzerland, App. No. 53600/20 (Eur. Ct. H.R. Apr. 9, 2024).

²⁴ Request for an Advisory Opinion Submitted by the Commission of Small Island States on Climate Change and International Law, Advisory Opinion, Case No. 31 (May 21, 2024).

²⁵ Obligations of States in Respect of Climate Change (July 23, 2025).

Another important trend is the growing recognition of climate justice. Vulnerable communities, including indigenous peoples, children, women, and inhabitants of small island developing States, have increasingly approached judicial bodies seeking protection against the disproportionate impacts of climate change. Courts have acknowledged that climate change affects these groups more severely and have interpreted legal obligations in light of principles of equality, non-discrimination, and intergenerational equity. This rights-based approach has significantly expanded the scope of climate litigation beyond traditional environmental disputes.²⁶

Judicial decisions have also influenced national climate legislation and public policy. Governments have increasingly revised emission reduction targets, strengthened environmental regulations, and adopted climate adaptation measures following judicial scrutiny. Although courts cannot formulate climate policy, they play a vital role in ensuring that executive authorities comply with constitutional, statutory, and international legal obligations. Judicial intervention therefore complements political decision-making by reinforcing accountability and promoting the rule of law.

Despite these achievements, climate litigation continues to face challenges such as establishing causation, determining State responsibility, enforcing judgments, and balancing environmental protection with economic development. Nevertheless, the growing number of successful cases demonstrates that litigation has become an effective tool for promoting accountability and strengthening climate governance.²⁷

In conclusion, judicial developments have made climate litigation a significant instrument of international law. Landmark judgments and advisory opinions have strengthened treaty interpretation, reinforced human rights protections, and clarified the responsibilities of States and corporations, thereby shaping the future of global climate governance.

CHAPTER IV

CHALLENGES, FUTURE PROSPECTS AND CONCLUSION

Climate change litigation has become an effective mechanism for enforcing international

²⁶ Office of the United Nations High Commissioner for Human Rights, *Understanding Human Rights and Climate Change* (2015).

²⁷ Daniel Bodansky, Jutta Brunnée & Lavanya Rajamani, *International Climate Change Law* 321–340 (Oxford Univ. Press 2017).

environmental obligations and promoting climate justice. However, despite its significant contribution to global climate governance, climate litigation continues to face several legal, procedural, and practical challenges. These challenges often affect the ability of courts to provide timely and effective remedies, particularly in disputes involving transboundary environmental harm and multiple contributing actors.²⁸

One of the most significant challenges is establishing **causation**. Climate change results from the cumulative greenhouse gas emissions of numerous States and private entities over an extended period. Consequently, proving that the conduct of a particular State or corporation directly caused a specific climate-related event or environmental injury remains difficult. Although advances in climate attribution science have improved the ability to link emissions with climate impacts, courts continue to apply different standards when assessing causation and liability.²⁹

Another challenge concerns **jurisdiction and standing**. Climate disputes frequently involve transboundary harm affecting multiple countries, making it difficult to determine the appropriate judicial forum. Similarly, applicants often face procedural barriers in establishing sufficient legal interest or standing, particularly where environmental harm affects the public generally rather than a specific individual. Differences in domestic legal systems also result in varying approaches to the admissibility of climate-related claims.³⁰

The **enforcement of judicial decisions** remains another important concern. While domestic courts may issue legally binding judgments against governments or corporations, international courts and tribunals generally lack direct enforcement mechanisms. Compliance often depends on the political willingness of States to implement judicial decisions and fulfill their international obligations. As a result, even successful climate litigation may not always lead to immediate policy changes or effective environmental protection.³¹

Climate litigation also raises questions regarding the balance between **economic development and environmental protection**. Many developing countries argue that stringent climate

²⁸ Jacqueline Peel & Hari M. Osofsky, *Climate Change Litigation: Regulatory Pathways to Cleaner Energy* 285–301 (Cambridge Univ. Press 2015).

²⁹ Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2023: Synthesis Report* 45–61 (2023).

³⁰ Joana Setzer & Catherine Higham, *Global Trends in Climate Change Litigation: 2024 Snapshot*, Grantham Research Institute, London School of Economics (2024).

³¹ Daniel Bodansky, Jutta Brunnée & Lavanya Rajamani, *International Climate Change Law* 341–357 (Oxford Univ. Press 2017).

obligations may restrict industrial growth, poverty reduction, and access to energy. At the same time, developed countries are expected to provide financial assistance, technology transfer, and capacity-building under the principle of Common but Differentiated Responsibilities and Respective Capabilities (CBDR-RC). Balancing these competing interests continues to be one of the central challenges of international climate law.³²

Despite these challenges, the future of climate litigation appears promising. Recent decisions by international and regional courts have demonstrated an increasing willingness to interpret climate obligations through the combined framework of environmental law, human rights law, and the law of State responsibility. The recognition of the **right to a clean, healthy, and sustainable environment** by the United Nations has further strengthened the legal foundation for future climate-related claims.³³

Rapid developments in climate science, particularly attribution science and environmental data analysis, are expected to improve the evidentiary basis of future litigation. Advances in scientific research enable courts to more accurately assess the relationship between greenhouse gas emissions and climate-related harm, thereby strengthening legal arguments concerning causation and responsibility. These developments are likely to increase the effectiveness of climate litigation in the coming years.

International cooperation will also play a crucial role in strengthening climate litigation. Greater coordination among States, international organizations, and judicial institutions can contribute to the harmonization of legal standards, improved enforcement of international obligations, and more consistent judicial interpretation of climate treaties. Future advisory opinions and judicial decisions are expected to provide additional guidance on the scope of States' obligations under international law.³⁴

To improve the effectiveness of climate litigation, several measures should be considered. States should strengthen domestic climate legislation in accordance with international commitments under the UNFCCC and the Paris Agreement. Judicial institutions should continue to recognize the close relationship between environmental protection and human

³² United Nations Framework Convention on Climate Change art. 3(1), May 9, 1992, 1771 U.N.T.S. 107.

³³ United Nations Human Rights Council, Res. 48/13, U.N. Doc. A/HRC/RES/48/13 (Oct. 8, 2021).

³⁴ Obligations of States in Respect of Climate Change (July 23, 2025); Request for an Advisory Opinion Submitted by the Commission of Small Island States on Climate Change and International Law, Advisory Opinion, Case No. 31 (May 21, 2024).

rights while ensuring accessible remedies for affected individuals and communities. Governments should also enhance transparency, scientific cooperation, and public participation in climate decision-making. Furthermore, developed countries should fulfill their obligations relating to climate finance, technology transfer, and capacity-building to support developing countries in achieving sustainable development and climate resilience.³⁵

In conclusion, climate change litigation has become one of the most influential developments in contemporary international law. It has transformed international environmental principles into enforceable legal obligations and strengthened accountability for both States and private actors. Although important challenges remain, recent judicial developments demonstrate that litigation will continue to play a significant role in promoting climate justice, strengthening international cooperation, and ensuring compliance with global climate commitments. As climate change increasingly threatens present and future generations, effective judicial protection will remain an essential component of international climate governance.³⁶

³⁵ Paris Agreement arts. 9–11, Dec. 12, 2015, T.I.A.S. No. 16-1104.

³⁶ Daniel Bodansky, Jutta Brunnée & Lavanya Rajamani, *International Climate Change Law* 357–368 (Oxford Univ. Press 2017).