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Rights, Remedies, and Responsibility: Climate Litigation in the Age of Global Governance

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Abstract

Climate change is no longer merely a concept or confined to the environmental crisis; it has become an issue of defining justice, human rights, and governance in the 21st Century. The evolving landscape of climate litigation, focusing on the tripartite framework of Rights, Remedies and Responsibility. The three pillars of Rights, Remedies, and Responsibility had become so important to the completion of the litigation. The three pillars are the framework that would ensure environmental betterment. As global governance shifts from top-down treaties to polycentric legal efforts, plaintiffs are increasingly invoking their fundamental rights, such as the right to life, health, and a healthy environment, to compel accountability from states and corporations. The different cases laws are identified, and it is stated how courts are bridging the gap between national law and international law, and are committed towards conventions like the Paris Agreement or any other treaties. Climate change has not emerged as an environmental crisis, but has invaded many human rights and global governance. Climate litigation has a transformative role in global governance, bridging the gap between international environmental commitments and domestic enforcement. It examines how the right to a healthy environment has defined the state's responsibility, forced the courts to develop new remedies, including necessity mandates and oversight of commissions, and addressed existential threats posed by climate change. The rise of climate litigation as a mechanism for accountability and the integration of the human rights framework into climate change are evolving responsibilities of states, corporations, and international institutions. The paper explores the shift from procedural challenges to substantive rights-based claims. The expansion of the Duty to Care doctrine and the challenges of securing effective judicial remedies. The paper argues that while litigation cannot replace a comprehensive policy. It serves as an essential mechanism for enforcing. However, the paper argues that litigation cannot replace legislative actions. It serves the vital governance of last resort, forcing transparency and establishing a global legal precedent for climate accountability. The paper will discuss the various case laws that affect climate management and ensure environmental governance.

Keywords: - Rights, Remedies, Climate Litigation, Global Governance.

Introduction

The governance of climate change occupies a peculiar position in international law. Despite the international agreement, such as the Paris agreement adopted in 2015, which shows a warning sign of climate destruction. The global greenhouse gas emissions continue on an inconsistent path with the 1.5° C or even 2° C warning limits around which the international community has organised its political commitments. The persistent gap between aspiration and action has generated a new and dynamic field of climate litigation, in which both the domestic and international courts are increasingly called upon to give legal effect to obligations that legislators and diplomats have left incompletely discharged.

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The explosion of the climate cases since 2015 is not accidental. The Paris Agreement has set the architecture, which relies on nationally determined contributions rather than binding targets. In **Urgenda Foundation v. State of the Netherlands**,[3] the Dutch Courts held that the government's emission reduction targets were insufficiently ambitious to discharge its duty of care to citizens under the European Convention on Human Rights. In **Neubauer et al. v. Germany**,[4] the Federal Constitutional Court struck down the portion of the Federal Climate Protection Act as insufficiently protective of the fundamental rights of future generations. These judicial interpretations and other examples of judicial interpretations have shaped climate litigation and helped reshape the relationship among law, science, and democratic accountability.

The United Nations Environment Programme (UNEP) has recorded more than 2,180 climate-related cases across 65 countries by 2023, a status that represents a more than threefold increase since 2015.[5] This report states that both the urgency of the climate crisis and the remarkable adaptability of the national legal system in translating scientific consensus into enforceable legal obligations. The paper had analysed the rapid changes in the climate landscapes, situating them within the broader theory of global governance. It also proposes a principal framework that renders the diversity of climate litigation coherent and cumulative rather than fragmentary.

The paper talks about climate litigation within the theoretical landscape of global governance. The paper also traces the evolution of climate cases from their procedural origins in tort and administrative law, which present the rights-based paradigm. It examines the role of attribution science in establishing causation and standing. The paper addresses corporate liability and the emerging field of climate disclosure litigation. It analyses the institutional constraints and critiques of judicialized climate governance.

Climate Change and Global Governance: The Accountability Gap

The Paris Agreement represents the most comprehensive multilateral climate instrument to date. Art. 2 of the agreement establishes the central temperature goal, while Art. 4 requires Parties to prepare, communicate, and maintain successive NDCs. Art. 13 establishes a transparency framework for tracking the progress of the complaint. Yet the agreement contains no enforcement mechanism comparable to those found in trade or investment law. The compliance mechanism established in the art. 15 described as "facilitative in nature and function in a manner that is transparent, non-adversarial and non-punitive" in nature.[6]

The structural choice reflects the political realities of multilateral negotiation: binding the targets with punitive enforcement, which would have been unacceptable to major emitters. The result is, however, that the agreement depends almost entirely on domestic implementation and political will for its effectiveness. These are the shortcomings of the agreement, and litigants have looked to the courts to supply the missing accountability.

The Role of Courts in Global Governance

Scholars of global governance long debated the appropriate role of adjudication in a world of fragmented, polycentric authority.[7] The emergence of global administrative law as a field

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[3] Urgenda Foundation v. State of the Netherlands, Supreme Court of the Netherlands, Dec. 20, 2019.

[4] Neubauer et al. v. Germany, Federal Constitutional Court (Bundesverfassungsgericht), Apr. 29, 2021.

[5] United Nations Environment Programme, UNEP's Annual Report 2023: Keeping the Promise (Feb. 20, 2024), https://capacity4dev.europa.eu/library/uneps-annual-report-2023-keeping-promise_en.

[6] Paris Agreement, Dec. 12, 2015, T.I.A.S. No. 16-1104 (entered into force Nov. 4, 2016), https://unfccc.int/sites/default/files/english_paris_agreement.pdf.

[7] Marja Lehto (Special Rapporteur), First Report on the Protection of the Environment in Relation to Armed Conflicts, International Law Commission, U.N. Doc. A/CN.4/682 (Apr. 30, 2019), https://legal.un.org/ilc/documentation/english/a_cn4_l682.pdf.

of study reflects the insight that international institutions are increasingly exercising public power in ways that affect individuals, and the principles of legality, transparency, and review are necessary to legitimate such power. Climate litigation can be understood as an extension of the logic that the exercise of regulatory discretion over emissions is subject to legal scrutiny for its adequacy.

Bodansky[8] has argued in the book that the legitimacy of climate litigation depends on the extent to which the courts apply pre-existing legal standards rather than the policy-making choices that belong to the legislative branch. The distinction between the faithful application of legal norms and permissible judicial law-making runs through virtually every major climate case and will be examined in detail further.

The Evolution of Climate Litigation: From Tort to Right

The First-Generation Cases: From Tort to Right

The earliest climate cases in the United States were framed in tort, specifically, the public nuisance doctrine. The public nuisance is a tort that affects a class of people or the general public, rather than a single individual. It involves the defendant's unreasonable and unlawful acts that materially interfere with public rights, such as health, safety, comfort, or convenience. The public nuisance under the tort is essential to the defendant's wrongful act, and it is the inconvenience caused to the plaintiff. In **Connecticut v. American Electric Power Co.**,[9] New York, with eight states, sued five major electric utilities, seeking an injunction to reduce CO_2 emissions on the basis that those emissions constituted a public nuisance.[10] The Supreme Court held unanimously that the Clean Air Act displaced federal common law nuisance claims, leaving the question of emissions standards to the Environmental Protection Agency. Similarly, in the case of **Native Village of Kivalina v. ExxonMobil Corp**.[11], the court failed on the displacement grounds.

Similarly, in India, different cases have been seen in the Supreme Court. In Rural Litigation and Entitlement, Kendra v. State of Uttar Pradesh,[12] the court has discussed about the right to live in a healthy environment under Article 21 of the Indian Constitution. The balancing of energy access and conservation of wildlife while keeping the adverse effects of climate change in mind was recognised in the Great Indian Bustard case.[13] in 2024. Over the 36 years, there is one thing common that they both want to protect the environment vis-à-vis climate change.

The initial setbacks highlighted a core issue in climate tort litigation: the diffuse, worldwide, and cumulative effects of climate damage. It clashed with legal principles crafted for specific, bilateral harms. It establishes attribution, proving that a particular defendant's emissions caused a certain plaintiff's injury, which was nearly impossible without advanced attribution science.

Second-Generation Cases: Administrative and Constitutional Law

A second generation of litigation, beginning in the early 2010s, focuses on administrative law, challenging the adequacy of governmental climate policies under domestic

8 Daniel Bodansky, The Paris Climate Change Agreement: A New Hope?, 25 Rev. Eur. Comp. & Int'l Envtl. L. 142 (2016), https://onlinelibrary.wiley.com/doi/10.1111/reel.12154.

9 Connecticut v. American Electric Power Co., 564 U.S. 410 (2011).

10 Research assessment on Financial Contagion: Network Visualization. AEIDA [Internet]. 2026 Jan. 1 [cited 2026 Jun. 30];2(2):16-30. Available from: https://aeidajournal.org/index.php/AEIDA/article/view/21

11 Native Village of Kivalina v. ExxonMobil Corp., 696 F.3d 849 (9th Cir. 2012), https://www.climatecasechart.com/collections/native-village-of-kivalina-v-exxonmobil-corp-_413ab5.

12 Rural Litigation & Entitlement Kendra v. State of U.P., A.I.R. 1987 S.C. 2187.

13 M.K. Ranjitsinh v. Union of India, (2024) (S.C.).

constitutional and statutory standards. In **Julian v. United States**,[14] twenty-one plaintiffs argued that the federal government's affirmative promotion of fossil fuels violated their constitutional rights to a stable climate system.

The Urgenda decision represents the apex of this generation. The Hoge Raad (Dutch Supreme Court) affirmed in December 2019 that the state's obligation to reduce emissions by at least 25% below 1990 levels by 2020 derived directly from Articles 2 and 8 of the European Convention on Human Rights. The court applied the precautionary principle, relying on the Intergovernmental Panel on Climate Change's (IPCC) Fourth Assessment Report to establish the scientific basis for the government's duty. This was the first time a court ordered a government to adopt a specific emissions reduction target on human rights grounds, and the decision has been widely replicated.

Third-Generation Cases: Corporate Accountability and Future Generations

The third and most recent generation, in the case of litigation. It states that two distinctive features emphasise the corporate rather than state actors. It has concerns about the rights of future generations. In ***Milieudefensie et. al. v. Royal Dutch Shell Plc***[15], a Dutch district court held that Shell was obliged to reduce its net global CO2 emissions by 45% by 2030 relative to 2019 levels. It was found that Shell's existing climate policies were incompatible with its duty of care under Dutch Civil Law and the human rights obligations recognised in the UN Guiding Principles on Business and Human Rights.

The Court of intergenerational equity, long present in environmental law discourse[16] has been given new urgency by climate litigation. In Neubauer, the German court found that the Climate Protection Act's distribution of carbon budgets over time was constitutionally deficient because it imposed an excessive burden on future generations to reduce emissions. The court invoked Article 20a of the Basic Law[17] (Grundgesetz), obligates the state to protect natural resources "for the benefit of Future Generations", as well as fundamental rights provisions.

The ***Leghari v. Federation of Pakistan***[18] is notable for its early adoption of a rights-based framework in a developing country context. Justice Syed Mansor Ali Shah of the Lahore High Court held that the government's failure to implement its National Climate Change Policy violated the petitioner's fundamental rights to life and human dignity under the Pakistani Constitution, and established a Climate Change Commission to monitor implementation. This decision was anticipated by several years by the now-dominant rights-based approach in European jurisdiction.

Corporate Liability and Climate Disclosure Litigation

Duty of Care and Corporate Climate Obligations

The Shell decisions represent the most far-reaching judicial pronouncement on corporate obligations to date. The Hague District Court found that Shell owed a duty of care to Milieudefensive and Dutch citizens based on the "unwritten standard of care" in Dutch civil Law. The law had to be read alongside the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises, and the Paris Agreement's temperature goals. The court had found that the duty required Shell not

[14] Juliana v. United States, Climate Change Litigation Database, https://www.climatecasechart.com/collections/juliana-v-united-states_f8231e.

[15] Milieudefensie et al. v. Royal Dutch Shell plc, Hague Dist. Ct. (Rechtbank Den Haag), May 26, 2021.

[16] Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, Mar. 22, 1989, 1673 U.N.T.S. 57.

[17] GERMAN BASIC LAW [GRUNDGESETZ] art. 20a (Ger.).

[18] Leghari v. Federation of Pakistan, (2015) W.P. No. 25501/2015 (Lahore High Ct. Sept. 4, 2015).

only to reduce its own operational emissions but to take responsibility for emissions throughout its value chain, including the end-use of its products by consumers.

The Scope 3 is particularly significant because it potentially subjects fossil fuel companies to legal liability for the emissions of millions of individual consumers who purchase and burn their products. In the Shell case, the decision was appealed, and the judgment was triggered in similar cases in other jurisdictions. It was also promoted in the significant corporate restructuring of climate disclosure and strategy documents.

Climate Disclosure and Securities Litigation

There are parallel development concerns on the litigation risk arising from inadequate or misleading climate disclosure. The Standardisation of Climate-related Disclosure 2024, gave the certain standards which requires to attain in the climate to get it developed. The climate disclosure rule requires public companies to disclose material climate-related risks and greenhouse gas emissions, reflecting regulatory recognition that climate risk in financial risk. Investors from several jurisdictions have pursued litigation against companies for failing to adequately disclose material climate risks, either under securities fraud statutes or under fiduciary duty principles.

In ***McVeigh v. Retail Employees Superannuation Trust***,[19] a pension fund member has sued the fund for failing to disclose how it was managing climate-related investment risk, resulting in a landmark settlement in which the fund committed to detailed climate risk disclosure. This case also significantly covers climate and financial law, stating the emergence of climate-related fiduciary duties as an independent basis for corporate accountability.

The Human Rights and Business Nexus

The **UN Guiding Principles on Business and Human Rights**[20] established a tripartite framework of state duty, corporate responsibility and access to remedy. Climate litigation against corporations increasingly involves this framework to argue for corporate responsibility.[21] This also ensures to respect human rights encompasses an obligation to reduce emissions consistent with the Paris Agreement's temperature goals. The Milieudefensive case has incorporated the Ruggies Principles into its analysis, suggesting that soft-law corporate responsibility standards can be transformed into legally enforceable obligations through judicial interpretation of domestic civil law duties.

Institutional Constraints and Critiques

Separation of Powers

The critique of climate litigation is that it invades the constitutional province of the legislative and executive branches. The courts, however, lack democratic legitimacy to set emissions targets or energy policy. The choices that are involved in the kind of complex distributional and intergenerational trade-offs require parliamentary deliberation. In Juliana, the Ninth Circuit majority invoked the political question doctrine. The separation of powers is to decline jurisdiction over the plaintiff's requested remedy, while acknowledging the moral and scientific seriousness of their claims.

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19 McVeigh v. Retail Employees Superannuation Trust, No. NSD1333/2018 (Austl. Fed. Ct. filed 2018) (settled Nov. 2019).

20 U.N. Human Rights Council, Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework, U.N. Doc. A/HRC/17/31 (Mar. 21, 2011).

21 Das, B. K., Pandya, M., Chaudhari, S. P., Bhatt, A., & Trivedi, D. (2021). Global Research Trends and Network Visualization on Climate Action : A Bibliometric Study. SJSU ScholarWorks. https://scholarworks.sjsu.edu/libphilprac/5818/

The proponents of climate litigation respond that courts are not only making policy choices ab initio. The enforcement is done with the pre-existing legal obligations such as constitutional rights, statutory duties, and treaty commitments. These enforcement actions are done against the government defendants who have failed to implement them.[22] On this view, judicial intervention is not anti-democratic but counter-majoritarian in the same way as the enforcement of any constitutional rights. It holds democratic majorities accountable to deeper legal commitments.

Remedial Challenges

The courts have established the liability; remedial effectiveness poses significant challenges. The order directing a government to reduce emissions by a specified percentage by a specified date has limited direct enforceability without a credible mechanism for monitoring compliance and imposing consequences for failure. Uganda ordered the Netherlands to achieve a 25% reduction in greenhouse gas emissions by the end of 2020. The government ultimately achieved this target partially due to the COVID-19 pandemic's effect on economic activity rather than the result of the deliberately policy changes.

Corporate defenders face similar challenges. The Shell case has announced plans to appeal the Milieudefensive judgement and has simultaneously restructured its corporate organisation and adjusted its climate targets in ways that may comply with compliance enforcement. The gap between judicial orders and real-world emissions reductions is a central challenge that climate litigants and courts must address.

North-South Dimensions

Climate litigation has been concentrated in high-income countries with a legal system and an active civil society organisation. The distributional pattern is deeply problematic, given that climate harms fall disproportionately on low-income countries. The low-income countries have vulnerable communities that are least responsible for historical emissions. The efforts can bring the climate cases in the developing country courts, illustrated by Leghari in Pakistan. The recent cases in the Philippines and Colombia face challenges of judicial capacity, legal aid, and enforcement that do not arise to the same degree in European or North American Contexts.

Challenges and Limitations in Climate Litigation

In this global era, climate litigation faces significant challenges. The challenges occur within the doctrinal, procedural, and structural limitations which has the constraint its effectiveness as a tool of global climate governance. The challenges reflect the inherent tension between the territorially bound legal system. It also crosses the challenges to the transboundary nature of climate change.

Jurisdictional Constraints

The most fundamental challenges in climate litigation lie in the jurisdictional limitations. The traditional legal system are territorial defined, but when we talk about climate litigation, it is a global, diffuse, and cumulative phenomenon. The territorial jurisdiction of the climate has been expanded, and the jurisdiction challenges lie within the system. One of the most fundamental challenges in climate litigation lies in jurisdictional limitations. Traditional legal systems are territorially confined, whereas climate change is a **global, diffuse, and cumulative phenomenon**.

(a) Extraterritorial Claims

[22] Joana Setzer & Lisa C. Vanhala, Climate Change Litigation: A Review of Research on Courts and Litigants in Climate Governance, 10 WIREs Climate Change e580 (2019).

The courts are often reluctant to exercise jurisdiction over actions that involve conduct occurring outside the national boundaries. The climate is typically harmed, which arises from emissions produced across multiple jurisdictions, making it difficult to attribute responsibility to the state within the legal system. Climate harm typically arises from emissions produced across multiple jurisdictions, making it difficult to attribute responsibility to a single actor within a specific legal system. Climate litigation jurisdiction ambit has expanded its territory and is trying to focus on the jurisdiction who are bring the remedies to them.

In the case of ***Native Village of Kivalina v. ExxonMobil Corp***,[23] the US Court of Appeals dismissed claims seeking damages from energy companies for climate-induced harm. It was partly due to concerns about judicial overreach into matters with global implications. The court has emphasised that these issues are better addressed by the legislative and executive branches.

Similarly, the jurisdictional challenges had arisen when the plaintiffs held multiple corporations. The plaintiff had made it to the account in the home states for the different activities which has been conducted abroad. The European jurisprudence shows the gradual shift, as the jurisdiction forms remain fragmented and inconsistent.

(b) Global Nature of Climate Harm

Climate change involves collective causation, where emissions from numerous actors over time contribute to global harm. The Courts struggle to adjudicate the different claims because the harm is not confined to a single territory. The defendants are often found to have multiple and geographically dispersed. The different legal doctrines have been designed for localised disputes. The disputes have been settled in such a way that the local must be benefitted in the way from the climate litigation. This leads to a mismatch between the global environmental harm and domestic legal frameworks, with limited judicial interventions.

Causation and Evidence

The causation is one of the most complex aspects in climate litigation. Traditionally, it was seen that to establish the causation between the plaintiff and defendant, there must be a direct link between the harm caused to them. In modern law, causation has been established after forming the harm caused to them.

(a) Complexity of Climate Science

Climate change results from cumulative greenhouse gas emissions over decades, involving numerous contributors. The emissions of greenhouse gas have been increasing over the decades, and they are trying to reduce emissions in this way. But it is very difficult to establish the benefits of the contributors to show the “But-for” causation, Proximate cause and Individual liability. The courts have historically developed landmark cases to accept probabilistic or scientific evidence. The evidence shows that different countries have been developing methods to create scientific roles.

(b) Emerging Scientific Advances

The developments in climate attribution have begun to address the evidentiary challenges by Quantifying contributions of specific emitters and linking extreme weather events to anthropogenic emissions. The advances have influenced judicial reasoning in cases such as ***Urgenda Foundation v. State of the Netherlands,***[24] where the court accepted the scientific consensus to impose the duty of emissions

[23] Native Village of Kivalina v. ExxonMobil Corp., 696 F.3d 849 (9th Cir. 2012).
[24] Urgenda Found. v. State of the Netherlands, Hoge Raad [Supreme Court of the Netherlands], Dec. 20, 2019.

reduction obligation on the state. However, despite the developments, causation remains a significant evidentiary barrier, particularly in claims for compensation against corporations. The judiciary has interpreted the different cases to expand the scope of climate litigation.

Enforcement Issues

The courts deliver progressive judgments, but enforcement remains a critical limitation, especially in a transnational context. The enforcement of the law is very weak, and it changes from the ground reality.

(a) Weak Enforcement Mechanisms

Courts are often ill-equipped to monitor compliance. They issue structural orders for the long term and ensure implementation of policy, unlike domestic regulatory agencies. For example, judicial orders to cut emissions are highly dependent on the executive. They can follow-through that can be fragile under political or economic pressure. The political pressure makes it difficult to ensure this mechanism.

(b) International Law Limitations

The enforcement mechanisms at the international level are inherently weak. The international Agreements, such as the Paris Agreement, are under the mechanisms such as transparency, peer review and commitments which are given by the researchers. The Litigation strategies for the enforcement of international obligations are limited by the lack of binding sanctions for non-compliance.

(c) Corporate Accountability Gaps

The Corporations are held accountable by courts. Corporate structures are very complicated, and jurisdictional issues are arbitrated. There are Limited cross-border enforcement mechanisms. This creates a gap between finding liability and actually remediating harm.

Inequality in Access to Justice

Climate litigation also reflects broader structural inequalities, particularly in access to legal remedies.

(a) Resource Asymmetry

Climate litigation is demanding in terms of resources, necessitating specialised legal knowledge and funding. Marginalised communities are disproportionately affected by climate change, and often lack the capacity to start or maintain legal action.

(b) Global North–South Divide

There is a clear imbalance in climate litigation. Most of the cases get filed in developed countries. Meanwhile, the vulnerable areas in the Global South kind of stay underrepresented, like the legal attention just never really shows up. That gap then messes with the equity dimension of climate justice, because the people hit the hardest have the weakest access to legal remedies, and it’s not like they can easily make up for that shortage.

(c) Procedural Barriers

The barriers include strict rules around standing, high evidentiary thresholds, and lengthy judicial processes. Although some jurisdictions have relaxed standing requirements. The best example of this is the public interest litigation in India. In this setting, the litigation process feels more relaxed, so the complainant can file the

complaint more easily. The kind of setup remains uneven globally. Other countries don't really have such a mechanism, where the complaint can be processed without friction and then justice can be provided accordingly.

Conclusion

The government and businesses responsible for their promises to combat climate change are an emerging and rapidly growing approach in the area of global environmental governance. Climate litigation is an intersection of human rights, environmental, and cross-border law and regulatory frameworks. Climate litigation also represents a detrimental shift in the way climate change is viewed, not only as a scientific and public policy issue but also as an area of justice and accountability that will have long-lasting effects on human survival. The three interconnected components of climate litigation rights, remedies, and responsibilities have demonstrated their power to change the way that global governance develops.

In legal terms, the rights-based turn in climate litigation is doctrinally significant. By framing the climate harm as a violation of human rights such as the right to life, health and a clean environment, the court has expanded the scope of the constitutional and international law. In the case of ***Urgenda Foundation v. State of the Netherlands***[25] ***and Leghari v. Federation of Pakistan,***[26] it was seen how the judicial bodies are increasingly interpreting the state obligation in the light of consensus and intergenerational equity. The development signals had moved toward constitutional climate protection. It thereby embeds environmental concerns in the core of the legal system.

Climate litigation has moved beyond traditional compensatory remedies to include structural and transformative remedies. Courts have become increasingly involved in developing policy, as they are no longer limited to providing damages as a remedy; they now mandate rules and procedures for emission reduction, enforce climate targets, and require institutional reforms. This trend in climate litigation reflects a broader Policy Transformation & Governance through States; the judiciary's role in governance is now active, rather than passive.

The scope of responsibility has greatly expanded. Climate litigation now includes not just states but also corporations, financial institutions, and transnational organisations. For instance, ***Milieudefensie v. Royal Dutch Shell***[27] shows courts' willingness to hold private companies accountable for their role in climate change. This change highlights a broader understanding that effective climate action needs accountability from both public and private sectors. However, issues like attribution, jurisdiction, and enforcement still pose significant hurdles to establishing effective liability systems.

Climate litigation's future relies on greater collaboration with the internationally recognised climate governance systems. To achieve this goal, cooperation between multiple countries has to be increased, laws have to be aligned so that all countries have similar statutes

[25] Urgenda Found. v. State of the Netherlands, Hoge Raad [Supreme Court of the Netherlands], Dec. 20, 2019.
[26] Leghari v. Federation of Pakistan, W.P. No. 25501/2015 (Lahore High Ct. Sept. 4, 2015).
[27] Milieudefensie et al. v. Royal Dutch Shell plc, Hague Dist. Ct. (Rechtbank Den Haag), May 26, 2021.

regarding climate issues, and courts must be able to enforce orders that are made. Finally, access to climate justice must be made more democratic.

Judges have supported vulnerable communities, particularly those in developing countries. As a result of this support, vulnerable communities have been able to access legal processes and achieve justice. The increase in public interest litigation has also led to the creation of online resources for individuals to access justice. Legal aid systems, including those for Indigenous Peoples, provide critical capacity for the growth of climate litigation. The input of local communities is also key to ensuring equality in the climate litigation process.

In conclusion, climate litigation is both promising and paradoxical. It offers a vital path for securing rights, remedies, and responsibilities. However, its effectiveness is limited by existing structures. The real challenge is not simply expanding climate litigation but embedding it within a broader framework. A coordinated approach involving legal, political, and institutional responses is essential. An integrated strategy can fulfil the goals of climate litigation and serve as a transformative force, advancing global environmental justice and sustainable governance.