



UNEP Report Recognizes Litigation as Key Tool in Delivering Climate Action

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STORY HIGHLIGHTS

The report reveals that the total number of climate change cases increased from 884 in 2017 to 2,180 in 2022.

While most cases have been brought in the US, climate litigation is picking up worldwide, with about 17% of cases having originated in developing countries, including SIDS.

Thirty-four cases have been brought by or on behalf of children and youth.

The UN Environment Programme (UNEP) and the Sabin Center for Climate Change Law at Columbia University have published a report reviewing cases focused on climate change law, policy, or science. With the number of climate change court cases having more than doubled since 2017, the report demonstrates that climate litigation is



The report titled, ‘Global Climate Litigation Report: 2023 Status Review,’ is based on cases collected up to 31 December 2022 by the [Sabin Center’s US and Global Climate Change Litigation Databases](#). It reveals that the total number of climate change cases increased from 884 in [2017](#) to 2,180 in 2022. A UNEP press release notes that “[a]s climate litigation increases in frequency and volume, the body of legal precedent grows, forming an increasingly well-defined field of law.”

The report identifies six categories most climate change cases fall under:

- Cases relying on human rights enshrined in international law and national constitutions;
- Challenges to domestic non-enforcement of climate-related laws and policies;
- Litigants seeking to keep fossil fuels in the ground;
- Advocates for greater climate disclosures and an end to greenwashing;
- Claims addressing corporate liability and responsibility for climate harms; and
- Claims addressing failures to adapt to the impacts of climate change.

While most cases have been brought in the US, climate litigation is picking up worldwide, according to the report. About 17% of cases have originated in developing countries, including small island developing States (SIDS). Thirty-four cases have been brought by or on behalf of children and youth. In future, the report anticipates more cases to be brought by vulnerable groups disproportionately affected by climate change, including Indigenous peoples and local communities.

Key climate change litigation cases highlighted in the report include:

- The UN Human Rights Committee concluding for the first time that a country has violated international human rights law through climate inaction, finding Australia’s



human rights treaty, which enjoys “supranational” status;

- A court in the Netherlands ordering oil and gas company Shell to comply with the Paris Agreement and reduce its carbon dioxide (CO₂) emissions by 45% from 2019 levels by 2030;
- Germany’s court striking down parts of the Federal Climate Protection Act as incompatible with the rights to life and health; and
- SIDS’ efforts to obtain advisory opinions on climate change from the International Court of Justice (ICJ) and the International Tribunal for the Law of the Sea (ITLOS).

The report was launched in conjunction with the anniversary of the UN General Assembly’s (UNGA) [recognition of the human right to a clean, healthy and sustainable environment](#). [Publication: [Global Climate Litigation Report: 2023 Status Review](#)] [[Publication Landing Page](#)] [[UNEP Press Release](#)]

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