

According to the latest IPCC report, « human-induced climate change, including more frequent and intense extreme events, has caused widespread adverse impacts and related losses and damages to nature and people », disproportionately affecting the most vulnerable and thus engendering claims for climate justice. Preventing global warming from exceeding 1.5°C in the coming decades is fundamental; there is high confidence that otherwise « many human and natural systems will face additional severe risks, compared to remaining below 1.5°C » (IPCC WGII, AR6, SPM, 2022). Indeed, « climate action failure is the most impactful and second most likely long-term risk » identified in the latest Global Risks Perception Survey of the World Economic Forum.

Not surprisingly, according to the 2021 dedicated report issued by the Grantham Research Institute on Climate Change and the Environment, « climate change litigation continues to grow in importance as a way of either advancing or delaying effective action on climate change »: more than 1000 cases have been filed between 2015 and 2021, with a remarkable increase in the number of strategic cases.

For the purpose of this concept note, climate change litigation can be defined as the ensemble of lawsuits bringing climate change-related issues of law or fact before courts, regardless of the jurisdiction. A shared definition of climate change litigation cannot be found in the literature (Peel and Osofsky, 2019), also because the legal strategies applied and the actors involved are multiplying. Recently, the private sector and financial actors have become targets too, to the extent that a litigation risk for businesses has emerged. Understanding it is considered to be « crucial for central banks and supervisory authorities », according to the Network for Greening the Financial System.

Interestingly for Comparative Law scholars, climate change litigation is « a truly global phenomenon, with the cross-pollination of ideas, strategies and support across jurisdictions » (The Geneva Association, 2021), due to the increasing accessibility of data, the development of attribution science, the flourishing network within the legal, environmental and academic communities.

The two-day International Conference aims to give the broadest overview of climate change litigation, understand its most recent and upcoming trends and outline possible legal transplants, through the contributions of many different actors involved around the world: environmental and climate NGOs, international law firms, multinational companies, judges, Law scholars, and more.

The “Climate Change Litigation: a Comparative Law Perspective” International Conference is organized by the Department of Law, Economics and Cultures of the University of Insubria, Como, as part of the activities of the national Ph. D. in Sustainable Development and Climate Change (<http://www.iusspavia.it/phd-sdc>), with the support of the European Environmental Law Forum (EELF) (<https://www.eelf.info/home-7.html>) and Società Italiana di Ricerca in Diritto Comparato (SIRD) (<https://www.sirdcomp.it/>).