

Global trends in climate change litigation: 2026 snapshot

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To accompany the report by Joana Setzer and Catherine Higham available at:
www.lse.ac.uk/granthaminstitute/publication/global-trends-in-climate-change-litigation-2026-snapshot



ANNEX 1. Methodological notes

Data collection

As noted in the report's introduction, information about the cases discussed has come primarily from the Climate Litigation Database maintained by the Sabin Center for Climate Change Law, in partnership with Climate Policy Radar. The last data download for this report was in March 2026. While drafting and updating case classifications, we also identified updates to cases and new cases not yet included in the database. This information has been provided to the Sabin Center and Climate Policy Radar and it will inform subsequent updates of the database.

We gained additional insights into the climate litigation case law from the databases listed in Box A. The quantitative analysis for Brazil and Germany was informed by the following:

- The [Brazilian Climate Litigation Platform](#) maintained by the Research Group on Law, Environment and Justice in the Anthropocene (JUMA) at the Pontifical Catholic University of Rio de Janeiro (PUC-Rio) was reviewed to assist with case classification. Data from this database is regularly integrated within the Sabin Centre's database and is therefore included in the quantitative analysis for these reports automatically. We also draw on classifications by the JUMA team that align with our methodology.
- The University of Hamburg's climate cases dataset was developed to inform the [Klimawende Ausblick for Germany](#), an annual report that aims to understand and assess the social and political plausibility of a rapid transition to climate neutrality. As of March 2026, this dataset contained 221 cases. The scope of the methodology includes both cases in which climate change is a material issue and those in which climate change or relevant keywords are mentioned in the proceedings, but which may not be central to the legal arguments. Drawing on analysis by Frerichs et al. (2026), we identified 110 cases where climate change is a central or material issue. Of these, 48 were not yet included in the Sabin Center database at the time of writing. We added these cases to the dataset used for the quantitative analysis in this report.¹ We then relied on analysis by the same authors to classify cases involving the following climate-aligned strategies: *government framework*, *corporate framework*, *integrating climate considerations* and *climate-washing* cases. The discussion of *green v. green* cases in Section 4 is also informed by the broader dataset. However, as climate change is not central to these *green v. green* cases, they are not incorporated into the quantitative analysis.

We identified the latest developments for some cases using a variety of national media sources, cross-checking reports to verify their accuracy. As the field of climate litigation has grown, specialist publications dedicated to covering climate cases have developed, including [The Wave](#) and [Climate Court](#). We systematically reviewed both sources to identify case developments and new cases for 2025.

Defining a 'case'

Defining a 'case' for the purposes of quantitative analysis is sometimes challenging. Legal proceedings concerning the same facts are often heard by several different courts, either through appeals or during jurisdictional disputes. In some circumstances, distinct legal proceedings with closely related facts may be bundled together by courts for ease of management.

In the previous version of Climate Litigation Database, US legal proceedings, which are often complex, were presented in 'case bundles'. In previous reports, we used these bundles as the unit of analysis, providing the number of 'cases' for US courts. For example, the 2023 case of [Western States Trucking Association Inc. v. EPA](#) involves six separate challenges to the Environmental Protection Agency's (EPA)

¹ To identify cases that were not included in the database, we initially used a large language model (LLM) to identify cases appearing in both datasets. The results were checked manually and corrections made to the LLM assessment. Subsequently a review of all remaining unmatched cases was conducted to identify any outstanding duplicate cases missed by the LLM.

decision to grant a waiver of the Clean Air Act pre-emption, allowing the California Air Resources Board to introduce new emissions standards for heavy duty vehicles. These challenges are filed by a range of claimants, including trade associations, states and campaign groups. Nonetheless, this group of proceedings has always been counted as a single case for the purposes of these reports. This approach has also been adopted by the Sabin Center and by the United Nations Environment Programme (UNEP).

On the new version of the Climate Litigation Database, bundles are still presented as consolidated 'case bundles' (called 'collections' in the [database FAQs](#)). However, the number of search results shown on the online tool counts all the individual legal proceedings within a case bundle. At the time of writing, the database showed around 4,800 entries. Nonetheless, to ensure consistency with our previous reports and to give the reader a better understanding of the number of distinct disputes, we continue to use collections as the unit of analysis. Climate Policy Radar and the Sabin Center have an [explainer](#) that describes how to obtain the number of case bundles using the Climate Litigation Database data file.

Approach to case classification

When classifying cases for these reports, we primarily based our findings on the Sabin Center's case summaries. Where it is challenging to assess a case based on the information available in the summaries, we also reviewed the full case documents in the databases, as well as academic analyses and/or media reports. Some classifications were assigned based on review by one member of the research team. However, where there was uncertainty about a classification, this case was reviewed and discussed in detail by the authors before a final decision was made.

Classification of strategic cases and strategies

Classification of a case as 'strategic'

Identifying a case as 'strategic' (or 'semi-strategic'²) is no simple task, particularly when we have imperfect information about the intentions of the parties. Ultimately, our classification is subjective, and even the parties themselves might dispute the classification for a variety of reasons. As discussed in our 2024 report, we consider the following factors when categorising cases:

- **Identity of the claimants.** In strategic climate litigation, claimants are selected to communicate a carefully designed message ([Peel and Markey-Towler, 2022](#)). Most strategic cases are filed by a non-governmental organisation (NGO), individual campaigner, member of parliament, political party or government representative. An NGO and its lawyers might work with communities to develop legal strategies around their concerns ([Okoth and Odaga, 2021](#)). This is sometimes called 'movement lawyering', a term which emphasises the importance of co-creating strategic litigation with affected communities ([Cummings, 2017](#)).
- **Identity of the defendants.** Strategic climate litigation has often targeted actors that make the largest direct contribution to the problem (e.g. governments that can legislate or the largest emitters of CO₂) and those who mislead the public about their climate action or consideration of climate risks ([Batros and Khan, 2022](#)). Strategic litigation can also be brought against actors that are less visible, but who are crucial for the functioning of the value chain for high-emitting activities, such as the public authorities that grant fossil fuel licences and permits, and the financial institutions that provide the necessary capital or insurance for high emitters to develop or pursue their core activities.
- **Aim of the litigation.** Strategic litigation aims to achieve societal impact beyond the outcome of individual cases. These cases often seek remedies that move beyond the interests of the individual litigants, influencing broader policy and regulatory frameworks ([Bouwer and Setzer, 2020](#); [Batros and Khan, 2022](#); [Peel and Markey-Towler, 2022](#)). The goals and strategies of such litigation can vary significantly between jurisdictions in the Global South and more developed countries, often reflecting the political and legal landscapes shaped by national leaders – for example, climate

² A case is considered semi-strategic when it meets some but not all the criteria of a strategic case. This includes many 'site-specific' challenges to oil and gas projects. The litigants in such cases are often local groups directly concerned with the impact on their communities, but the pleadings exhibit engagement with broader questions of climate policy.

litigation in the US during the first President Trump administration (Gerrard and McTiernan, 2018) and in Brazil during the President Bolsonaro administration (Tigre and Setzer, 2023).

- **If the case is one piece of a larger effort.** Strategic litigation can be part of a broader advocacy strategy led by one or several organisations (Eilstrup-Sangiovanni, 2019) and often complements efforts outside the courts. These efforts will be carried out by NGOs lobbying or pressurising legislators and policymakers, or sending letters to targeted companies or regulators, or by protesters taking to the streets. The climate litigation movement is also part of an emergent transnational climate litigation network that generates ideas and facilitates intellectual and financial resources for litigants (Iyengar, 2023; Jodoin and Wewerinke-Singh, 2025). Media coverage and a sophisticated communications campaign are often another part of this larger effort.

Classifying a case as strategic or non-strategic does not imply a judgement of one being better or more impactful than the other. Cases brought to achieve relief that will apply to an isolated situation without the intention to influence the broader debate (i.e. non-strategic cases) can be equally important, or more important, than cases that seek the realisation of broader changes in society (i.e. strategic litigation). On the other hand, in some cases the strategic nature of a case may weigh against the claimants in a court's ultimate decision, such as in *ClientEarth v. Shell* (Setzer and Higham, 2022). Courts will not always have regard for the broader intentions of the parties when determining a case, meaning that cases brought with little or no strategic intent may nonetheless provide opportunities for courts to issue far-reaching judgments on novel legal issues. For example, *Raja Zahoor Ahmed v. Capital Development Authority*, a case that was filed in 1995 and in which no legal issues related to climate change were originally argued, resulted in a judgment from the Pakistan Supreme Court in 2022 that included significant jurisprudence on the importance of integrating climate change considerations into urban planning.

It is particularly challenging to assess whether a case is strategic or not if it has been brought or initiated by prosecutors, regulatory bodies and enforcement agencies. Where the case is brought by a traditional environmental regulator under a climate-specific statute or regulation (e.g. a statute regulating hydrofluorocarbons in refrigerants) it is generally not classified as strategic since the regulator is usually performing its legally mandated function. However, there are a growing number of exceptions to this rule, particularly in countries in the Global South. We consider such cases strategic when they fulfil one or more of the following conditions. They are:

- Brought by regulatory bodies that are not traditionally environmental regulators (i.e. they were not set up by statutes specifically targeted at environmental protection);
- Accompanied by public statements indicating that a group of cases is intended to send a strong message about the application of a particular area of law to climate change issues; and/or
- Involve governmental or quasi-governmental actors working with other actors in the legal ecosystem to develop novel arguments and methodologies with the aim of addressing elements of climate change and fostering the development of the law in a specific direction.

The *incidental polluter pays* cases filed by public prosecutors in Brazil and discussed in Section 1 of the report are one example in which this classification has been applied.

Classification of strategy types

Given that our identification of different strategy types in this report is sometimes based on only partial information about a case, it is possible that some cases may employ additional strategies that we have not identified here. We have confined our review to three strategies per case. Determining which strategy takes precedence is subjective and our assessment may differ from the deeper understanding afforded to the parties by their access to more privileged information. Nonetheless, we feel that the classification of cases by strategy can offer a helpful insight into similarities between climate cases, particularly given that differences in legal cultures may require different litigants to employ a variety of legal grounds to achieve the same ends.

It is important to note that not every case identified as strategic can necessarily be integrated into our existing case types. The typology itself is kept under review, and new case strategies are added as necessary. For example, in our 2024 report, we included the new category of *transition risk* cases.

Data for the *Global trends in climate litigation* report series has been classified over a period of many years. This means that for some parts of the analysis different approaches to classification have been applied to the US data, which used to exist in a separate database and format to the cases from the rest of the world, and which was not evaluated in all previous reports. For every non-US case filed since 2015, we have conducted a full assessment of case strategies regardless of when this case was added to the database. In the US, we have adopted an alternative approach, only adding those classifications required to make sense of ongoing trends. This approach has varied between case categories:

- For *government framework* cases, the historic data is derived from the dataset used for a previous report on this subset of cases, which included US cases (Higham et al., 2022). This dataset has been updated based on a thorough review of cases filed from 2022 onwards.
- For cases that only involve corporate defendants, historic data has been derived from a review of a dataset of corporate cases filed since 2015 that was developed and has been regularly updated by the authors. This is used to identify *corporate framework*, *transition risk*, *climate-washing* and *polluter pays* cases.
- For *turning-off-the-taps*, *failure-to-adapt* and *integrating climate considerations* cases, which can involve both cases against corporate actors and government actors, a dataset of historical comparison cases was developed for this report. We then used the case categorisation in the Sabin Center's database and search and filter options to:
 - Identify *failure-to-adapt* cases filed between 2015 and 2023: we first developed a dataset including all cases with the word 'adaptation' in any part of their classification in the Sabin Center's database. This dataset included 94 cases. Each case was then reviewed to determine whether it fell within the definition of *failure-to-adapt*. The original review was completed in May 2024 for the 2024 report. For this 2026 report, that review has been supplemented with a review of all new cases filed in 2023, 2024 and 2025.
 - Identify *turning-off-the-taps* cases by searching key terms such as 'public finance', 'bank' and 'export finance'. We also conducted a manual review of all cases in the 'securities and financial regulation' case category in the Sabin Center's database. This original review was also completed in May 2024 for the 2024 report. As with *failure-to-adapt* cases, that review has been supplemented with a review of all new cases filed in 2023, 2024 and 2025.
 - *Integrating climate considerations* is by far the most common strategy in the global data and we believe this holds true for the US data as well. However, a full review of every US case is not possible with the resources available, so this strategy type has only been assigned for cases filed from 2023 onwards.

Classification of outcomes

When reviewing our classification of outcomes, readers should note that we classify outcomes at several different stages within a given case:

- The first stage at which a case may be classified as having a given outcome (as opposed to being classed as 'open') is when there is a positive ruling on a procedural issue, such as permission to proceed, standing or justiciability, even if the case has not proceeded to trial. This is particularly likely in a case where the issues presented are novel or where the case runs counter to a procedural decision taken in a previous case.
- The second stage is when there is an initial ruling on the case from a court of first instance.
- The third (and sometimes fourth or fifth) stage is when the outcomes of any appeals become known. This means that the status of a case may change from 'favourable' or 'unfavourable' throughout the course of the proceedings as different decisions are issued.

In some instances, cases that may have been classified as having negative outcomes for the parties may nonetheless advance an issue of fact or law that may have positive impacts on subsequent litigation. For example, the case of *Sacchi et al. v. Argentina* has been classified as having an unfavourable outcome because it was dismissed by the Committee on the Rights of the Child. However, it could be argued that the case has, in fact, had positive outcomes because it has helped clarify several issues of international law. This illustrates the overall limitations of imposing a quantitative assessment of outcomes on complex legal cases.

Classification of corporate sectors

Our analysis of cases involving corporate actors for Figure 2.4 includes cases filed directly against private companies, publicly listed companies, state owned enterprises, and the directors and officers of companies. We allocate sectors to each case, first by using the Orbis database maintained by Moody's to identify the sector to which a defendant company belongs. We then consider the subject matter of the case, for example, whether it relates to the company's involvement in energy generation using fossil fuels. If a company is listed as providing financial or business services in Orbis, but it is a holding company for a firm involved in fossil fuel production or fossil fuel energy generation, we assign the latter category. Where a case is filed against multiple defendants, we assign the sector based on the lead defendant: for example, the case of *Smith v. Fonterra* is assigned to the dairy industry, even though energy companies are also among the defendants. As a result, there is a slight underrepresentation of the range of sectors involved in climate litigation in Figure 2.4.

Analysis on supreme courts and equivalent apex courts

When reviewing the analysis of cases that have reached apex courts, such as supreme and constitutional courts, readers should note that each jurisdiction has its own hierarchy of courts, and different apex courts may cover different areas of law. For example, some jurisdictions distinguish between constitutional, civil and administrative apex courts, while federal jurisdictions like the US may allow state supreme courts to act as the apex court on matters of state law that do not have a federal law component. At the same time, the majority of federal jurisdictions, such as Canada and Germany, also have circumstances in which a state supreme court is considered an apex court. An exception to this rule is Brazil, where due to the extreme unlikelihood of a state supreme court being solely capable of acting as the final apex court, only cases that have had their outcomes considered by the Brazilian federal supreme courts (the Federal Supreme Court and the Superior Court of Justice) were classified as being by an apex court.

When classifying a case as part of the apex court analysis, we focused on determining whether the court had provided an outcome for the case in question. This does not necessarily equate to full determination of a case on the merits. Cases that have been evaluated by an apex court on procedural aspects (e.g. requests from lower courts to confirm whether a case can proceed to trial on the merits) and cases where the apex court denied certiorari (in the case of the federal US Supreme Court) or refused to hear the full case on its merits, were also included. This is because the apex court still broadly considered the case and provided some form of outcome.

ANNEX 2. Using topics classifiers to analyse litigation data

By Anne Sietsma, Julie Saigusa and Catherine Higham

In this Annex, we introduce the topics classifiers developed by Climate Policy Radar used in our analysis throughout the report. We provide an overview of the topics classifier methodology, and then additional results and methodological information.

Introducing topics

Climate Policy Radar is a non-profit organisation that builds open databases and research tools to widen access to climate-related data. As part of its work, it has developed classifiers to identify mentions of climate law, policy, finance and governance-related topics in documents. Each topic is developed through robust research and ongoing collaboration with external experts, ensuring the topics match the needs of those analysing climate-related data. To date, Climate Policy Radar has worked with 34 partners on topic development, including policy practitioners, researchers, academics, multilateral organisations and other industry experts from across the world.

In developing the topics, domain experts draw on existing taxonomies used across the climate and environment landscape, reviewing how organisations, academics and civil society groups define and discuss a topic, as well as any recent developments in the area. Definitions, sub-topics, connected terms and synonyms are developed together and stress-tested until a consensus is reached. This expanding network of topics and their relationships makes up a 'knowledge graph'.

To understand the concept of a knowledge graph, we can consider the topic *flood*. The knowledge graph stores a formal definition of the topic with its source, in this case, the Intergovernmental Panel on Climate Change's (IPCC) description. It also stores synonyms for the topic, based on how experts discuss a given subject. Here, words such as *inundation* are stored. To make this into a network, relationships are added. Floods are a type of *extreme weather*. This is a hierarchical relationship, so we can that *flood* is a 'subconcept of' *extreme weather* to illustrate the relationship between the two concepts. There are different types of floods, which means we should add 'has subconcept' relationships to *riverine flood* and *coastal flood*. Not all relationships are hierarchical. For example, one of the adaptation topics in the knowledge graph is *flood early warning system*. To capture these kinds of non-hierarchical relationships, a more generic 'related to' relationship type can be used. Each of those concepts, in turn, has definitions and synonyms, as well as their own relationships.

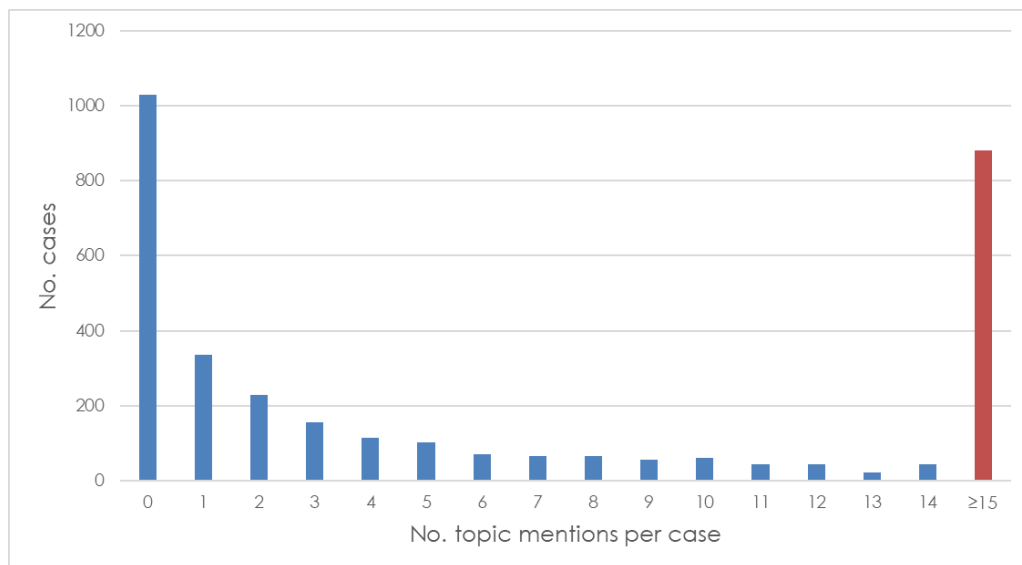
The result is an expanding network of related topics. Currently, there are over 2,000 topics and their relationships mapped, accessible through Climate Policy Radar's [Concept Store](#). This concept store is based on WikiBase. Using it, you can trace the provenance and history of all the topic classifiers used throughout this report.

The Climate Policy Radar knowledge graph is the backbone for how we have created topic classifiers. In creating a classifier, there are a variety of technical options to consider. But essentially, each classifier is an algorithm, which takes a text paragraph as input and output, if and where a particular topic occurs. In other words, they are pieces of code that answer the question: does this topic exist in this text? The [source code](#) is publicly accessible on Github, in line with open science and open source principles.

For this report, the topic classifiers use keyword-based matching, meaning they are relatively simple from a technical perspective. Their sophistication lies largely with the extensive expert-validated taxonomies of the concept store. The classifier's performance is improved, evaluated and validated using quantitative metrics and qualitative assessment by domain experts. This involves manually labelling samples of text for each topic. Data is grouped along 'equity strata' to evaluate classifier performance across different geographical and document characteristics.

Once the performance of each classifier is considered sufficient, the classifier is then applied to Climate Policy Radar’s complete corpus. This means the classifier can be used to search and filter any document in the database, including the Sabin Centre’s Climate Case Chart, which is the primary data source for this report.

The underrepresentation of adaptation in climate cases



The adaptation topic is among the newer ones that Climate Policy Radar developed. The UNEP Climate Technology Centre and Network (CTCN) Adaptation Technology Taxonomy was chosen as the foundation for structuring this concept, as it is relatively detailed. However, some additions were made to cover thematic blind spots. This included expanding the narrow framing of "technologies" to include all "adaptation and resilience actions", as well as adding enabling factors. Further additions were based on the UNEP Technology Needs Assessment Adaptation Technology Taxonomy, and other adaptation taxonomies summarised in the United Nations Office for Disaster Risk Reduction and Climate Bonds Initiative’s Climate Resilience Classification Framework; this resulted in additions related to ecosystems, economic activity, societies, and cultural and natural heritage. The draft taxonomy was validated through cross-referencing with other frameworks, including the Global Goal on Adaptation indicators and European Environment Agency Climate-ADAPT case studies, and expert consultations.

In line with the process described in the 'Introducing topics' section above, a number of classifiers were created based on this taxonomy, most of which are focused on a type of adaptation (e.g. *freshwater adaptation* or *coastal zone and marine adaptation*), containing synonyms and subconcepts related to specific adaptation actions and technologies (e.g. *drought plan*, *improved irrigation*) as well more abstract adaptation-relevant phrases (e.g. *resilient drinking water*). In addition, an overarching adaptation/resilience classifier was developed, which combines the results of all the other adaptation classifiers and adds generic adaptation-related phrases (e.g. *reducing climate risk*).

This overarching, highly comprehensive adaptation classifier is well-suited to determine if adaptation-relevant topics are gaining traction in the courts. In the figure above, we show that even with this expansive understanding of adaptation, many cases (n=1,028) do not contain any adaptation-relevant phrases. Most cases that do mention adaptation do so only once (n=4,337) or twice (n=229), suggesting relatively shallow engagement. However, there is a long tail in this metric: in some cases, adaptation phrases are used dozens of times. Our analysis found that there are 880 cases that mention an adaptation-relevant phrase at least 15 times.

The role of impacted groups in climate cases

The impacted groups classifiers used to underpin our analysis in Section 2.3 are based primarily on an earlier analysis of climate justice policies by Chan et al. (2024). Based on expert interviews, two major

adjustments were made. First, we added the 'impacted workers' category. This is to acknowledge that the *response* to climate change will also have impacts on certain groups of workers. For example, the manufacturing of electric vehicles requires fewer components than combustion engine cars. This means that some factory workers will likely lose their job. Second, keywords and groupings were added to differentiate the mechanisms through which people are impacted, in part based on insights from the UN Climate Champions Race to Resilience Campaign published by Billi et al. (2024). In practice, people are often impacted through multiple mechanisms at once. We have tried to accommodate this nuance by allowing subconcepts to have multiple parent concepts. For example, refugees often face discrimination as well as lacking resources. The topic *people on the move* therefore is also considered a subset of both *marginalised people* and *people with limited assets*. Similarly, *Indigenous People* is a subset of *marginalised people*. Although this leads to double counting, we preferred this approach to flattening the complex intersections through which people and communities are impacted.

We acknowledge that topics classifiers were not developed with litigation in mind and are not therefore designed to identify claimants in climate cases. Mentions of impacted groups identified here do not necessarily mean that these groups are among the parties in the proceedings. This means that the results displayed for this analysis should be treated as an indication only, and as an invitation to explore the data further to better understand the regional nuances involved in articulating legal claims based on specific climate risks and vulnerabilities. To support our regional analysis, we then calculate how much more often each of the topics is mentioned in each region. More exactly, we calculate the share of the total number of passages from a given region that mention each topic, then divide this by the share for the rest of the world. To make plots more intuitive to read, we take a log₂ transform to ensure that half and double are equidistant. As such, a score of 1 means that a topic is twice as prevalent in the given region as in all other regions; a score of -1 means half as prevalent; 0 means exactly as prevalent.

While in most cases, the resulting graphs match expert expectations reasonably well, this method can produce strong outliers where data is scarce. For example, documents rarely mention sexual minorities, so even a single case discussing sexual minorities can greatly increase the score for this topic in regions with lower coverage. This also helps explain the results in Africa: as the overall number of African cases is so low, the topical content of these few cases leads to relatively large swings in the score.

Identifying state-owned enterprise cases

In previous years, our data has only included a breakdown by actor type at a relatively high level. This has meant that state-owned enterprises and financial institutions have generally been identified as 'corporate' actors. This year, however, we were able to use Climate Policy Radar classifiers to isolate cases in which state-owned enterprises were mentioned, and that were filed from 2015 onwards. The state-owned enterprises and financial institutions classifiers are subconcepts within the *climate finance* topic, the taxonomy for which was primarily based on Climate Policy Initiative's *Global Landscape of Climate Finance 2023* and its methodology document. Data from Wikipedia's list of government-owned companies was used to populate subconcepts, and these were further refined with input from internal and external experts.

1. Initially our search brought back 263 results. These were then manually reviewed to identify cases in which state-owned enterprises (SOEs) were among the defendants. Companies which are wholly owned subsidiaries of SOEs, such as Motiva LLC (a subsidiary of Saudi Aramco) and Citgo (a subsidiary of Petroleos de Venezuela) were classified as SOEs. State-controlled companies such as ENI and Equinor were also listed as SOEs for this analysis. We also identified several cases which were not filed against SOEs, but which concerned SOEs in some way. These findings are reflected in the analysis above. A similar exercise was conducted for state-owned financial institutions. We identified a further 17 results when filtered for cases filed after 2017. These results were then manually reviewed and, where relevant, defendants were assigned the SOE classification in our dataset. Our findings were validated by using an LLM (Claude) to check the results, including for US cities and states cases. We were able to identify several additional cases involving SOE defendants through this validation process.

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