

Introducing the BIICL Climate Law and Litigation Blog: Bridging Global Perspectives and Legal Innovation

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We are proud to introduce the [Climate Law and Litigation \(CLL\) Blog](#), a pioneering initiative by the British Institute of International and Comparative Law (BIICL). This platform builds on BIICL's growing expertise in Climate Change Law and Litigation, providing a collaborative space for thought leadership and interdisciplinary dialogue.

The CLL blog will feature contributions from leading experts across every continent, including contributions drawn from over 200 practitioners, academics, judges, and scientists involved in BIICL's [International Expert Group of the Global Toolbox on Corporate Climate Litigation](#). As the legal community confronts the challenges of the climate crisis, the CLL blog offers a timely forum for exploring innovative strategies and actionable solutions to advance justice, accountability, and sustainability.

A Timely and Interdisciplinary Initiative

The law is increasingly recognised as a critical mechanism for addressing the multifaceted climate crisis. The CLL Blog highlights the intersections between climate law and BIICL's key areas of research, including [Business and Human Rights](#), [Migration](#), [Law of the Sea](#), [Investment and Trade](#), [Cultural Heritage](#), and [Artificial Intelligence](#), as well as drawing on the expertise fostered in our Forums—on [Competition Law](#), [Investment Treaty](#), [Product Liability](#), and [Human Rights Due Diligence](#). By fostering these connections, the CLL blog demonstrates how legal frameworks can drive systemic change and provide holistic responses to the complex challenges posed by climate change.

For instance, the recent appellate ruling in *Shell v Milieudefensie* revisited the landmark [2021 Hague District Court decision](#), upholding the overarching principle of corporate accountability under climate and human rights norms. However, by declining to enforce specific emissions reduction targets, the appellate court tempered the decision's immediate enforceability, reflecting a more cautious approach to binding obligations. These developments underscore the potential—and limitations—of judicial interventions in addressing governance gaps and advancing coordinated climate action across jurisdictions.

Global Perspectives and Rich Contributions

The CLL Blog is more than just a repository of updates; it is a platform to foster discussion, share lessons learned, and push the boundaries of what climate law and litigation can achieve. With its launch, we embark on an exciting journey of exploring climate-related developments and the diverse legal systems and orders addressing them. Each post will provide a different perspective on global climate justice, offering insights into how different jurisdictions tackle similar challenges.

Key Themes of the CLL Blog

The CLL Blog is designed to achieve three key objectives:

- I. Highlight Global Diversity:** Explore the breadth of climate law and litigation across jurisdictions, amplifying voices from the Global South and other underrepresented regions.
- II. Foster Interdisciplinarity:** Showcase the connections between climate law and other disciplines to inspire innovative, cross-sectoral approaches to governance and justice.
- III. Drive Innovation:** Feature well-researched blog posts grounded in expert analysis, translating complex legal scholarship into accessible insights and practical strategies for addressing climate challenges.

These objectives reflect BIICL's commitment to advancing impactful, inclusive research and fostering global collaboration in the legal response to the climate crisis.

Spotlight on Inaugural Contributions

The inaugural issue highlights recent developments in climate litigation and provides a deep thematic focus on *Climate Litigation in the Global South*, a region pivotal to advancing climate governance. This structure reflects the format we will adopt in subsequent issues, a combination of posts featuring updates on critical cases alongside posts addressing a particular theme.

New Developments in Climate Litigation

1. *Shell v Milieudefensie (Netherlands)*: Dr Fergus Green explores the appeal judgment that overturned the emissions reduction target for Shell but established critical precedents for corporate duties of care under international human rights and climate norms, signaling opportunities for similar litigation globally.

2. *The Kobe Case (Japan)*: Dr Masako Ichihara analyses Japan's first substantive climate lawsuit, which challenged inadequate environmental impact assessments for coal-fired power plants. This case underscores the judiciary's growing willingness to address long-term climate impacts while safeguarding public health and environmental sustainability.

3. *Do-Hyun Kim et al v South Korea (South Korea)*: Filippo P. Fantozzi and Joe Udell explore the Constitutional Court's recognition of the right to a healthy environment. This landmark decision prioritises intergenerational equity and strengthens South Korea's legal framework for aligning domestic policies with global climate commitments.

Focus of the Month: *Climate Litigation in the Global South*

This month's focus highlights the rich and evolving climate litigation landscape in the Global South. These contributions reflect the innovative legal strategies emerging from jurisdictions disproportionately affected by climate change and their significant impact on global governance.

4. *Litigating Climate Change in the Global South*: Professors Jacqueline Peel and Jolene Lin introduce the first monograph-length work in English to provide a comprehensive assessment of climate litigation in developing countries. Their analysis demonstrates that the Global South experience is rich and powerful, offering innovative legal strategies that address socio-economic and environmental challenges while inspiring multi-directional learning. The authors highlight how these cases contribute significantly to the global climate litigation discourse, advancing justice and accountability.

5. *Kenya's Carbon Markets Regulations 2024*: Dr Omondi Owino examines Kenya's progressive carbon market regulations, which empower communities to challenge non-compliant carbon offset projects. This framework highlights the importance of legal tools in advancing environmental justice and regulatory integrity, serving as a model for other jurisdictions.

6. *PSB et al v Brazil (the Climate Fund Case) (Brazil)*: Judge Gabriel Wedy and Professor Patricia Iglecias analyse the Brazilian Supreme Court's decision mandating the operationalisation of the National Climate Fund. This ruling exemplifies how courts can enforce constitutional environmental duties and ensure that governments meet their climate commitments.

7. *Advancing Climate Justice through Creative Lawyering*: Atty. Gregorio Rafael P. Bueta reflects on the innovative strategies emerging from Asia-Pacific jurisdictions. His analysis underscores the importance of grassroots advocacy and creative legal approaches in empowering vulnerable communities and advancing climate justice.

Join the Conversation

The Climate Law and Litigation Blog offers a unique opportunity to explore and engage with the latest developments in this dynamic and critical legal field. Designed to foster dialogue among scholars, practitioners, policymakers, advocates, and scientists, the Blog amplifies diverse perspectives and provides expert insights into how law can play a transformative role in addressing the climate crisis.

By showcasing thought leadership from global experts, the CLL Blog aims to inspire bold action and innovative thinking in legal responses to climate change. Together, we can advance the pursuit of climate justice and governance, contributing to a sustainable and equitable future.

Editor-in-Chief:

Dr Ivano Alogna serves as Senior Research Fellow in Environmental and Climate Change Law at BIICL, where he leads the Institute's innovative programme in this critical field. An expert in international and comparative environmental law, Dr Alogna has

co-edited influential works such as *Climate Change Litigation: Global Perspectives* (Brill) and directs the BIICL Global Toolbox on Corporate Climate Litigation. A licensed attorney and experienced lecturer, Dr Alogna actively contributes to global discussions as Co-Lead of the Litigation Cluster within the Climate Change Law Expert Group of the IUCN World Commission on Environmental Law. His award-winning PhD research (Sorbonne Law School) - forthcoming with LGDJ, Paris - offers a pioneering analysis of the evolution of global environmental law through the circulation of legal models.

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