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Climate Litigation as Urban Governance: Insights from Global Climate Litigation

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Abstract

As climate impacts intensify in urban areas, cities are increasingly drawn into the centre of climate governance. At the same time, climate litigation has expanded globally, with courts becoming influential sites where climate responsibilities, regulatory authority, and implementation failures are contested. This paper conceptualises climate litigation as a form of urban governance, examining how litigation initiated or shaped by urban interests contributes to governing climate risk beyond formal legislative and policy processes. Drawing on doctrinal legal analysis and comparative insights from global climate litigation, the paper examines how courts influence urban climate governance through administrative review, statutory interpretation, and the adjudication of disputes involving states and corporate actors. It highlights how cities increasingly use established legal tools in novel ways to pursue climate objectives, enforce regulatory compliance, and reshape intergovernmental relations with urban consequences. The paper argues that climate litigation functions as a de facto governance mechanism in cities, particularly where climate policy implementation is fragmented or politically constrained. While litigation can strengthen accountability and catalyse urban climate action, it also exposes limitations relating to institutional capacity, democratic legitimacy, and the durability of court-led governance. By reframing climate litigation as urban governance, the paper offers insights into the evolving role of cities and courts in global climate governance.

Keywords: Accountability; Environmental Governance; Implementation Gap; Judicial Intervention; Local Government