

# **Climate Change Litigation against the State in the United States of America, India and Germany**

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Over the past decade organizations as well as individuals all over the world have started using litigation as a tool to combat climate change. Nation States yield the most potential to effectively enforce climate protection. This research project analyzes three different legal orders in order to identify if and to what extent a State can be held accountable before its own national courts in order to increase its efforts to combat climate change. The USA, India and Germany are used as examples.

Climate change litigation vis-à-vis the State is a relatively new phenomenon. Thus, an assessment of coherent approaches is not possible in either of these legal orders. Nonetheless, typical legal problems can be extracted. Similar challenges climate change litigation faces in other legal orders are referred to as well. This study compares how the three legal orders approach these questions in general. Thereby, the study aims at assessing how receptive the respective legal orders are for climate change litigation.